



# 1995 ENGROSSED ASSEMBLY BILL 150

June 23, 1995 - Printed by direction of SENATE CHIEF CLERK.

1     **AN ACT relating to:** state finances and appropriations, constituting the  
2             executive budget act of the 1995 legislature, and making appropriations.

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*Analysis by the Legislative Reference Bureau*

**CONTENTS**

The text of Engrossed 1995 Assembly Bill 150 consists of the following documents adopted in the assembly on June 21 and 22, 1995: Assembly Substitute Amendment 1 to the bill, as affected by the assembly's adoption of Assembly Amendment 26 (as affected by Assembly Amendments 1, 2, 3, 12, 22, 31, 33, 34 and 36 thereto), Assembly Amendment 27, Assembly Amendment 35 (as affected by Assembly Amendment 1 thereto) and Assembly Amendment 43.

Two of these amendments affect the same bill text. In this engrossed bill, the treatment of page 2193, line 14, of Assembly Substitute Amendment 1 by Assembly Amendment 1 to Assembly Amendment 35 is superseded by the treatment of page 2193, lines 13 to 25 by Assembly Amendment 26 because Assembly Amendment 26, the later adopted amendment, deleted material inserted by Assembly Amendment 1 to Assembly Amendment 35, the earlier adopted amendment.

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**GUIDE TO NONSTATUTORY MATERIAL**

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

Treatments of prior session laws (styled "[year] Wisconsin Act ...." or, before 1983, "laws of [year], chapter ....") are displayed next by year of original enactment and by act number.

Following the treatment of prior session laws, the remaining nonstatutory material is set forth in bill SECTIONS numbered as follows:

**9101 to 9159: Nonstatutory provisions; agency name.**

**9201 to 9259: Appropriation changes; agency name.**

**9301 to 9359: Initial applicability; agency name.**

**9400 to 9459: Effective dates; agency name.**

In each of the 4 categories, there is a separate SECTION number for every agency. In that number, the last 2 digits correspond to the agencies as shown below. For example, for nonstatutory provisions that are not appropriation changes or initial applicability or effective date provisions affecting the historical society, see SECTION 9128. The agencies are listed in alphabetical sequence by key word. For any agency not yet assigned a 2-digit identification number or any provision that does not relate to the functions of any particular agency, see number “59” (other) in each category.

- 01 ADMINISTRATION
- 02 ADOLESCENT PREGNANCY PREVENTION AND PREGNANCY SERVICES BOARD
- 03 AGING AND LONG-TERM CARE BOARD
- 04 AGRICULTURE, TRADE AND CONSUMER PROTECTION
- 05 ARTS BOARD
- 06 BANKING
- 07 BOUNDARY AREA COMMISSION, MINNESOTA-WISCONSIN
- 08 BUILDING COMMISSION
- 09 CHILD ABUSE AND NEGLECT PREVENTION BOARD
- 10 CIRCUIT COURTS
- 11 CONSERVATION CORPS BOARD
- 12 CORRECTIONS
- 13 COST CONTAINMENT COMMISSION
- 14 COURT OF APPEALS
- 15 CREDIT UNIONS
- 16 DEVELOPMENT
- 17 EDUCATIONAL COMMUNICATIONS BOARD
- 18 ELECTIONS BOARD
- 19 EMPLOYEE TRUST FUNDS
- 20 EMPLOYMENT RELATIONS COMMISSION
- 21 EMPLOYMENT RELATIONS DEPARTMENT
- 22 ETHICS BOARD
- 23 GAMING COMMISSION
- 24 GOVERNOR
- 25 HEALTH AND EDUCATIONAL FACILITIES AUTHORITY
- 26 HEALTH AND SOCIAL SERVICES
- 27 HIGHER EDUCATIONAL AIDS BOARD
- 28 HISTORICAL SOCIETY
- 29 HOUSING AND ECONOMIC DEVELOPMENT AUTHORITY
- 30 INDUSTRY, LABOR AND HUMAN RELATIONS
- 31 INSURANCE
- 32 INVESTMENT BOARD
- 33 JOINT COMMITTEE ON FINANCE
- 34 JUDICIAL COMMISSION



1           11.36 (1) No person may solicit or receive from any state officer or employe or  
2 from any officer or employe of the University of Wisconsin Hospitals and Clinics  
3 Authority any contribution or service for any political purpose while the officer or  
4 employe is ~~on state time or~~ is engaged in his or her official duties, except that an  
5 elected state official may solicit and receive services not constituting a contribution  
6 from a state officer or employe or an officer or employe of the University of Wisconsin  
7 Hospitals and Clinics Authority with respect to a referendum only. Agreement to  
8 perform services authorized under this subsection may not be a condition of  
9 employment for any state such officer or employe.

10           **SECTION 9.** 11.36 (3) and (4) of the statutes are amended to read:

11           11.36 (3) Every person who has charge or control in a building, office or room  
12 occupied for any purpose by this state ~~or~~, by any political subdivision thereof or by  
13 the University of Wisconsin Hospitals and Clinics Authority shall prohibit the entry  
14 of any person into that building, office or room for the purpose of making or receiving  
15 a contribution.

16           (4) No person may enter or remain in any building, office or room occupied for  
17 any purpose by the state ~~or~~, by any political subdivision thereof or by the University  
18 of Wisconsin Hospitals and Clinics Authority or send or direct a letter or other notice  
19 thereto for the purpose of requesting or collecting a contribution.

20           **SECTION 14L.** 13.101 (4a) of the statutes is created to read:

21           13.101 (4a) The committee may transfer appropriated moneys from the  
22 appropriation account of any state agency, as defined in s. 20.001 (1), under which  
23 document production, reproduction or distribution costs are financed, other than a  
24 sum sufficient appropriation account, to the appropriation account under s. 20.870  
25 (1) (r), in an amount not exceeding the savings accruing to the state during the fiscal

1 biennium in which the transfer is made resulting from the centralization of  
2 document production, reproduction or distribution functions in the department of  
3 administration, as documented by the department.

4 **SECTION 14g.** 13.101 (4b) of the statutes is created to read:

5 13.101 (4b) The committee may transfer appropriated moneys from the  
6 appropriation account of any state agency, as defined in s. 20.001 (1), other than a  
7 sum sufficient appropriation account, in an amount not greater than the estimated  
8 savings to the state resulting from the implementation by the agency of an  
9 information technology project under s. 16.971 (5), to the appropriation account  
10 under s. 20.870 (1) (r). The committee shall not act under this subsection unless the  
11 estimated savings to the state are documented by the secretary of administration.

12 **SECTION 15.** 13.101 (4g) of the statutes is amended to read:

13 13.101 (4g) At the request of the department of agriculture, trade and  
14 consumer protection under s. 92.14 (4r), the committee may transfer funds from the  
15 appropriation under s. 20.370 (4) ~~(eq)~~ (6) (aq) to the appropriation under s. 20.115 (7)  
16 (q) if necessary to provide grants under s. 92.14 (4) (c).

17 **SECTION 16.** 13.101 (6) (a) of the statutes is amended to read:

18 13.101 (6) (a) As an emergency measure necessitated by decreased state  
19 revenues and to prevent the necessity for a state tax on general property, the  
20 committee may reduce any appropriation made to any board, commission,  
21 department, the university of Wisconsin system or to any other state agency or  
22 activity by such amount as it deems feasible, not exceeding 25% of the  
23 appropriations, except appropriations made by ss. 20.255 (2) (ac), (bc), (bh), (bm), (cg)  
24 and (cr), 20.395 (1), (2) (cq), (eq) to (ex) and (gq) to (gx), (3), (4) (aq) to (ax) and (6) (aq)  
25 and (ar), 20.435 (4) ~~(a), (d) and (e)~~ (1) (c), (6) (a) and (7) (da) and 20.445 (3) (a) and

1     (d) or for forestry purposes under s. 20.370 (1), or any other moneys distributed to  
2     any county, city, village, town or school district. Appropriations of receipts and of a  
3     sum sufficient shall for the purposes of this section be regarded as equivalent to the  
4     amounts expended under such appropriations in the prior fiscal year which ended  
5     June 30. All functions of said state agencies shall be continued in an efficient  
6     manner, but because of the uncertainties of the existing situation no public funds  
7     should be expended or obligations incurred unless there shall be adequate revenues  
8     to meet the expenditures therefor. For such reason the committee may make  
9     reductions of such appropriations as in its judgment will secure sound financial  
10    operations of the administration for said state agencies and at the same time  
11    interfere least with their services and activities.

12           **SECTION 16g.** 13.101 (10) of the statutes is amended to read:

13           13.101 **(10)** The committee may approve expenditure of moneys received by  
14    this state as a part of a block grant, and may approve a transfer of moneys allocated  
15    by the federal government to this state as a part of a block grant for use as a part of  
16    another such grant made for different purposes. In this subsection, "block grant" has  
17    the meaning given under s. 16.54 (2) (a).

18           **SECTION 16m.** 13.101 (13) of the statutes is created to read:

19           13.101 **(13)** (a) Upon the crediting of proceeds from the sale or lease of a state  
20    building or structure or state land to the appropriation account under s. 20.865 (4)  
21    (a), the amounts in the schedule for that appropriation are increased by the amount  
22    credited for the fiscal biennium in which the crediting occurs.

23           (b) If the building, structure or land was used by a single agency, as defined in  
24    s. 13.48 (14) (a), the committee may, upon request of that agency, transfer not more  
25    than 50% of the moneys so credited to any appropriation account of that agency, other

1 than a sum sufficient appropriation account, without finding that an emergency  
2 exists under sub. (3) (a) 1. Upon such transfer, the amounts in the schedule for any  
3 sum certain appropriation to the agency from the account to which a transfer is made  
4 are increased by the amount transferred during the fiscal year or biennium for which  
5 the appropriation is made.

6 (c) The committee may, upon request of the building commission, transfer not  
7 more than 50% of the moneys so credited to the building trust fund without finding  
8 that an emergency exists under sub. (3) (a) 1.

9 (d) If the building, structure or land was not used by a single agency, as defined  
10 in s. 13.48 (14) (a), or was under the management of the department of  
11 administration for use by more than one agency, the committee may, upon request  
12 of the building commission, transfer an amount not greater than the amount of the  
13 moneys so credited to the building trust fund without finding that an emergency  
14 exists under sub. (3) (a) 1.

15 **SECTION 16q.** 13.123 (2) of the statutes is repealed.

16 **SECTION 16r.** 13.123 (3) of the statutes is renumbered 13.123 (2), and 13.123  
17 (2) (c), as renumbered, is amended to read:

18 13.123 (2) (c) Paragraph (b) may not be construed to affect eligibility for any  
19 allowance authorized under sub. (1) ~~or (2)~~.

20 **SECTION 17.** 13.172 (1) of the statutes is amended to read:

21 13.172 (1) In this section, "agency" means an office, department, agency,  
22 institution of higher education, association, society or other body in state  
23 government created or authorized to be created by the constitution or any law, which  
24 is entitled to expend moneys appropriated by law, including the legislature and the  
25 courts, and any authority created in ch. 231, 233 or 234.

1           **SECTION 17e.** 13.20 (2) of the statutes is amended to read:

2           13.20 (2) PAY RANGES; DURATION OF EMPLOYMENT. All legislative employes shall  
3 be paid in accordance with the compensation and classification plan for employes in  
4 the classified civil service within ranges approved by the joint committee on  
5 legislative organization, but subject to the pay range maximum and compensation  
6 maximum under s. 230.125. The secretary of employment relations shall make  
7 recommendations concerning a compensation and classification schedule for  
8 legislative employes if requested to do so by the joint committee on legislative  
9 organization or by the committee on organization of either house. If the joint  
10 committee does not approve pay ranges for legislative employes, the committee on  
11 organization of either house may approve pay ranges for its employes. Appointments  
12 shall be made for the legislative session, unless earlier terminated by the appointing  
13 officer.

14           **SECTION 17f.** 13.45 (3) (a) of the statutes is amended to read:

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

20           **SECTION 17m.** 13.48 (1m) (e) of the statutes is created to read:

21           13.48 (1m) (e) Notwithstanding par. (b), the building commission may grant  
22 waivers under s. 44.39 (5).

23           **SECTION 18m.** 13.48 (5) of the statutes is renumbered 13.48 (5) (a).

24           **SECTION 18n.** 13.48 (5) (b) of the statutes is created to read:

1           13.48 (5) (b) Whenever the building commission considers any proposal for the  
2 construction of a new correctional institution or the expansion of an existing  
3 correctional institution, the department of administration shall provide the  
4 commission with information concerning annual operating costs, including staffing  
5 costs, that will result from such construction or expansion in connection with  
6 consideration of that proposal.

7           **SECTION 22.** 13.48 (10) of the statutes, as affected by 1993 Wisconsin Act 288,  
8 is amended to read:

9           13.48 (10) APPROVAL BY BUILDING COMMISSION. (a) No state board, agency, officer,  
10 department, commission or body corporate may enter into a contract for the  
11 construction, reconstruction, remodeling of or addition to any building, structure, or  
12 facility, which involves a cost in excess of \$100,000, without completion of final plans  
13 and arrangement for supervision of construction and prior approval by the building  
14 commission. The building commission may not approve a contract for the  
15 construction, reconstruction, renovation or remodeling of or an addition to a state  
16 building as defined in s. 44.51 (2) unless it determines that s. 44.57 has been complied  
17 with or does not apply. This section applies to the department of transportation only  
18 in respect to buildings, structures and facilities to be used for administrative or  
19 operating functions, including buildings, land and equipment to be used for the  
20 motor vehicle emission inspection and maintenance program under s. 110.20.

21           (b) This subsection does not apply to ~~contracts~~ any of the following:

22           1. Contracts by the department of natural resources for construction work  
23 related to hazardous substance spill response under s. 144.76 or environmental  
24 repair under s. 144.442. ~~This subsection does not apply to projects~~

1           2. Projects approved by the governor in response to emergency situations under  
2 s. 16.855 (16) (b) or to allocations from the appropriation made under s. 20.867 (2)  
3 for special category projects when the building commission has released funds under  
4 sub. (3) and has also approved a plan for the expenditure of those funds. “Special  
5 category projects” for the purpose of this subsection subdivision include ~~but are not~~  
6 ~~limited to~~ projects such as special maintenance, energy conservation, handicapped  
7 access and advance property acquisition designated by the building commission.

8           **SECTION 22m.** 13.48 (10) (a) of the statutes, as affected by 1993 Wisconsin Act  
9 288 and 1995 Wisconsin Act .... (this act), is repealed and recreated to read:

10           13.48 (10) (a) No state board, agency, officer, department, commission or body  
11 corporate may enter into a contract for the construction, reconstruction, remodeling  
12 of or addition to any building, structure, or facility, which involves a cost in excess  
13 of \$100,000, without completion of final plans and arrangement for supervision of  
14 construction and prior approval by the building commission. The building  
15 commission may not approve a contract for the construction, reconstruction,  
16 renovation or remodeling of or an addition to a state building as defined in s. 44.51  
17 (2) unless it determines that s. 44.57 or 16.846 has been complied with or does not  
18 apply. This section applies to the department of transportation only in respect to  
19 buildings, structures and facilities to be used for administrative or operating  
20 functions, including buildings, land and equipment to be used for the motor vehicle  
21 emission inspection and maintenance program under s. 110.20.

22           **SECTION 23.** 13.48 (10) (b) 3. of the statutes is created to read:

23           13.48 (10) (b) 3. Construction or improvement projects of the University of  
24 Wisconsin Hospitals and Clinics Authority.

25           **SECTION 24.** 13.48 (13) (a) of the statutes is amended to read:

1           13.48 (13) (a) Except as provided in par. (c), every building, structure or facility  
2 that is constructed for the benefit of or use of the state or any state agency, board,  
3 commission or department or the University of Wisconsin Hospitals and Clinics  
4 Authority shall be in compliance with all applicable state laws, rules, codes and  
5 regulations but the construction is not subject to the ordinances or regulations of the  
6 municipality in which the construction takes place except zoning, including without  
7 limitation because of enumeration ordinances or regulations relating to materials  
8 used, permits, supervision of construction or installation, payment of permit fees, or  
9 other restrictions.

10           **SECTION 24c.** 13.48 (13) (a) of the statutes, as affected by 1995 Wisconsin Act  
11 .... (this act), is amended to read:

12           13.48 (13) (a) Except as provided in par. (b) or (c), every building, structure or  
13 facility that is constructed for the benefit of or use of the state or any state agency,  
14 board, commission or department or the University of Wisconsin Hospitals and  
15 Clinics Authority shall be in compliance with all applicable state laws, rules, codes  
16 and regulations and zoning ordinances or regulations of the municipality in which  
17 the construction takes place but is not subject to other ordinances or regulations of  
18 that municipality, including without limitation because of enumeration ordinances  
19 or regulations relating to materials used, permits, supervision of construction or  
20 installation, payment of permit fees, or other restrictions.

21           **SECTION 24f.** 13.48 (13) (b) of the statutes is created to read:

22           13.48 (13) (b) Every building, structure or facility that is constructed at state  
23 fair park shall be in compliance with all applicable state laws, rules and codes but  
24 is not subject to zoning or any other ordinances or regulations of the municipality in  
25 which the park is located.

1           **SECTION 24g.** 13.48 (14) (a) of the statutes is renumbered 13.48 (14) (am).

2           **SECTION 24h.** 13.48 (14) (a) of the statutes is created to read:

3           13.48 (14) (a) In this subsection, “agency” has the meaning given for “state  
4 agency” in s. 20.001 (1).

5           **SECTION 24j.** 13.48 (14) (c) of the statutes is amended to read:

6           13.48 (14) (c) ~~Net~~ If there is any outstanding public debt used to finance the  
7 acquisition of a building, structure or land or the construction of a building or  
8 structure that is sold or leased under par. (b), the building commission shall deposit  
9 a sufficient amount of the net proceeds from the sale or lease of the lands or buildings  
10 under par. (b) shall be deposited building, structure or land in the bond security and  
11 redemption fund under s. 18.09 to pay repay the principal and pay the interest on  
12 any bonds used to finance those lands or buildings the debt, and any premium due  
13 upon refunding any of those bonds that debt. If there are is no such bonds debt  
14 outstanding, the net proceeds shall be used to pay the principal and interest on the  
15 bond which is from any revenue source from which there were appropriations to  
16 support those lands or buildings and which bears the highest true interest costs in  
17 comparison to any other bond from such revenue sources or, if the net proceeds  
18 exceed the amount required to repay that principal and pay that interest and  
19 premium, the building commission shall credit the net proceeds or remaining net  
20 proceeds to the appropriation account under s. 20.865 (4) (a).

21           **SECTION 24k.** 13.48 (14) (d) 1. of the statutes is amended to read:

22           13.48 (14) (d) 1. In this paragraph, “surplus land” means land under the  
23 jurisdiction of the commission and allocated for use by a state an agency, but unused  
24 and not needed for the agency’s operations or included in the agency’s plan for  
25 construction or development.

**SECTION 24L**

1           **SECTION 24L.** 13.48 (14) (d) 2. of the statutes is amended to read:

2           13.48 (14) (d) 2. Biennially, beginning on January 1, 1984, each state agency  
3           having surplus land shall submit to the building commission and the joint committee  
4           on finance an inventory containing the description, location, description and fair  
5           market value of each parcel of surplus land.

6           **SECTION 24m.** 13.48 (14) (d) 3. a. to c. of the statutes are amended to read:

7           13.48 (14) (d) 3. a. The location, description and fair market value, description  
8           and location.

9           b. Whether the commission intends to sell or transfer the use of the parcel will  
10          ~~be sold or transferred for use by~~ from one agency to another state agency.

11          c. ~~Whether~~ If the commission intends to transfer use of the parcel from one  
12          agency to another agency, whether transfer of the parcel ~~for use by another state~~  
13          agency is critical or desirable, ~~if the commission intends to transfer the parcel.~~

14          **SECTION 25.** 13.48 (26) of the statutes is amended to read:

15          13.48 (26) CLEAN WATER ANNUAL FINANCE PLAN APPROVAL. The building  
16          commission shall review the versions of the biennial finance plan and any  
17          amendments to the biennial finance plan submitted to it by the department of  
18          natural resources and the department of administration under s. 144.2415 (3) (bm)  
19          and the recommendations of the joint committee on finance and the standing  
20          committees to which the versions of the biennial finance plan and any amendments  
21          were submitted under s. 144.2415 (3) (bm). The building commission shall consider  
22          the extent to which that version of the biennial finance plan that is updated to reflect  
23          the adopted biennial budget act will maintain the clean water fund in perpetuity,  
24          ~~maintain the purchasing power of the clean water fund, meet the requirements of ss.~~  
25          ~~144.241 and 144.2415 to provide financial assistance for water quality pollution~~

1 ~~abatement needs and nonpoint source water pollution management needs, and~~  
2 ~~provide a stable and sustainable annual level of financial assistance under ss.~~  
3 ~~144.241 and 144.2415 proportional to the state's long-term water pollution~~  
4 ~~abatement and management needs and priorities.~~ The building commission shall  
5 also consider the extent to which the implementation of the clean water fund, as set  
6 forth in ~~that version of~~ the biennial finance plan updated to reflect the adopted  
7 biennial budget act, implements legislative intent on the clean water fund program.  
8 The building commission shall, no later than 60 days after the date of enactment of  
9 the biennial budget act, either approve or disapprove the biennial finance plan that  
10 is updated to reflect the adopted biennial budget act, except that the building  
11 commission may not disapprove those amounts that the legislature approves under  
12 s. 144.2415 (3) (c). If the building commission disapproves the version of the biennial  
13 finance plan that is updated to reflect the adopted biennial budget act, it must notify  
14 the department of natural resources and the department of administration of its  
15 reasons for disapproving the plan, and those departments must revise that version  
16 of the biennial finance plan and submit the revision to the building commission.

17 **SECTION 26.** 13.48 (28) of the statutes is created to read:

18 13.48 (28) STATE PROPERTY LEASED TO THE UNIVERSITY OF WISCONSIN HOSPITALS  
19 AND CLINICS AUTHORITY. The building commission may not authorize public debt to  
20 construct or improve any on-campus facilities, as defined under s. 233.01 (7), if the  
21 building commission believes, at the time that the public debt is authorized, that the  
22 facilities are or will be leased to the University of Wisconsin Hospitals and Clinics  
23 Authority.

24 **SECTION 27.** 13.53 (2) (b) of the statutes is amended to read:

1           13.53 (2) (b) Study and review the postaudit or other reports submitted by the  
2 legislative audit bureau, confer with the state auditor and assistants and with other  
3 legislative committees in regard to such reports and, when necessary, confer with  
4 representatives of the ~~state agency~~ entities audited in order to obtain full and  
5 complete information in regard to any fiscal transactions and governmental  
6 operations within the state.

7           **SECTION 28.** 13.53 (2) (c) of the statutes is amended to read:

8           13.53 (2) (c) Refer to the legislature or to an appropriate standing committee  
9 information that, in its opinion, warrants action by the legislature or by the  
10 committee. It may request from a standing committee information on such action  
11 as is taken. The committee shall seek the advice of the appropriate standing  
12 committees with respect to the program portion of an audit relating to a ~~state~~  
13 ~~department or agency~~ an entity which is within the purview of such committee.

14           **SECTION 29.** 13.53 (3) (a) of the statutes is amended to read:

15           13.53 (3) (a) In any instance in which a postaudit report of the legislative audit  
16 bureau cites cases of improper payments; inadequate accounting, operating, or  
17 administrative system controls, procedures, or related records; inaccuracies; waste  
18 or extravagance; unauthorized or unintended activities or programs; or other  
19 deficiencies required by statute to be reported, the head of the ~~state department or~~  
20 ~~agency~~ entity to which the audit report pertains shall, within a time period specified  
21 by the committee, advise the cochairpersons of the committee, the chairperson of the  
22 joint committee on legislative organization and to each appropriate standing  
23 committee of any remedial actions taken or to be taken on matters cited in the report.  
24 Where such advice is not forthcoming from the head of the ~~state department or~~  
25 ~~agency~~ entity within the time period specified by the committee, or where the

1 committee determines that suitable action has not been taken, the committee may  
2 report the matter immediately to the joint committee on legislative organization and  
3 to each appropriate standing committee.

4 **SECTION 30.** 13.53 (3) (b) of the statutes is amended to read:

5 13.53 (3) (b) The committee may, in any case, propose specific corrective action  
6 to remedy undesirable practices, including changes in applicable laws, rules and  
7 procedures, but with respect to the program portion of audit, it shall first seek the  
8 advice of the appropriate standing committees which have purview over the ~~state~~  
9 ~~department or agency~~ entity under review. If the committee introduces a bill, it shall  
10 be referred to the appropriate standing committee. The appropriate standing  
11 committees may propose corrective legislation wherever they find that the program  
12 portion of the audit indicates that a law is not being implemented in the manner  
13 intended by the legislature when the law was enacted.

14 **SECTION 31.** 13.53 (4) of the statutes is amended to read:

15 13.53 (4) FISCAL AND PERFORMANCE EVALUATIONS. The committee may at any  
16 time, without regard to whether the legislature is then in session, request the joint  
17 committee on legislative organization to investigate any matter within the scope of  
18 a postaudit completed or being conducted by the legislative audit bureau. It may also  
19 request investigation and consideration of any matter relative to the expenditures  
20 and revenues as well as the fiscal and performance activities of ~~state departments~~  
21 ~~and agencies~~ entities pursuant to the objectives of the committee and the legislative  
22 audit bureau.

23 **SECTION 31g.** 13.58 (1) (intro.) of the statutes is amended to read:

24 13.58 (1) CREATION. (intro.) There is created a joint standing committee on  
25 information policy composed of the following members:

**SECTION 31h**

1           **SECTION 31h.** 13.58 (1) (c) of the statutes is repealed.

2           **SECTION 31i.** 13.58 (1) (d) of the statutes is repealed.

3           **SECTION 31j.** 13.58 (5) (a) 1. of the statutes is amended to read:

4           13.58 (5) (a) 1. Review information management and technology systems,  
5 plans, practices and policies of state and local units of government, including their  
6 responsiveness to the needs of state and local units of government for delivery of  
7 high-quality services on an efficient, effective and economical basis, ~~to ensure their~~  
8 data security and integrity ~~and to protect, their protection of~~ the personal privacy of  
9 individuals who are subjects of data bases of state and local governmental agencies  
10 and their provision of access to public records under s. 19.35 (1).

11           **SECTION 32.** 13.58 (5) (a) 4. of the statutes is repealed.

12           **SECTION 32m.** 13.58 (5) (a) 5. of the statutes is created to read:

13           13.58 (5) (a) 5. Upon receipt of strategic plans from the department of  
14 administration, the board of regents of the University of Wisconsin System, the joint  
15 committee on legislative organization and the director of state courts, review and  
16 transmit comments concerning the plans to the entities submitting the plans.

17           **SECTION 33.** 13.58 (5) (b) 1. of the statutes is amended to read:

18           13.58 (5) (b) 1. Direct ~~the privacy advocate,~~ the council on information  
19 technology or the subunit in the department of administration with policy-making  
20 responsibility related to information technology to conduct studies or prepare  
21 reports on items related to the committee's duties under par. (a).

22           **SECTION 33g.** 13.58 (5) (b) 3. of the statutes is created to read:

23           13.58 (5) (b) 3. Direct the board of regents of the University of Wisconsin  
24 System to prepare and submit to the committee such reports as the committee  
25 requests pursuant to the committee's responsibilities under par. (a).

1           **SECTION 33h.** 13.58 (6) of the statutes is repealed.

2           **SECTION 34.** 13.62 (2) of the statutes is amended to read:

3           13.62 (2) "Agency" means any board, commission, department, office, society,  
4 institution of higher education, council or committee in the state government, or any  
5 authority created in ch. 231, 232, 233 or 234, except that the term does not include  
6 a council or committee of the legislature.

7           **SECTION 35.** 13.625 (8m) of the statutes is created to read:

8           13.625 (8m) Subsection (3) does not apply to the solicitation of anything of  
9 pecuniary value to pay the costs of remedying environmental contamination, as  
10 defined in s. 144.968 (1), by an agency official of the department of natural resources.

11           **SECTION 36.** 13.625 (10) of the statutes is created to read:

12           13.625 (10) This section does not apply to the solicitation, acceptance or  
13 furnishing of anything of pecuniary value by the department of tourism, or to a  
14 principal furnishing anything of pecuniary value to the department of tourism,  
15 under s. 19.56 (3) (em) or (f) for the activity specified in s. 19.56 (3) (em).

16           **SECTION 37.** 13.63 (1) of the statutes is amended to read:

17           13.63 (1) LICENSES. An application for a license to act as a lobbyist may be  
18 obtained from and filed with the board. The application shall be signed, under the  
19 penalty for making false statements under s. 13.69 (6m), by the lobbyist. Upon  
20 approval of the application and payment of the applicable license fee under s. 13.75  
21 (1) or (1m) to the board, the board shall issue a license which entitles the licensee to  
22 practice lobbying on behalf of ~~one or more~~ each registered ~~principals~~ principal who  
23 or which ~~have~~ has filed an authorization under s. 13.65 for that lobbyist and paid the  
24 authorization fee under s. 13.75 (4). The license shall expire on December 31 of each  
25 even-numbered year. No application may be disapproved by the board except an

1 application for a license by a person who is ineligible for licensure under s. 13.69 (4)  
2 or lobbyist whose license has been revoked under s. 13.69 (7) and only for the period  
3 of such ineligibility or revocation. Denial of a license may be reviewed under ch. 227.

4 **SECTION 38.** 13.75 (1) of the statutes is amended to read:

5 13.75 (1) Obtaining a license under s. 13.63 (1), ~~\$200~~ to act on behalf of one  
6 principal, \$250.

7 **SECTION 39.** 13.75 (1m) of the statutes is created to read:

8 13.75 (1m) Obtaining a license under s. 13.63 (1) to act on behalf of 2 or more  
9 principals, \$400.

10 **SECTION 40.** 13.75 (2) of the statutes is amended to read:

11 13.75 (2) Filing the principal registration form under s. 13.64, ~~\$300~~ \$375.

12 **SECTION 41.** 13.75 (4) of the statutes is amended to read:

13 13.75 (4) Filing an authorization statement under s. 13.65, ~~\$100~~ \$125.

14 **SECTION 41g.** 13.81 (7) of the statutes is repealed.

15 **SECTION 41h.** 13.81 (8) of the statutes is created to read:

16 13.81 (8) CONFERENCE ON LEGISLATIVE PROCEDURES. Following each general  
17 election, the joint legislative council shall sponsor a conference to acquaint new  
18 legislators or legislators-elect with legislative procedures. Expenses for the  
19 conference shall be paid from the appropriation under s. 20.765 (3) (e).

20 **SECTION 41m.** 13.90 (1) (L) of the statutes is created to read:

21 13.90 (1) (L) Determine the method of sale and prices for subscriptions to  
22 legislative documents and the operational responsibility for any legislative  
23 document subscription services provided under s. 35.87.

24 **SECTION 41p.** 13.90 (6) of the statutes is created to read:

1           13.90 (6) The joint committee on legislative organization shall adopt, revise  
2 biennially and submit to the cochairpersons of the joint committee on information  
3 policy, the governor and the secretary of administration, no later than September 15  
4 of each even-numbered year, a strategic plan for the utilization of information  
5 technology to carry out the functions of the legislature and legislative service  
6 agencies, as defined in section 16.70 (6) of the statutes. The plan shall address the  
7 business needs of the legislature and legislative service agencies and shall identify  
8 all resources relating to information technology which the legislature and legislative  
9 service agencies desire to acquire, contingent upon funding availability, the priority  
10 for such acquisitions and the justification for such acquisitions. The plan shall also  
11 identify any changes in the functioning of the legislature and legislative service  
12 agencies under the plan.

13           **SECTION 42.** 13.92 (1) (e) 5. of the statutes is amended to read:

14           13.92 (1) (e) 5. Microfilming, ~~or~~ optical imaging or electronic formatting of  
15 reference materials and legislative drafting records under par. (a) 1. and 3.

16           **SECTION 42m.** 13.92 (2) (h) of the statutes is created to read:

17           13.92 (2) (h) Recommend to the joint committee on legislative organization  
18 prices for subscriptions to the legislative document distribution service under s.  
19 35.87, including any portion of the service provided separately.

20           **SECTION 43g.** 13.94 (1) (eg) of the statutes is created to read:

21           13.94 (1) (eg) Annually conduct a financial audit of the gaming board and  
22 biennially conduct a performance evaluation audit of the gaming board. The  
23 legislative audit bureau shall file a copy of each audit report under this paragraph  
24 with the department of justice and with the distributees specified in par. (b).

25           **SECTION 43r.** 13.94 (1) (em) of the statutes is amended to read:

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

10           **SECTION 44.** 13.94 (1) (n) of the statutes is amended to read:

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

14           **SECTION 44m.** 13.94 (1) (o) of the statutes is created to read:

15           13.94 (1) (o) Prior to negotiation of an extension or renewal of the initial lease  
16 agreement under s. 233.04 (7) or the initial affiliation agreement under s. 233.04  
17 (7m) between the board of regents of the University of Wisconsin System and the  
18 University of Wisconsin Hospitals and Clinics Authority, perform a performance  
19 evaluation audit and distribute a report of its findings to the distributees specified  
20 in par. (b).

21           **SECTION 44q.** 13.94 (1s) (b) of the statutes is amended to read:

22           13.94 (1s) (b) The legislative audit bureau may charge the gaming commission  
23 department of revenue for the reasonable costs of the audits required to be performed  
24 under sub. (1) (em) and for verification of the odds of winning a lottery game under  
25 s. 565.37 (5).

1           **SECTION 44r.** 13.94 (1s) (bm) of the statutes is created to read:

2           13.94 (1s) (bm) The legislative audit bureau may charge the gaming board for  
3 the cost of the audits required to be performed under sub. (1) (eg).

4           **SECTION 45.** 13.94 (4) (a) 1. of the statutes is amended to read:

5           13.94 (4) (a) 1. Every state department, board, examining board, affiliated  
6 credentialing board, commission, independent agency, council or office in the  
7 executive branch of state government; all bodies created by the legislature in the  
8 legislative or judicial branch of state government; any public body corporate and  
9 politic created by the legislature; every provider of medical assistance under subch.  
10 IV of ch. 49; technical college district boards; development zones designated under  
11 s. 560.71; every county department under s. 51.42 or 51.437; every nonprofit  
12 corporation or cooperative to which moneys are specifically appropriated by state  
13 law; and every corporation, institution, association or other organization which  
14 receives more than 50% of its annual budget from appropriations made by state law,  
15 including subgrantee or subcontractor recipients of such funds.

16           **SECTION 45m.** 13.94 (4) (a) 2. of the statutes is amended to read:

17           13.94 (4) (a) 2. Any foundation, ~~nonstock or nonprofit~~ corporation or  
18 partnership created by an entity specified under subd. 1.

19           **SECTION 46.** 13.94 (4) (a) 5. of the statutes is amended to read:

20           13.94 (4) (a) 5. A local service agency as defined in s. ~~101.35~~ 106.20 (1) (d).

21           **SECTION 47.** 13.94 (4) (b) of the statutes is amended to read:

22           13.94 (4) (b) In performing audits of providers of medical assistance under  
23 subch. IV of ch. 49, corporations, institutions, associations, or other organizations,  
24 and their subgrantees or subcontractors, the legislative audit bureau shall audit

1 only the records and operations of such providers and organizations which pertain  
2 to the receipt, disbursement or other handling of appropriations made by state law.

3 **SECTION 47m.** 13.94 (8) of the statutes is created to read:

4 13.94 (8) COUNTY AND MUNICIPAL BEST PRACTICES REVIEWS. (a) In this subsection,  
5 “municipality” means a city, village or town.

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

7 1. Examine the procedures and practices used by counties and municipalities  
8 to deliver governmental services.

9 2. Determine the methods of governmental service delivery.

10 3. Identify variations in costs and effectiveness of such services between  
11 counties and municipalities.

12 4. Recommend practices to save money or provide more effective service  
13 delivery.

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

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

19 1. Two members chosen from among 6 names submitted by the Wisconsin  
20 Counties Association.

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

23 3. One member chosen from among 3 names submitted by the Wisconsin  
24 Alliance of Cities.

1           4. One member chosen from among 3 names submitted by the Wisconsin Towns  
2 Association.

3           (e) The members of the council appointed under par. (d) shall serve without  
4 compensation.

5           **SECTION 47n.** 13.94 (8) of the statutes, as created by 1995 Wisconsin Act ....  
6 (this act), is repealed.

7           **SECTION 47o.** 13.95 (intro.) of the statutes is amended to read:

8           **13.95 Legislative fiscal bureau.** (intro.) There is created a bureau to be  
9 known as the "Legislative Fiscal Bureau" headed by a director. The fiscal bureau  
10 shall be strictly nonpartisan and shall at all times observe the confidential nature  
11 of the research requests received by it; however, with the prior approval of the  
12 requester in each instance, the bureau may duplicate the results of its research for  
13 distribution. Subject to s. 230.35 (4) (a) and (f), the director or the director's  
14 designated employees shall at all times, with or without notice, have access to all state  
15 departments agencies and the University of Wisconsin Hospitals and Clinics  
16 Authority and to any books, records or other documents maintained by such agencies  
17 or the authority and relating to their expenditures, revenues, operations and  
18 structure.

19           **SECTION 47p.** 14.015 (2) (title) of the statutes is renumbered 15.705 (3) (title).

20           **SECTION 47pg.** 14.015 (2) of the statutes is renumbered 15.705 (3) (a), and  
21 15.705 (3) (a) (intro.) and 5. (intro.), as renumbered, are amended to read:

22           15.705 (3) (a) (intro.) There is created a Wisconsin sesquicentennial  
23 commission which is attached to the ~~office of the governor~~ historical society under s.  
24 15.03. The commission shall consist of the following members ~~appointed by the~~  
25 ~~governor~~:

1           5. (intro.) One A representative of each of the following communities in this  
2 state:

3           **SECTION 48.** 14.017 (2) of the statutes is amended to read:

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

20           **SECTION 48m.** 14.26 (title) and (1) of the statutes are renumbered 44.25 (title)  
21 and (1).

22           **SECTION 48n.** 14.26 (2) of the statutes is renumbered 44.25 (2) and amended  
23 to read:

1           44.25 (2) The commission shall submit an annual report to the governor and  
2 to the legislature under s. 13.172 (2) regarding its activities upon the governor's  
3 request on each March 1 until March 1, 1998.

4           **SECTION 48ng.** 14.26 (3) and (4) of the statutes are renumbered 44.25 (3) and  
5 (4).

6           **SECTION 48p.** 14.26 (5) of the statutes is renumbered 15.705 (3) (c).

7           **SECTION 48q.** 14.26 (6) of the statutes is renumbered 44.25 (6) and amended to  
8 read:

9           44.25 (6) The commission shall ~~report to the governor upon completion of~~  
10 complete its activities and, upon submit a final report regarding its activities to the  
11 governor, and to the legislature under s. 13.172 (2) no later than June 1, 1999. Upon  
12 acceptance of the report by the governor, the commission shall cease to exist.

13           **SECTION 49b.** 14.367 of the statutes is renumbered 15.187, and 15.187 (1) (a)  
14 (intro.) and (b), as renumbered, are amended to read:

15           15.187 (1) (a) (intro.) There is created in the ~~office of the secretary of state~~  
16 department of financial institutions a uniform commercial code statewide lien  
17 system council. The council shall consist of the administrator of the division of  
18 information technology services in the department of administration or the  
19 administrator's designee and the following members appointed by the secretary of  
20 state the department of financial institutions for 6-year terms:

21           (b) The council shall advise the ~~secretary of state~~ department of financial  
22 institutions on the uniform commercial code statewide lien system under s. 409.410.

23           **SECTION 50b.** 14.38 (9) of the statutes is amended to read:

24           14.38 (9) FURNISH CERTIFIED COPIES; FEES. Make a copy of any law, resolution,  
25 deed, bond, record, document or paper deposited or kept in his or her office, upon

**SECTION 50b**

1 request therefor, attach thereto his or her certificate, with the greater or lesser seal  
2 affixed, and collect therefor 50 cents per page and \$5 for such certificate; if a copy is  
3 not to be certified and if the reproduction is performed by the office of the secretary  
4 of state, then collect a fee to cover the actual and necessary cost of reproduction and  
5 actual and necessary cost of transcription required to produce the copy or \$2,  
6 whichever is greater; also to record any document authorized or required by law to  
7 be recorded in his or her office, and to charge therefor a fee of \$1 per page. The fee  
8 for certified copies of ~~appointments, certificates of incorporations or amendments,~~  
9 ~~licenses of foreign corporations, or similar certificates,~~ and for certificates as to  
10 results of search of the records and files of his or her office, when a printed form is  
11 used, shall be \$5, but when a specially prepared form is required the fee shall be \$10.  
12 Telegraphic reports as to results of record searches shall be \$5 plus the cost of the  
13 telegram. The secretary of state shall charge and collect for preparing any record or  
14 certificate under this subsection in an expeditious manner, an expedited service fee  
15 of \$25 in addition to the fee otherwise required under this subsection, ~~except that~~  
16 ~~only one expedited service fee may be charged for multiple identical corporation or~~  
17 ~~limited partnership certificates of status if the certificates of status are requested at~~  
18 ~~the same time and issued at the same time.~~

19 **SECTION 51c.** 14.38 (12) of the statutes is renumbered 182.01 (6) and amended  
20 to read:

21 182.01 (6) DISCRIMINATION BY CORPORATIONS OR LIMITED LIABILITY COMPANIES. If  
22 a complaint is made to the secretary of state department that any corporation or  
23 limited liability company authorized to do business in this state is guilty of  
24 discrimination under s. 100.22, refer the matter to the department of agriculture,  
25 trade and consumer protection, which shall, if the facts justify it in its judgment,

1 cause appropriate administrative or judicial proceedings to be commenced against  
2 the corporation or limited liability company and its officers or managers and  
3 members.

4 **SECTION 52b.** 14.38 (13) (title) of the statutes is repealed.

5 **SECTION 52c.** 14.38 (13) of the statutes is renumbered 220.02 (7) and amended  
6 to read:

7 220.02 (7) ~~Establish~~ The division shall establish and maintain, in consultation  
8 with the uniform commercial code statewide lien system council, computer and any  
9 other services necessary to support the uniform commercial code statewide lien  
10 system under s. 409.410 but may not maintain a central filing system, as defined in  
11 7 USC 1631 (c) (2), for farm products, as defined in 7 USC 1631 (c) (5).

12 **SECTION 53ad.** 14.38 (14) of the statutes is renumbered 182.01 (3), and 182.01  
13 (3) (intro.), as renumbered, is amended to read:

14 182.01 (3) NAME OF DRAFTER ON DOCUMENTS. (intro.) No articles of  
15 incorporation, articles of organization, articles of amendment, articles of merger,  
16 consolidation or share exchange, articles of dissolution, restated articles of  
17 incorporation, certificate of abandonment, or statement or articles of revocation of  
18 voluntary dissolution, provided for pursuant to ch. 180, 181, 183, 185 or 187 and no  
19 certificate of limited partnership, certificate of amendment, restated certificate of  
20 limited partnership or certificate of cancellation, provided for pursuant to ch. 179,  
21 shall be filed by the ~~secretary of state~~ department unless the name of the individual  
22 who, or the governmental agency which, drafted such document is printed,  
23 typewritten, stamped or written thereon in a legible manner. A document complies  
24 with this subsection if it contains a statement in the following form: "This document

1 was drafted by .... (Name)". This subsection shall not apply to a document executed  
2 prior to December 1, 1967, or to:

3 **SECTION 59.** 14.59 of the statutes is created to read:

4 **14.59 Training conferences.** The state treasurer may conduct conferences  
5 for the purpose of training county and municipal clerks and treasurers, and employes  
6 of their offices, in their official responsibilities. The treasurer may charge  
7 participants in any conference a fee for participation which shall not exceed the  
8 proportionate cost of conducting the conference. The treasurer shall credit all  
9 revenues from fees assessed under this section to the appropriation account under  
10 s. 20.585 (1) (h).

11 **SECTION 65.** 14.82 (1) (intro.) of the statutes is amended to read:

12 14.82 (1) (intro.) MINNESOTA-WISCONSIN. There is created a commission of 5  
13 citizens nominated by the governor, and with the advice and consent of the senate  
14 appointed, for staggered 5-year terms, to represent this state on the joint  
15 Minnesota-Wisconsin boundary area commission. Any vacancy shall be filled for the  
16 balance of the unexpired term. To assist the commission, there is created a  
17 legislative advisory committee comprising 4 senators and 6 representatives to the  
18 assembly appointed as are the members of standing committees in their respective  
19 houses, and a technical advisory committee of 2 members appointed by the governor  
20 and one member each appointed by the governing board or head of the following  
21 agencies, to represent such agencies: the department of justice, the department of  
22 administration, the department of agriculture, trade and consumer protection, the  
23 department of natural resources, the department of health and social services, the  
24 public service commission, the department of tourism and the department of  
25 development. The members of the commission and the members of its advisory

1 committees shall serve without compensation but shall be reimbursed for actual and  
2 necessary expenses incurred in the performance of their duties, from the  
3 appropriation made by s. 20.315 (1), on vouchers approved by the Wisconsin member  
4 of the commission selected to serve as its chairperson or vice chairperson. All other  
5 expenses incurred by the commission in the course of exercising its powers and  
6 duties, unless met in some other manner specifically provided by statute, shall be  
7 paid by the commission out of its own funds.

8 **SECTION 66.** 14.85 (2) of the statutes is amended to read:

9 14.85 (2) The secretaries secretary of development, the secretary of tourism,  
10 the secretary of natural resources and, the secretary of transportation, and the  
11 director of the historical society, or their designees, shall serve as nonvoting members  
12 of the commission.

13 **SECTION 67.** 14.85 (8) (d) of the statutes is amended to read:

14 14.85 (8) (d) If permitted by law, any state agency or local public body, board,  
15 commission or agency may allocate funds under its control to fund programs  
16 recommended by the commission. If the department of development determines that  
17 a program recommended by the commission to undertake activities relating to the  
18 promotion of ~~tourism and~~ economic development is consistent with the department's  
19 statewide ~~tourism marketing and~~ economic development plans, priorities and  
20 resources, the department shall have primary responsibility to support the activities  
21 of the program. If the department of tourism determines that a program  
22 recommended by the commission to undertake activities relating to the promotion  
23 of tourism is consistent with the department's statewide tourism marketing plans,  
24 priorities and resources, the department shall have primary responsibility to  
25 support the activities of the program.



1 (c) Provide information to the public on the public elementary and secondary  
2 schools and school districts of this state.

3 (d) Annually submit to the governor, and to the legislature under s. 13.172 (2),  
4 a plan for improving the public elementary and secondary schools of this state and  
5 for improving the academic achievement of public elementary and secondary school  
6 pupils.

7 (e) Annually by October 1, report to the legislature under s. 13.172 (2) his or  
8 her activities during the previous fiscal year.

9 **(2)** The state superintendent of public instruction may do all of the following:

10 (a) Designate a staff member as the state superintendent's representative on  
11 any body on which the state superintendent is required to serve.

12 (b) Attend such educational meetings and make such investigations as the  
13 state superintendent deems important and as will acquaint the state superintendent  
14 with the different systems of public schools in the United States.

15 **SECTION 72.** 15.01 (2) of the statutes is amended to read:

16 15.01 **(2)** "Commission" means a 3-member governing body in charge of a  
17 department or independent agency or of a division or other subunit within a  
18 department, except for the ~~sentencing commission which shall consist of 17~~  
19 ~~education commission which shall consist of 11~~ members, the Wisconsin waterways  
20 commission which shall consist of 5 members, the parole commission which shall  
21 consist of 5 members and, the Fox river management commission which shall consist  
22 of 7 members and the Wisconsin sesquicentennial commission which shall consist of  
23 29 members. A Wisconsin group created for participation in a continuing interstate  
24 body shall be known as a "commission", but is not a commission for purposes of s.

1 15.06. The parole commission created under s. 15.145 (1) shall be known as a  
2 “commission”, but is not a commission for purposes of s. 15.06.

3 **SECTION 73.** 15.01 (4) of the statutes is amended to read:

4 15.01 (4) “Council” means a part-time body appointed to function on a  
5 continuing basis for the study, and recommendation of solutions and policy  
6 alternatives, of the problems arising in a specified functional area of state  
7 government, except the Milwaukee river revitalization council has the powers and  
8 duties specified in s. 23.18, the council on physical disabilities has the powers and  
9 duties specified in s. 46.29 (1) and (2), ~~the privacy council has the powers specified~~  
10 ~~in s. 19.625~~ and the state council on alcohol and other drug abuse has the powers and  
11 duties specified in s. 14.24.

12 **SECTION 74.** 15.01 (6) of the statutes is amended to read:

13 15.01 (6) “Division,” “bureau,” “section” and “unit” means the subunits of a  
14 department or an independent agency, whether specifically created by law or created  
15 by the head of the department or the independent agency for the more economic and  
16 efficient administration and operation of the programs assigned to the department  
17 or independent agency. The office of justice assistance in the department of  
18 administration ~~has~~ and the office of credit unions in the department of financial  
19 institutions have the meaning of “division” under this subsection. The office of  
20 health care information in the office of the commissioner of insurance, the office of  
21 the long-term care ombudsman under the board on aging and long-term care and  
22 the office of educational accountability in the department of public instruction have  
23 the meaning of “bureau” under this subsection.

24 **SECTION 75.** 15.02 (1) of the statutes is amended to read:

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

4           **SECTION 76.** 15.02 (3) (c) 1. of the statutes is amended to read:

5           15.02 (3) (c) 1. The principal subunit of the department is the “division”. Each  
6 division shall be headed by an “administrator”. The office of justice assistance in the  
7 department of administration ~~has~~ and the office of credit unions in the department  
8 of financial institutions have the meaning of “division” and the executive staff  
9 director of the office of justice assistance in the department of administration ~~has~~ and  
10 the director of credit unions have the meaning of “administrator” under this  
11 subdivision.

12           **SECTION 76c.** 15.02 (3) (c) 2m. of the statutes is created to read:

13           15.02 (3) (c) 2m. Notwithstanding subs. 1. and 2., the principal subunit of the  
14 department of tourism is the “bureau”, which shall be headed by a “director”.

15           **SECTION 77m.** 15.04 (1) (c) of the statutes is amended to read:

16           15.04 (1) (c) *Advisory bodies.* In addition to any councils specifically created  
17 by law, create and appoint such councils or committees as the operation of the  
18 department or independent agency requires. Each council or committee created  
19 under this paragraph is terminated upon expiration of the term of office of the  
20 governor during whose term the council or committee is created, unless terminated  
21 at an earlier date by the head of the department or independent agency in which the  
22 council or committee is created. Members of councils and committees created under  
23 this general authority shall serve without compensation, but may be reimbursed for  
24 their actual and necessary expenses incurred in the performance of their duties and,  
25 if such reimbursement is made, such reimbursement in the case of an officer or

1 employe of this state who represents an agency as a member of such a council or  
2 committee shall be paid by the agency which pays the officer's or employe's salary.

3 **SECTION 77n.** 15.04 (1) (cm) of the statutes is created to read:

4 15.04 (1) (cm) *Termination of certain nonstatutory councils and committees.*

5 Notwithstanding par. (c), each council and committee created under that paragraph  
6 that is in existence on January 3, 1999, terminates on that date unless the council  
7 or committee is terminated at an earlier date by the head of the department or  
8 independent agency in which the council or committee is created.

9 **SECTION 77p.** 15.04 (1) (cm) of the statutes, as created by 1995 Wisconsin Act  
10 Wisconsin Act .... (this act), is repealed.

11 **SECTION 78.** 15.04 (1) (h) of the statutes is amended to read:

12 15.04 (1) (h) (title) *Report of forms and papers used records management.*

13 Annually, no later than September 1, file with the public records and forms board a  
14 report which shall include such information relative to records and forms  
15 management as may be specified by the board. ~~The report shall cover all previously~~  
16 ~~unsubmitted forms and papers that were required to be filed with the department~~  
17 ~~or independent agency during the preceding fiscal year.~~

18 **SECTION 79.** 15.04 (1) (j) of the statutes is amended to read:

19 15.04 (1) (j) *Records and forms officer.* Appoint a records and forms officer, who  
20 shall be responsible for reviewing, consolidating, simplifying, designing and filing all  
21 records and forms compliance by the department or independent agency with all  
22 records and forms management laws and rules and who may prevent any form from  
23 being put into use.

24 **SECTION 79h.** 15.05 (1) (b) of the statutes is amended to read:

1           15.05 (1) (b) ~~If Except as provided in pars. (c) and (d), if~~ a department is under  
2 the direction and supervision of a board, the board shall appoint a secretary to serve  
3 at the pleasure of the board outside the classified service. In such departments, the  
4 powers and duties of the board shall be regulatory, advisory and policy-making, and  
5 not administrative. All of the administrative powers and duties of the department  
6 are vested in the secretary, to be administered by him or her under the direction of  
7 the board. The secretary, with the approval of the board, shall promulgate rules for  
8 administering the department and performing the duties assigned to the  
9 department.

10           **SECTION 79r.** 15.05 (1) (c) of the statutes is created to read:

11           15.05 (1) (c) The secretary of natural resources shall be nominated by the  
12 governor, and with the advice and consent of the senate appointed, to serve at the  
13 pleasure of the governor.

14           **SECTION 79s.** 15.05 (1) (d) of the statutes is created to read:

15           15.05 (1) (d) The secretary of agriculture, trade and consumer protection shall  
16 be nominated by the governor, and with the advice and consent of the senate  
17 appointed, to serve at the pleasure of the governor.

18           **SECTION 80m.** 15.05 (3) of the statutes is repealed.

19           **SECTION 81.** 15.05 (3m) of the statutes is created to read:

20           15.05 (3m) **FIELD DISTRICT OR FIELD AREA DIRECTORS.** Each secretary may appoint  
21 a director under the classified service for each district or area office established in  
22 his or her department under s. 15.02 (3) (b).

23           **SECTION 81m.** 15.05 (5) of the statutes is repealed.

24           **SECTION 82.** 15.06 (1) (a) of the statutes is amended to read:

1           15.06 (1) (a) Except as otherwise provided in this subsection and s. ~~15.105 (17)~~  
2           ss. 15.37 and 15.705 (3), the members of commissions shall be nominated by the  
3           governor, and with the advice and consent of the senate appointed, for staggered  
4           6-year terms expiring on March 1 of the odd-numbered years.

5           **SECTION 84.** 15.06 (1) (b) of the statutes is amended to read:

6           15.06 (1) (b) The ~~commissioners~~ commissioner of ~~banking, credit unions,~~  
7           ~~savings and loan,~~ insurance and securities shall each be nominated by the governor,  
8           and with the advice and consent of the senate appointed, to serve at the pleasure of  
9           the governor. The governor may remove from office the ~~commissioners~~ commissioner  
10          of ~~banking, credit unions, savings and loan,~~ insurance and securities who were was  
11          appointed for a fixed term before August 1, 1987.

12          **SECTION 86m.** 15.06 (1) (f) of the statutes is repealed.

13          **SECTION 88m.** 15.06 (2) (intro.) of the statutes is amended to read:

14          15.06 (2) SELECTION OF OFFICERS. (intro.) ~~Each~~ Except as provided in s. 44.25  
15          (5), each commission may annually elect officers other than a chairperson from  
16          among its members as its work requires. Any officer may be reappointed or reelected.  
17          At the time of making new nominations to commissions, the governor shall designate  
18          a member or nominee of each commission to serve as the commission's chairperson  
19          for a 2-year term expiring on March 1 of the odd-numbered year except that:

20          **SECTION 90m.** 15.06 (2) (c) of the statutes is created to read:

21          15.06 (2) (c) The state superintendent of public instruction shall serve as the  
22          chairperson of the education commission.

23          **SECTION 91L.** 15.06 (3) (a) 4m. of the statutes is created to read:

24          15.06 (3) (a) 4m. The members of the Wisconsin sesquicentennial commission.

25          **SECTION 91m.** 15.06 (3) (a) 6. of the statutes is created to read:

1           15.06 (3) (a) 6. The members of the education commission who are not the  
2 chairperson. The members of the education commission shall be reimbursed for  
3 expenses under s. 15.07 (5).

4           **SECTION 92.** 15.06 (3) (c) of the statutes is repealed.

5           **SECTION 92e.** 15.06 (4) of the statutes is amended to read:

6           15.06 (4) CHAIRPERSON; ADMINISTRATIVE DUTIES. The administrative duties of  
7 each commission, other than the education commission, shall be vested in its  
8 chairperson, to be administered by the chairperson under the statutes and rules of  
9 the commission and subject to the policies established by the commission.

10          **SECTION 92g.** 15.06 (4m) of the statutes is repealed.

11          **SECTION 92m.** 15.06 (5) of the statutes is amended to read:

12          15.06 (5) FREQUENCY OF MEETINGS; PLACE. Every commission shall meet on the  
13 call of the chairperson or a majority of its members, except that the education  
14 commission shall meet on the call of the chairperson or a majority of its voting  
15 members. Every commission shall maintain its offices in Madison, but may meet or  
16 hold hearings at such other locations as will best serve the citizens of this state.

17          **SECTION 92s.** 15.06 (6) of the statutes is amended to read:

18          15.06 (6) QUORUM. A majority of the membership of a commission constitutes  
19 a quorum to do business, except that a majority of the voting members of the  
20 education commission constitutes a quorum to do business and except that vacancies  
21 shall not prevent a commission from doing business. This subsection does not apply  
22 to the parole commission.

23          **SECTION 92t.** 15.06 (9) of the statutes is repealed.

24          **SECTION 93.** 15.07 (1) (a) 1. of the statutes is repealed.

25          **SECTION 93e.** 15.07 (1) (a) 6. of the statutes is created to read:

1           15.07 (1) (a) 6. Members of the University of Wisconsin Hospitals and Clinics  
2 Board appointed under s. 15.96 (8) shall be appointed by the governor without senate  
3 confirmation.

4           **SECTION 93m.** 15.07 (1) (b) 15. of the statutes is amended to read:

5           15.07 (1) (b) 15. The 3 members of the lower Wisconsin state riverway board  
6 appointed under s. ~~15.345 (6)~~ 15.445 (3) (b) 7.

7           **SECTION 93s.** 15.07 (1) (b) 15m. of the statutes is created to read:

8           15.07 (1) (b) 15m. State fair park board.

9           **SECTION 94.** 15.07 (1) (b) 20. of the statutes is amended to read:

10          15.07 (1) (b) 20. The 3 members of the Kickapoo valley governing board  
11 appointed under s. ~~15.105 (23)~~ 15.445 (2) (b) 3.

12          **SECTION 95.** 15.07 (1) (cm) of the statutes is amended to read:

13          15.07 (1) (cm) The term of one member of the ethics board shall expire on each  
14 May 1. The terms of 3 members of the development finance board appointed under  
15 s. 15.155 (1) (a) 6. shall expire on May 1 of every even-numbered year and the terms  
16 of the other 3 members appointed under s. 15.155 (1) (a) 6. shall expire on May 1 of  
17 every odd-numbered year. The terms of the 3 members of the land and water  
18 conservation board appointed under s. 15.135 (4) (b) 2. shall expire on January 1.  
19 The term of the member of the land and water conservation board appointed under  
20 s. 15.135 (4) (b) 2m shall expire on May 1 of an even-numbered year. The terms of  
21 members of the real estate board shall expire on July 1. The terms of the appraiser  
22 members of the real estate appraisers board and the terms of the auctioneer and  
23 auction company representative members of the auctioneer board shall expire on  
24 May 1 in an even-numbered year. ~~The terms of the members of the radioactive waste~~  
25 ~~review board shall expire as provided in s. 15.915 (4) (e)~~ The terms of the 4 members

1 of the educational technology board appointed under s. 15.105 (26) (a) 1., 3., 6. and  
2 9. shall expire on May 1 in an even-numbered year.

3 **SECTION 95m.** 15.07 (1) (cm) of the statutes, as affected by 1995 Wisconsin Act  
4 .... (this act), is amended to read:

5 15.07 (1) (cm) The term of one member of the ethics board shall expire on each  
6 May 1. The terms of 3 members of the development finance board appointed under  
7 s. 15.155 (1) (a) 6. shall expire on May 1 of every even-numbered year and the terms  
8 of the other 3 members appointed under s. 15.155 (1) (a) 6. shall expire on May 1 of  
9 every odd-numbered year. The terms of the 3 members of the land and water  
10 conservation board appointed under s. 15.135 (4) (b) 2. shall expire on January 1.  
11 The term of the member of the land and water conservation board appointed under  
12 s. 15.135 (4) (b) 2m shall expire on May 1 of an even-numbered year. The terms of  
13 members of the real estate board shall expire on July 1. The terms of the appraiser  
14 members of the real estate appraisers board and the terms of the auctioneer and  
15 auction company representative members of the auctioneer board shall expire on  
16 May 1 in an even-numbered year. The terms of the 4 members of the educational  
17 technology board appointed under s. 15.105 (26) (a) 1., 3., 6. and 9. shall expire on  
18 May 1 in an even-numbered year. The terms of 3 members of the gaming board  
19 appointed under s. 15.64 shall expire on July 1 of an even-numbered year and the  
20 terms of the other 2 members shall expire on July 1 of an odd-numbered year.

21 **SECTION 97.** 15.07 (2) (f) of the statutes is amended to read:

22 15.07 (2) (f) ~~The state superintendent~~ secretary of public instruction education  
23 or his or her designated representative shall serve as chairperson of the school  
24 district boundary appeal board.

25 **SECTION 97m.** 15.07 (2) (k) of the statutes is created to read:

1           15.07 (2) (k) The governor or his or her designee shall serve as chairperson of  
2 the competitive enterprise review board and the secretary of administration or his  
3 or her designee shall serve as vice-chairperson of the board.

4           **SECTION 97p.** 15.07 (3) (bm) 4. of the statutes is created to read:

5           15.07 (3) (bm) 4. The competitive enterprise review board shall meet at least  
6 6 times per year.

7           **SECTION 99.** 15.07 (5) (i) of the statutes is repealed.

8           **SECTION 101m.** 15.103 (4) of the statutes is renumbered 14.563 (1) and  
9 amended to read:

10           14.563 (1) DIVISION OF TRUST LANDS AND INVESTMENTS. There is created a division  
11 of trust lands and investments which is attached to the ~~department of~~  
12 ~~administration~~ office of the state treasurer under s. 15.03. This division is under the  
13 direction and supervision of the board of commissioners of public lands.

14           **SECTION 102.** 15.103 (5) of the statutes is created to read:

15           15.103 (5) DIVISION OF TECHNOLOGY MANAGEMENT. There is created in the  
16 department of administration a division of technology management.

17           **SECTION 103.** 15.105 (4) of the statutes is amended to read:

18           15.105 (4) (title) PUBLIC RECORDS AND FORMS BOARD. There is created a public  
19 records ~~and forms~~ board which is attached to the department of administration  
20 under s. 15.03. The public records ~~and forms~~ board shall consist of the governor, the  
21 director of the historical society, the attorney general, the state auditor, and the  
22 director of the legislative council staff, or their designated representatives, and a  
23 representative of the small business community ~~appointed by the governor, a~~  
24 representative of a newspaper published in this state ~~appointed by the governor, a~~  
25 representative of the permit information center ~~appointed by the secretary of~~

1 ~~development and the director of the legislative council staff or their designated~~  
2 ~~representatives, a representative of a local unit of government, as defined in s. 16.20~~  
3 ~~(1) (e), and one other member.~~

4 **SECTION 103m.** 15.105 (4) of the statutes, as affected by 1995 Wisconsin Act ...  
5 (this act), is repealed and recreated to read:

6 15.105 (4) PUBLIC RECORDS BOARD. There is created a public records board which  
7 is attached to the department of administration under s. 15.03. The public records  
8 board shall consist of the governor, the director of the historical society, the attorney  
9 general, the state auditor, and the director of the legislative council staff, or their  
10 designated representatives, and a representative of the small business community,  
11 a representative of a local unit of government, as defined in s. 106.215 (1) (e), and one  
12 other member.

13 **SECTION 103r.** 15.105 (8) of the statutes is amended to read:

14 15.105 (8) ARTS BOARD. There is created an arts board which is attached to the  
15 department of administration under s. 15.03. The arts board shall consist of 15  
16 members appointed for 3-year terms who are residents of this state and who are  
17 known for their concern for the arts. At least 2 members shall be from the northwest  
18 portion of this state, at least 2 members shall be from the northeast portion of this  
19 state, at least 2 members shall be from the southwest portion of this state and at least  
20 2 members shall be from the southeast portion of this state. This subsection does not  
21 apply after June 30, 1997, unless the joint committee on finance has approved the  
22 funding report of the arts board under 1995 Wisconsin Act ... (this act), section 9105  
23 (3g) (a).

24 **SECTION 104.** 15.105 (8) of the statutes, as affected by 1995 Wisconsin Act ...  
25 (this act), is renumbered 15.445 (1) and amended to read:

1           15.445 (1) ARTS BOARD. There is created an arts board which is attached to the  
2 department of ~~administration~~ tourism under s. 15.03. The arts board shall consist  
3 of 15 members appointed for 3-year terms who are residents of this state and who  
4 are known for their concern for the arts. At least 2 members shall be from the  
5 northwest portion of this state, at least 2 members shall be from the northeast  
6 portion of this state, at least 2 members shall be from the southwest portion of this  
7 state and at least 2 members shall be from the southeast portion of this state. This  
8 subsection does not apply after June 30, 1997, unless the joint committee on finance  
9 has approved the funding report of the arts board under 1995 Wisconsin Act .... (this  
10 act), section 9105 (3g) (a).

11           **SECTION 105.** 15.105 (12) (a) 1. of the statutes is amended to read:

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

16           **SECTION 106.** 15.105 (17) of the statutes is repealed.

17           **SECTION 107.** 15.105 (18) (title) of the statutes is renumbered 15.225 (2) (title).

18           **SECTION 108.** 15.105 (18) (a) of the statutes is renumbered 15.225 (2) (a) and  
19 amended to read:

20           15.225 (2) (a) *Creation.* There is created a Wisconsin conservation corps board  
21 which is attached to the department of ~~administration~~ industry, labor and human  
22 relations under s. 15.03.

23           **SECTION 109m.** 15.105 (18) (b) of the statutes is renumbered 15.225 (2) (b).

24           **SECTION 110m.** 15.105 (18) (c) of the statutes is renumbered 15.225 (2) (c).

25           **SECTION 111.** 15.105 (18) (d) of the statutes is renumbered 15.225 (2) (d).

**SECTION 112b**

1           **SECTION 112b.** 15.105 (20) (title) and (a) of the statutes are renumbered 15.915  
2 (5) (title) and (a).

3           **SECTION 112c.** 15.105 (20) (b) of the statutes is renumbered 15.915 (5) (b) and  
4 amended to read:

5           15.915 (5) (b) *Creation.* There is created a recycling market development board  
6 which is attached to the ~~department of administration~~ University of Wisconsin  
7 System under s. 15.03.

8           **SECTION 112d.** 15.105 (20) (c) (intro.) of the statutes is renumbered 15.915 (5)  
9 (c) (intro.).

10          **SECTION 112e.** 15.105 (20) (c) 1. and 2. of the statutes are repealed.

11          **SECTION 112f.** 15.105 (20) (c) 3. of the statutes is renumbered 15.915 (5) (c) 3.  
12 and amended to read:

13          15.915 (5) (c) 3. ~~Six~~ Four members representing responsible units.

14          **SECTION 112g.** 15.105 (20) (c) 4. of the statutes is renumbered 15.915 (5) (c) 4.  
15 and amended to read:

16          15.915 (5) (c) 4. Three members with expertise concerning the marketing of  
17 materials recovered from solid waste or the development of markets for these  
18 materials, at least one of whom has, or has had, management responsibility in a  
19 manufacturing firm that produces a product from material recovered from solid  
20 waste.

21          **SECTION 112h.** 15.105 (20) (f) of the statutes is renumbered 15.915 (5) (f).

22          **SECTION 113.** 15.105 (22) of the statutes is amended to read:

23          15.105 (22) STATE USE BOARD. There is created a state use board which is  
24 attached to the department of administration under s. 15.03. The board shall consist  
25 of 8 members appointed to serve for 4-year terms, including a representative of the

1 department of administration; a representative of the subunit of the department of  
2 health and social services which administers mental health laws; a representative  
3 of the subunit of the department of ~~health and social services~~ industry, labor and  
4 human relations which administers vocational rehabilitation laws; 2  
5 representatives of private businesses, one of whom shall represent a small business;  
6 one representative of a work center, as defined in s. 16.752; and one member who does  
7 not represent any of the foregoing entities. A member vacates his or her office if the  
8 member loses the status upon which his or her appointment is based. In this  
9 subsection, "small business" means an independently owned and operated business  
10 which is not dominant in its field and which has had less than \$2,500,000 in gross  
11 annual sales for each of the 2 previous calendar years or has 25 or fewer employees.

12 **SECTION 114.** 15.105 (23) of the statutes is renumbered 15.445 (2), and 15.445  
13 (2) (a) and (e), as renumbered, are amended to read:

14 15.445 (2) (a) *Creation.* There is created a Kickapoo valley governing board  
15 which is attached to the department of administration tourism under s. 15.03.

16 (e) *Liaison representatives.* The secretary of agriculture, trade and consumer  
17 protection, the secretary of natural resources, the secretary of transportation, the  
18 secretary of development, the secretary of administration, the director of the state  
19 historical society and the chancellor of the university of Wisconsin-extension, or  
20 their designees, shall serve as liaison representatives to the board. The board shall  
21 request the Winnebago tribal council to appoint a liaison representative to the board.  
22 The board may request any other Indian tribal council which expresses an interest  
23 in the governance of the Kickapoo valley reserve to appoint a liaison representative  
24 to the board. The liaison representatives are not board members and have no voting  
25 power.

1           **SECTION 115.** 15.105 (24) (title) of the statutes is renumbered 15.225 (3) (title).

2           **SECTION 116.** 15.105 (24) (a) of the statutes is renumbered 15.225 (3) (a) and  
3 amended to read:

4           15.225 (3) (a) *Creation.* There is created a national and community service  
5 board which is attached to the department of ~~administration~~ industry, labor and  
6 human relations under s. 15.03.

7           **SECTION 117.** 15.105 (24) (b) to (e) of the statutes are renumbered 15.225 (3)  
8 (b) to (e).

9           **SECTION 118m.** 15.105 (26) of the statutes is created to read:

10           15.105 (26) EDUCATIONAL TECHNOLOGY BOARD. (a) There is created an  
11 educational technology board which is attached to the department of administration  
12 under s. 15.03. The board shall consist of the following members appointed for  
13 4-year terms:

14           1. An employe of the division for libraries and community learning in the  
15 department of public instruction appointed by the state superintendent of public  
16 instruction.

17           2. An employe of the department of administration appointed by the secretary  
18 of administration.

19           3. A representative of public libraries appointed by the governor.

20           4. The head of the board of the Wisconsin Advanced Telecommunications  
21 Foundation, or his or her designee.

22           5. A school board member or employe appointed by the governor.

23           6. A technical college district board member or employe appointed by the  
24 director of the state technical college system.

**SECTION 118m**

1           7. An employe of a University of Wisconsin System institution or center  
2 appointed by the president of the University of Wisconsin System.

3           8. An employe of the public service commission appointed by the chairperson  
4 of the commission.

5           9. A representative of a local or regional distance education network appointed  
6 by the governor.

7           (b) Persons appointed to the educational technology board shall have a  
8 recognized interest in and demonstrated knowledge of computer technologies,  
9 distance learning technologies, educational media and electronic resources,  
10 electronic information dissemination or telecommunications technologies.

11           **SECTION 118p.** 15.105 (26) (a) 1. of the statutes, as created by 1995 Wisconsin  
12 Act .... (this act), is repealed and recreated to read:

13           15.105 (26) (a) 1. An employe of the division for libraries and community  
14 learning in the department of education appointed by the secretary of education.

15           **SECTION 118r.** 15.105 (27) of the statutes is created to read:

16           15.105 (27) COMPETITIVE ENTERPRISE REVIEW BOARD. There is created a  
17 competitive enterprise review board which is attached to the department of  
18 administration under s. 15.03. The board shall consist of:

19           (a) The governor or his or her designee.

20           (b) The secretary of administration or his or her designee.

21           (c) The secretary of employment relations or his or her designee.

22           (d) Two members appointed for 2-year terms, one of whom shall be a  
23 representative of a labor organization that is certified or recognized to represent  
24 state employes under subch. V of ch. 111 and one of whom shall have experience in  
25 competitive bidding practices in the private sector.

1           **SECTION 119.** 15.107 (9) (b) of the statutes is amended to read:

2           15.107 (9) (b) *Application.* This subsection does not apply after July 1, 1996  
3           June 30, 2002.

4           **SECTION 120.** 15.107 (13) of the statutes is repealed.

5           **SECTION 121x.** 15.13 of the statutes is amended to read:

6           **15.13 Department of agriculture, trade and consumer protection;**  
7           **creation.** There is created a department of agriculture, trade and consumer  
8           protection under the direction and supervision of the board of agriculture, trade and  
9           consumer protection. The board shall consist of ~~6~~ 5 members with an agricultural  
10          background and ~~one member~~ 2 members who ~~is a~~ are consumer ~~representative~~  
11          representatives, appointed for staggered 6-year terms. Appointments to the board  
12          shall be made without regard to party affiliation, residence or interest in any special  
13          organized group.

14          **SECTION 123.** 15.135 (5) of the statutes is amended to read:

15          15.135 (5) FARM MEDIATION AND ARBITRATION BOARD. There is created a farm  
16          mediation and arbitration board which is attached to the department of agriculture,  
17          trade and consumer protection under s. 15.03. The board shall consist of the  
18          secretary of agriculture, trade and consumer protection or the secretary's designee,  
19          ~~the commissioner of banking or the commissioner's~~ secretary of financial institutions  
20          or the secretary's designee and a member appointed by the governor to serve at the  
21          pleasure of the governor.

22          **SECTION 126c.** 15.153 (2) of the statutes is repealed.

23          **SECTION 126m.** 15.153 (3) of the statutes is created to read:

24          15.153 (3) DIVISION OF ENVIRONMENTAL AND REGULATORY SERVICES. There is  
25          created in the department of development a division of environmental and

**SECTION 126m**

1 regulatory services. The administrator of this division shall be appointed outside the  
2 classified service by the secretary and shall serve at the pleasure of the secretary.

3 **SECTION 126mg.** 15.153 (4) of the statutes is created to read:

4 15.153 (4) DIVISION OF INTERNATIONAL AND EXPORT DEVELOPMENT. There is  
5 created in the department of development a division of international and export  
6 development. The administrator of this division shall be appointed outside the  
7 classified service by the secretary and shall serve at the pleasure of the secretary.

8 **SECTION 126mn.** 15.154 (title) of the statutes is created to read:

9 **15.154 (title) Same; specified bureaus.**

10 **SECTION 126mp.** 15.154 (1) of the statutes is created to read:

11 15.154 (1) PERMIT INFORMATION AND REGULATORY ASSISTANCE BUREAU. There is  
12 created a permit information and regulatory assistance bureau in the department  
13 of development.

14 **SECTION 127.** 15.155 (5) of the statutes is repealed.

15 **SECTION 127m.** 15.157 (2) of the statutes is amended to read:

16 15.157 (2) COUNCIL ON TOURISM. There is created in the department of  
17 development a council on tourism consisting of 14 members serving 3-year terms,  
18 and the secretary of development or the secretary's designee, one member of the  
19 majority party in each house and one member of the minority party in each house  
20 appointed as are members of standing committees in their respective houses, ~~the~~  
21 ~~executive secretary of the arts board and the director of the historical society and,~~  
22 subject to s. 44.65, the executive secretary of the arts board. Nominations for  
23 appointments to the council of members, other than ex officio members, shall be  
24 sought from but not limited to multicounty regional associations engaged in  
25 promoting tourism, statewide associations of businesses related to tourism, area

1 visitor and convention bureaus, arts organizations, chambers of commerce, the  
2 Great Lakes inter-tribal council and other agencies or organizations with knowledge  
3 of American Indian tourism activities, and persons engaged in the lodging,  
4 restaurant, campground, amusement establishment, recreation establishment or  
5 retail liquor or fermented malt beverages business. Nominations shall be sought  
6 from throughout this state, to ensure that council members live in different  
7 geographical areas of the state and that they reflect the tourism industry's diversity  
8 and its distribution throughout both urban and rural areas of the state. Each council  
9 member, other than ex officio members, shall have experience in marketing and  
10 promotion strategy.

11 **SECTION 128.** 15.157 (2) of the statutes, as affected by 1995 Wisconsin Act ....  
12 (this act), is renumbered 15.447 (1) and amended to read:

13 15.447 (1) COUNCIL ON TOURISM. There is created in the department of  
14 development tourism a council on tourism consisting of 14 members serving 3-year  
15 terms, and the secretary of development tourism or the secretary's designee, one  
16 member of the majority party in each house and one member of the minority party  
17 in each house appointed as are members of standing committees in their respective  
18 houses, the director of the historical society and, subject to s. 44.65, the executive  
19 secretary of the arts board. Nominations for appointments to the council of members,  
20 other than ex officio members, shall be sought from but not limited to multicounty  
21 regional associations engaged in promoting tourism, statewide associations of  
22 businesses related to tourism, area visitor and convention bureaus, arts  
23 organizations, chambers of commerce, the Great Lakes inter-tribal council and  
24 other agencies or organizations with knowledge of American Indian tourism  
25 activities, and persons engaged in the lodging, restaurant, campground, amusement

1 establishment, recreation establishment or retail liquor or fermented malt  
2 beverages business. Nominations shall be sought from throughout this state, to  
3 ensure that council members live in different geographical areas of the state and that  
4 they reflect the tourism industry's diversity and its distribution throughout both  
5 urban and rural areas of the state. Each council member, other than ex officio  
6 members, shall have experience in marketing and promotion strategy.

7 **SECTION 128m.** 15.157 (3) of the statutes, as affected by 1995 Wisconsin Act ....  
8 (this act), is repealed and recreated to read:

9 15.157 (3) DWELLING CODE COUNCIL. There is created in the department of  
10 development a dwelling code council, consisting of 17 members appointed for  
11 staggered 3-year terms. Four members shall be representatives of building trade  
12 labor organizations; 4 members shall be certified building inspectors employed by  
13 local units of government; 2 members shall be representatives of building contractors  
14 actively engaged in on-site construction of one- and 2-family housing; 2 members  
15 shall be representatives of manufacturers or installers of manufactured one- and  
16 2-family housing; one member shall be an architect, engineer or designer actively  
17 engaged in the design or evaluation of one- and 2-family housing; 2 members shall  
18 represent the construction material supply industry; and 2 members shall represent  
19 the public, one of whom shall represent persons with disabilities, as defined in s.  
20 106.04 (1m) (g). An employe of the department designated by the secretary of  
21 development shall serve as nonvoting secretary of the council. The council shall meet  
22 at least twice a year. Eleven members of the council shall constitute a quorum. For  
23 the purpose of conducting business a majority vote of the council is required.

24 **SECTION 129.** 15.157 (5) of the statutes is created to read:

1           15.157 (5) HAZARDOUS POLLUTION PREVENTION COUNCIL. There is created in the  
2 department of development a hazardous pollution prevention council consisting of  
3 7 members appointed for 3-year terms.

4           **SECTION 130.** 15.157 (7) (a) (intro.) of the statutes is amended to read:

5           15.157 (7) (a) (intro.) There is created in the department of development a  
6 council on main street programs, consisting of the following ~~11~~ members appointed  
7 for 3-year terms:

8           **SECTION 131.** 15.157 (7) (a) 11. of the statutes is created to read:

9           15.157 (7) (a) 11. Four members with expertise or an interest in downtown  
10 revitalization.

11          **SECTION 132.** 15.157 (7) (b) 3. of the statutes is amended to read:

12          15.157 (7) (b) 3. The members appointed under par. (a) 3. to ~~10~~ 11, shall be  
13 appointed to provide geographic diversity to the council.

14          **SECTION 133.** 15.157 (8) (intro.) of the statutes is amended to read:

15          15.157 (8) RURAL HEALTH DEVELOPMENT COUNCIL. (intro.) There is created in the  
16 department of development a rural health development council consisting of 11  
17 members nominated by the governor, and with the advice and consent of the senate  
18 appointed, for 5-year terms, and the secretaries secretary of development and the  
19 secretary of health and social services, or their designees. The appointed members  
20 shall include all of the following:

21          **SECTION 134.** 15.18 of the statutes is created to read:

22          **15.18 Department of financial institutions.** There is created a department  
23 of financial institutions under the direction and supervision of the secretary of  
24 financial institutions.

25          **SECTION 134m.** 15.183 of the statutes is created to read:

**SECTION 134m**

1           **15.183 Same; specified divisions. (1)** DIVISION OF BANKING. There is created  
2 a division of banking. Prior to July 1, 2000, the division is attached to the department  
3 of financial institutions under s. 15.03. After June 30, 2000, the division is created  
4 in the department of financial institutions. The administrator of the division shall  
5 be appointed outside the classified service by the secretary of financial institutions  
6 and shall serve at the pleasure of the secretary.

7           **(2)** DIVISION OF SAVINGS AND LOAN. There is created a division of savings and  
8 loan. Prior to July 1, 2000, the division is attached to the department of financial  
9 institutions under s. 15.03. After June 30, 2000, the division is created in the  
10 department of financial institutions. The administrator of the division shall be  
11 appointed outside the classified service by the secretary of financial institutions and  
12 shall serve at the pleasure of the secretary.

13           **(3)** DIVISION OF SECURITIES. There is created a division of securities. Prior to  
14 July 1, 2000, the division is attached to the department of financial institutions  
15 under s. 15.03. After June 30, 2000, the division is created in the department of  
16 financial institutions. The administrator of the division shall be appointed outside  
17 the classified service by the secretary of financial institutions and shall serve at the  
18 pleasure of the secretary.

19           **SECTION 135.** 15.185 (title) of the statutes is created to read:

20           **15.185 (title) Same; attached boards and offices.**

21           **SECTION 136.** 15.185 (7) (title) of the statutes is created to read:

22           15.185 **(7)** (title) OFFICE OF CREDIT UNIONS.

23           **SECTION 137.** 15.193 of the statutes is repealed.

24           **SECTION 138.** 15.195 (4) (d) of the statutes is amended to read:

1           15.195 (4) (d) The ~~state superintendent~~ secretary of ~~public instruction~~  
2 education or his or her designee.

3           **SECTION 139.** 15.195 (10) of the statutes is repealed.

4           **SECTION 139m.** 15.197 (8) of the statutes is amended to read:

5           15.197 (8) (title) COUNCIL FOR THE DEAF AND HARD OF HEARING IMPAIRED. There  
6 is created in the department of health and social services a council for the deaf and  
7 hard of hearing impaired consisting of 9 members appointed for staggered 4-year  
8 terms.

9           **SECTION 140.** 15.197 (10) of the statutes is repealed.

10          **SECTION 141.** 15.197 (11n) (a) 3. of the statutes is amended to read:

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

13          **SECTION 142.** 15.197 (23) (a) 8. of the statutes is amended to read:

14          15.197 (23) (a) 8. The ~~administrator of the division of youth services in the~~  
15 ~~department~~ secretary of health and social services or the secretary's designee, who  
16 shall serve as chairperson of the council.

17          **SECTION 143.** 15.197 (23) (a) 9. of the statutes is amended to read:

18          15.197 (23) (a) 9. One member who has knowledge of the problems of gang  
19 influence and gang violence in public schools, appointed by the ~~state superintendent~~  
20 secretary of public instruction education.

21          **SECTION 144.** 15.223 (2) of the statutes is created to read:

22          15.223 (2) DIVISION OF WORKFORCE EXCELLENCE. There is created in the  
23 department of industry, labor and human relations a division of workforce  
24 excellence.

**SECTION 146**

1           **SECTION 146.** 15.225 (3) (title) of the statutes, as affected by 1995 Wisconsin  
2 Act .... (this act), is renumbered 15.227 (23) (title).

3           **SECTION 147.** 15.225 (3) (a) of the statutes, as affected by 1995 Wisconsin Act  
4 .... (this act), is renumbered 15.227 (23) (a) and amended to read:

5           15.227 (23) (a) *Creation.* There is created a national and community service  
6 board which is attached to the department of industry, labor and ~~human relations~~  
7 job development under s. 15.03.

8           **SECTION 148.** 15.225 (3) (b) to (e) of the statutes, as affected by 1995 Wisconsin  
9 Act .... (this act), sections 117 and 148m, are renumbered 15.227 (23) (b) to (e).

10          **SECTION 148m.** 15.225 (3) (c) 4. of the statutes, as affected by 1995 Wisconsin  
11 Act .... (this act), section 117, is amended to read:

12          15.225 (3) (c) 4. The ~~state superintendent~~ secretary of ~~public instruction~~  
13 education or his or her designee.

14          **SECTION 152.** 15.227 (6) of the statutes is renumbered 15.157 (3) and amended  
15 to read:

16          15.157 (3) DWELLING CODE COUNCIL. There is created in the department of  
17 ~~industry, labor and human relations,~~ development a dwelling code council,  
18 consisting of 17 members appointed for staggered 3-year terms. Four members shall  
19 be representatives of building trade labor organizations; 4 members shall be certified  
20 building inspectors employed by local units of government; 2 members shall be  
21 representatives of building contractors actively engaged in on-site construction of  
22 one- and 2-family housing; 2 members shall be representatives of manufacturers or  
23 installers of manufactured one- and 2-family housing; one member shall be an  
24 architect, engineer or designer actively engaged in the design or evaluation of one-  
25 and 2-family housing; 2 members shall represent the construction material supply

1 industry; and 2 members shall represent the public, one of whom shall represent  
2 persons with disabilities, as defined in s. 101.22 (1m) (g). An employe of the  
3 department designated by the secretary of ~~industry, labor and human relations~~  
4 development shall serve as nonvoting secretary of the council. The council shall meet  
5 at least twice a year. Eleven members of the council shall constitute a quorum. For  
6 the purpose of conducting business a majority vote of the council is required.

7 **SECTION 153.** 15.227 (7) of the statutes is renumbered 15.157 (4) and amended  
8 to read:

9 15.157 (4) CONTRACTOR FINANCIAL RESPONSIBILITY COUNCIL. There is created in  
10 the department of ~~industry, labor and human relations~~ development a contractor  
11 financial responsibility council consisting of 3 members who are representatives of  
12 building contractors actively engaged in on-site construction of one-family and  
13 2-family housing, one member who is a certified building inspector employed by a  
14 county, city, village or town and one member who is not a building contractor or a  
15 building inspector. Members of the council shall serve for 3-year terms.

16 **SECTION 155.** 15.227 (10) of the statutes is renumbered 15.157 (15) and  
17 amended to read:

18 15.157 (15) FIRE PREVENTION COUNCIL. There is created in the department of  
19 ~~industry, labor and human relations~~ development a fire prevention council  
20 appointed by the secretary of ~~industry, labor and human relations~~ development.

21 **SECTION 159.** 15.227 (15) of the statutes is renumbered 15.157 (6) and amended  
22 to read:

23 15.157 (6) PLUMBERS COUNCIL. There is created in the department of ~~industry,~~  
24 ~~labor and human relations~~ development a plumbers council consisting of 3 members.  
25 One member shall be an employe of the department of ~~industry, labor and human~~

**SECTION 159**

1 ~~relations development, selected by the secretary of industry, labor and human~~  
2 ~~relations development, to serve as the secretary of the council. Two members, one~~  
3 a master plumber and one a journeyman plumber, shall be appointed by the  
4 secretary of ~~industry, labor and human relations development~~ for 2-year terms.

5 **SECTION 160.** 15.227 (16) of the statutes is renumbered 15.157 (9) and amended  
6 to read:

7 15.157 (9) AUTOMATIC FIRE SPRINKLER SYSTEM CONTRACTORS AND JOURNEYMEN  
8 COUNCIL. There is created in the department of ~~industry, labor and human relations~~  
9 ~~development~~ an automatic fire sprinkler system contractors and journeymen council  
10 consisting of 5 members. One member shall be an employe of the department of  
11 ~~industry, labor and human relations development~~, selected by the secretary of  
12 ~~industry, labor and human relations development~~, to serve as secretary of the  
13 council. Two members shall be licensed journeymen automatic fire sprinkler fitters  
14 and 2 members shall be persons representing licensed automatic fire sprinkler  
15 contractors, all appointed by the secretary of ~~industry, labor and human relations~~  
16 ~~development~~ for staggered 4-year terms.

17 **SECTION 161.** 15.227 (18) of the statutes is renumbered 15.157 (11) and  
18 amended to read:

19 15.157 (11) PETROLEUM STORAGE ENVIRONMENTAL CLEANUP COUNCIL. There is  
20 created in the department of ~~industry, labor and human relations development~~ a  
21 petroleum storage environmental cleanup council consisting of 5 members  
22 appointed for 4-year terms and the ~~secretaries secretary~~ of natural resources and  
23 ~~industry, labor and human relations the secretary of development~~, or their  
24 designees. The governor shall appoint the members, other than ex officio members,  
25 to the council from lists of names submitted by the secretary of natural resources and

1 by the secretary of ~~industry, labor and human relations~~ development. In preparing  
2 the lists, each secretary shall consider representatives from petroleum product  
3 transporters, manufacturers, suppliers, retailers and wholesalers, hydrogeologists  
4 and environmental scientists, consultants, contractors and engineers.

5 **SECTION 162.** 15.227 (20) of the statutes is renumbered 15.157 (12), and 15.157  
6 (12) (a) (intro.), as renumbered, is amended to read:

7 15.157 (12) (a) (intro.) There is created in the department of ~~industry, labor and~~  
8 ~~human relations~~ development a multifamily dwelling code council consisting of the  
9 following members appointed for 3-year terms:

10 **SECTION 163.** 15.227 (22) of the statutes is repealed.

11 **SECTION 164.** 15.227 (24) of the statutes is created to read:

12 15.227 (24) GOVERNOR'S COUNCIL ON WORKFORCE EXCELLENCE. (a) There is  
13 created in the department of industry, labor and human relations a governor's  
14 council on workforce excellence consisting of the following members:

15 1. The secretary of industry, labor and human relations or the secretary's  
16 designee.

17 2. The secretary of administration or the secretary's designee.

18 3. The secretary of development or the secretary's designee.

19 4. The state superintendent of public instruction or the state superintendent's  
20 designee.

21 5. The director of the technical college system or the director's designee.

22 5m. One representative to the assembly appointed by the speaker of the  
23 assembly.

24 5p. One representative to the senate appointed by the senate majority leader.

25 6. One member who is a representative of the public school system.

1           7 One member who is a representative of a 4-year postsecondary educational  
2 institution.

3           8. One member who is a representative of a technical college district.

4           9. One member who is a representative of a nonprofit, community-based  
5 organization that provides employment training services.

6           10. Three members who are representatives of business and industry,  
7 including at least one member who is a member of a private industry council under  
8 29 USC 1512.

9           11. Three members who are representatives of organized labor and who are  
10 selected from among individuals nominated by organized labor, except that if  
11 organized labor does not nominate a sufficient number of individuals, individual  
12 employes may be included on the council as necessary to meet the number of  
13 members required under this subdivision.

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

17           **SECTION 165.** 15.227 (24) (a) 4. of the statutes, as created by 1995 Wisconsin  
18 Act .... (this act), is repealed and recreated to read:

19           15.227 (24) (a) 4. The secretary of education or the secretary's designee.

20           **SECTION 166m.** 15.345 (6) of the statutes is renumbered 15.445 (3).

21           **SECTION 169.** 15.347 (4) (c) of the statutes is amended to read:

22           15.347 (4) (c) One from the department of ~~public instruction~~ education,  
23 appointed by the ~~state superintendent~~ secretary of education.

24           **SECTION 170.** 15.347 (8) (d) 3. of the statutes is amended to read:

1           15.347 (8) (d) 3. The department of ~~development~~ tourism, appointed by the  
2 secretary thereof.

3           **SECTION 172.** 15.347 (13) (b) 2. of the statutes is amended to read:

4           15.347 (13) (b) 2. The secretary of ~~industry, labor and human relations~~  
5 development.

6           **SECTION 173.** 15.347 (15) (a) 2. of the statutes is amended to read:

7           15.347 (15) (a) 2. The secretary of ~~development~~ tourism or his or her designee.

8           **SECTION 175b.** 15.347 (17) (a) of the statutes is amended to read:

9           15.347 (17) (a) *Creation and membership.* There is created a council on  
10 recycling, attached to the department of natural resources under s. 15.03, consisting  
11 of 7 members selected by the governor.

12           **SECTION 177m.** 15.37 of the statutes is repealed and recreated to read:

13           **15.37 Department of education; creation. (1)** There is created a  
14 department of education under the direction and supervision of the education  
15 commission. The powers and duties of the education commission are regulatory,  
16 advisory and policy-making, and not administrative. The commission shall consist  
17 of the following members:

18           (a) The state superintendent of public instruction.

19           (b) Two members appointed by the governor for 4-year terms expiring on  
20 January 20 of an odd-numbered year.

21           (c) Two members appointed by the senate majority leader for 2-year terms  
22 expiring on January 20 of an odd-numbered year.

23           (d) Two members appointed by the speaker of the assembly for 2-year terms  
24 expiring on January 20 of an odd-numbered year.

1 (e) One member appointed by the senate minority leader for a 2-year term  
2 expiring on January 20 of an odd-numbered year.

3 (f) One member appointed by the assembly minority leader for a 2-year term  
4 expiring on January 20 of an odd-numbered year.

5 (g) The president, or by his or her designation another member, of the board  
6 of regents of the University of Wisconsin System, who shall serve as a nonvoting  
7 member.

8 (h) The president, or by his or her designation another member, of the technical  
9 college system board, who shall serve as a nonvoting member.

10 **(2)** The secretary of education shall be nominated by the governor, and with the  
11 advice and consent of the senate appointed, to serve at the pleasure of the governor.  
12 The administrative powers and duties of the department of education are vested in  
13 the secretary of education, to be administered by the secretary of education under the  
14 direction of the education commission.

15 **SECTION 178.** 15.374 (1) of the statutes is amended to read:

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

20 **SECTION 179.** 15.375 (1) of the statutes is amended to read:

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

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

12 **SECTION 180.** 15.375 (2) of the statutes is amended to read:

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

24 **SECTION 181.** 15.375 (3) (b) 1. of the statutes is amended to read:

**SECTION 181**

1           15.375 (3) (b) 1. The ~~state superintendent~~ secretary of ~~public instruction~~  
2 education.

3           **SECTION 182.** 15.375 (3) (b) 6. (intro.) of the statutes is amended to read:

4           15.375 (3) (b) 6. (intro.) One member, appointed for a 3-year term by the state  
5 superintendent secretary of ~~public instruction~~ education, to represent each of the  
6 following:

7           **SECTION 183.** 15.377 (1) of the statutes is amended to read:

8           15.377 (1) COUNCIL ON THE EDUCATION OF THE BLIND. There is created in the  
9 department of ~~public instruction~~ education a council on the education of the blind  
10 consisting of 3 members, who shall be visually handicapped and shall have a  
11 recognized interest in and a demonstrated knowledge of the problems of the visually  
12 handicapped, appointed by the ~~state superintendent~~ secretary of ~~public instruction~~  
13 education for staggered 6-year terms. "Visually handicapped" means having a)  
14 visual acuity equal to or less than 20/70 in the better eye with correcting lenses, or  
15 b) a visual acuity greater than 20/70 in the better eye with correcting lenses, but  
16 accompanied by a limitation in the field of vision such that the widest diameter of the  
17 visual field subtends an angle no greater than 20 degrees.

18           **SECTION 184.** 15.377 (3) of the statutes is amended to read:

19           15.377 (3) COUNCIL ON INSTRUCTIONAL TELECOMMUNICATIONS. There is created  
20 in the department of ~~public instruction~~ education a council on instructional  
21 telecommunications. The ~~state superintendent~~ secretary of ~~public instruction~~  
22 education shall appoint one member to represent each of the cooperative educational  
23 service agencies, from nominations made by the boards of control of the cooperative  
24 educational service agencies, and 2 members to represent private primary and

1 secondary educational institutions. Council members shall be appointed for 4-year  
2 terms.

3 **SECTION 185.** 15.377 (4) of the statutes is amended to read:

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

15 **SECTION 186.** 15.377 (6) of the statutes is amended to read:

16 15.377 (6) COUNCIL ON LIBRARY AND NETWORK DEVELOPMENT. There is created in  
17 the department of ~~public instruction~~ education a council on library and network  
18 development composed of 15 members. Seven of the members shall be library  
19 science, audiovisual and informational science professionals representative of  
20 various types of libraries and information services, including public libraries, public  
21 library systems, school libraries, public and private academic libraries, special  
22 libraries and library educators. Eight of the members shall be public members who  
23 have demonstrated an interest in libraries or other types of information services.  
24 The members of the council shall be appointed for 3-year terms. The council shall  
25 meet 6 times annually and shall also meet on the call of the ~~state superintendent~~

1 secretary of education, and may meet at other times on the call of the chairperson  
2 or a majority of its members.

3 **SECTION 187.** 15.377 (7m) of the statutes is amended to read:

4 15.377 (7m) COUNCIL ON SUICIDE PREVENTION. There is created a council on  
5 suicide prevention in the department of ~~public instruction~~ education. The council  
6 shall consist of 2 persons appointed by the ~~state superintendent~~ secretary of public  
7 ~~instruction~~ education, at least one of whom is not an employe of the department of  
8 ~~public instruction~~ education, 2 persons appointed by the secretary of health and  
9 social services, at least one of whom is not an employe of the department of health  
10 and social services, one person and one physician appointed jointly by the ~~state~~  
11 ~~superintendent~~ secretary of public instruction education and the secretary of health  
12 and social services and one person appointed by the executive staff director of the  
13 office of justice assistance in the department of administration. Members shall be  
14 appointed for 3-year terms.

15 **SECTION 187m.** 15.433 of the statutes is created to read:

16 **15.433 Same; specified divisions. (1)** LOTTERY DIVISION. There is created  
17 in the department of revenue a lottery division.

18 **SECTION 188.** 15.435 (1) (a) 1. of the statutes is amended to read:

19 15.435 (1) (a) 1. The ~~secretaries~~ secretary of development and the secretary of  
20 revenue or their designees;

21 **SECTION 189.** 15.435 (2) of the statutes is amended to read:

22 15.435 (2) BADGER BOARD. There is created a badger board, attached to the  
23 department of revenue under s. 15.03, consisting of the ~~secretaries of development,~~  
24 secretary of tourism, the secretary of revenue and the secretary of natural resources,  
25 or their designees, the governor in his or her capacity as chairperson of the building

1 commission, or his or her designee, and the board of commissioners of public lands  
2 under article X, section 7, of the constitution.

3 **SECTION 190.** 15.44 of the statutes is created to read:

4 **15.44 Department of tourism.** There is created a department of tourism  
5 under the direction and supervision of the secretary of tourism.

6 **SECTION 192.** 15.445 (title) of the statutes is created to read:

7 **15.445 (title) Same; attached boards.**

8 **SECTION 193.** 15.447 (title) of the statutes is created to read:

9 **15.447 (title) Same; councils.**

10 **SECTION 194.** 15.55 of the statutes is repealed.

11 **SECTION 195.** 15.555 (title) of the statutes is repealed.

12 **SECTION 196.** 15.555 (1) of the statutes is renumbered 15.185 (1) and amended  
13 to read:

14 15.185 (1) BANKING REVIEW BOARD. There is created in the ~~office of the~~  
15 ~~commissioner of banking~~ department of financial institutions a banking review  
16 board consisting of 5 persons, appointed for staggered 5-year terms. At least 3  
17 members shall be experienced bankers having at least 5 years' experience in the  
18 banking business. No member is qualified to act in any matter involving a bank in  
19 which the member is an officer, director or stockholder, or to which the member is  
20 indebted.

21 **SECTION 197.** 15.555 (2) of the statutes is renumbered 15.185 (2) and amended  
22 to read:

23 15.185 (2) CONSUMER CREDIT REVIEW BOARD. There is created in the ~~office of the~~  
24 ~~commissioner of banking~~ department of financial institutions a consumer credit  
25 review board consisting of 5 persons, appointed for staggered 5-year terms. One

1 member shall be an individual holding a license issued under s. 218.01 and 2  
2 members shall be individuals holding a license under s. 138.09 and with 5 years'  
3 practical experience in that field or as executive of a similarly qualified corporation.  
4 ~~The commissioner of banking may call special meetings of the review board.~~

5 **SECTION 198.** 15.57 (1) of the statutes is amended to read:

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

9 **SECTION 200am.** 15.587 (1) of the statutes, as affected by 1993 Wisconsin Act  
10 16, section 67n, is repealed and recreated to read:

11 15.587 (1) COUNCIL ON MUNICIPAL COLLECTIVE BARGAINING. There is created in  
12 the employment relations commission a council on municipal collective bargaining.  
13 The council shall consist of the chairperson of the commission, who shall serve as the  
14 nonvoting chairperson of the council, and 5 representatives of municipal employers  
15 and 5 representatives of municipal employes bargaining under subch. IV of ch. 111  
16 appointed by the chairperson of the commission to serve for 6-year terms. In making  
17 appointments to the council, the chairperson shall give due consideration to the  
18 necessity of achieving balanced representation of municipal employer interests, and  
19 to the diversity of municipal employe interests among municipal employes who are  
20 included in collective bargaining units subject to the procedures under s. 111.70 (4)  
21 (cm).

22 **SECTION 201.** 15.59 of the statutes is renumbered 15.185 (7) (a) and amended  
23 to read:

24 15.185 (7) (a) *Office of the commissioner of credit unions; creation.* There is  
25 created an office of the ~~commissioner~~ of credit unions under the ~~direction~~ and

1 ~~supervision of the commissioner of credit unions~~ which is attached to the department  
2 of financial institutions under s. 15.03. The director shall be appointed by the  
3 governor to serve at the pleasure of the governor. No person may be appointed  
4 ~~commissioner~~ director who has not had at least 3 years of actual experience either  
5 in the operation of a credit union, or serving in a credit union supervisory capacity,  
6 or a combination of both. Notwithstanding s. 15.03, all personnel and budget  
7 requests by the office of credit unions shall be processed and forwarded by the  
8 department of financial institutions without change except as requested and  
9 concurring in by the office of credit unions.

10 **SECTION 202.** 15.595 (title) of the statutes is repealed.

11 **SECTION 203.** 15.595 (1) of the statutes is renumbered 15.185 (7) (b) and  
12 amended to read:

13 15.185 (7) (b) *Credit union review board.* There is created in the office of ~~the~~  
14 ~~commissioner of credit unions~~ a credit union review board consisting of 5 persons,  
15 appointed for staggered 5-year terms. All members shall have at least 5 years'  
16 experience in the operations of a credit union. ~~The commissioner~~ office of credit  
17 unions may call special meetings of the review board.

18 **SECTION 203c.** 15.64 of the statutes is amended to read:

19 **15.64 Gaming ~~commission~~ board; creation.** There is created a gaming  
20 ~~commission~~ board, consisting of 5 members appointed for 4-year terms. Each  
21 member shall be a U.S. citizen and shall be a resident, as described in s. 6.10 (1), of  
22 this state. No person who has been convicted of or entered a plea of guilty or no  
23 contest to a felony or a gambling-related offense under the laws of this or another  
24 state or of the United States may be appointed as a member unless the person has  
25 received a pardon under which the person's full civil rights have been restored.

1           **SECTION 203g.** 15.643 (1) of the statutes is amended to read:

2           15.643 (1) ADMINISTRATIVE SERVICES DIVISION. There is created in the gaming  
3 ~~commission board~~ an administrative services division.

4           **SECTION 203L.** 15.643 (2) of the statutes is amended to read:

5           15.643 (2) GAMING SECURITY DIVISION. There is created in the gaming  
6 ~~commission board~~ a gaming security division.

7           **SECTION 203p.** 15.643 (3) of the statutes is amended to read:

8           15.643 (3) RACING DIVISION. There is created in the gaming ~~commission board~~  
9 a racing division.

10          **SECTION 203t.** 15.643 (4) of the statutes is repealed.

11          **SECTION 203x.** 15.647 (1) of the statutes is amended to read:

12          15.647 (1) COUNCIL ON CHARITABLE GAMING. There is created in the gaming  
13 ~~commission board~~ a council on charitable gaming consisting of 5 residents of this  
14 state appointed for 5-year terms. Not more than 3 members of the council may  
15 belong to the same political party. Members of the council shall hold office until a  
16 successor is appointed and qualified.

17          **SECTION 207.** 15.67 of the statutes is repealed.

18          **SECTION 208m.** 15.677 of the statutes is repealed.

19          **SECTION 209m.** 15.705 (title) of the statutes is amended to read:

20          **15.705 (title) Same; attached boards and commission.**

21          **SECTION 209s.** 15.705 (3) (a) 5. g. and 6. to 8. and (b) of the statutes are created  
22 to read:

23          15.705 (3) (a) 5. g. Sports.

24          6. A representative of the Wisconsin council for local history.

25          7. A representative of American Indian tribes and bands in this state.

1 8. Five members at large.

2 (b) In addition to the members specified in par. (a), the governor shall serve as  
3 an ex-officio member of the commission and of any committee of the commission  
4 appointed under s. 44.25 (5r).

5 **SECTION 210.** 15.707 (1) of the statutes is amended to read:

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

15 **SECTION 211.** 15.707 (2) (a) 2g. of the statutes is created to read:

16 15.707 (2) (a) 2g. The secretary of tourism.

17 **SECTION 212bc.** 15.707 (2) (a) 5. of the statutes is repealed.

18 **SECTION 212bg.** 15.707 (2) (c) of the statutes is amended to read:

19 15.707 (2) (c) The members under par. (a) 1. to ~~5.~~ 4. shall serve as nonvoting  
20 members and may appoint designees to serve on the council.

21 **SECTION 214.** 15.82 of the statutes is repealed.

22 **SECTION 215.** 15.825 (title) of the statutes is repealed.

23 **SECTION 216.** 15.825 (1) of the statutes is renumbered 15.185 (3) and amended  
24 to read:

**SECTION 216**

1           15.185 (3) SAVINGS AND LOAN REVIEW BOARD. There is created in the office of the  
2 commissioner of savings and loan department of financial institutions a savings and  
3 loan review board consisting of 7 members, at least 5 of whom shall have not less than  
4 10 years' experience in the savings and loan business in this state, appointed for  
5 staggered 4-year terms.

6           **SECTION 217.** 15.825 (2) of the statutes is renumbered 15.185 (4) and amended  
7 to read:

8           15.185 (4) SAVINGS BANK REVIEW BOARD. There is created in the office of the  
9 commissioner of savings and loan department of financial institutions a savings  
10 bank review board consisting of 7 members, at least 5 of whom shall have not less  
11 than 10 years' experience in the savings bank or savings and loan association  
12 business in this state, appointed for 4-year terms.

13           **SECTION 218.** 15.85 of the statutes is repealed.

14           **SECTION 218e.** 15.87 of the statutes is renumbered 15.445 (4) and amended to  
15 read:

16           15.445 (4) STATE FAIR PARK BOARD. There is created a state fair park board  
17 attached to the department of tourism under s. 15.03, consisting of 7 5 members, 5  
18 of whom shall be appointed for 5-year terms. ~~The, the~~ secretary of agriculture, trade  
19 and consumer protection, or his or her designee, and the secretary of ~~development~~  
20 tourism, or his or her designee, shall also serve as voting members of the state fair  
21 park board.

22           **SECTION 219.** 15.91 of the statutes is amended to read:

23           **15.91 Board of regents of the university of Wisconsin system; creation.**  
24 There is created a board of regents of the university of Wisconsin system consisting  
25 of the ~~state superintendent~~ secretary of public instruction education, the president,

1 or by his or her designation another member, of the technical college system board  
2 and 14 citizen members appointed for staggered 7-year terms, and a student  
3 enrolled at least half-time and in good academic standing at an institution or center  
4 within the university of Wisconsin system who is at least 18 years old and a resident  
5 of this state, for a 2-year term. The student member may be selected from  
6 recommendations made by elected representatives of student governments at  
7 institutions and centers within the university of Wisconsin system. The governor  
8 may not appoint a student member from the same institution or center in any 2  
9 consecutive terms. If the student member loses the status upon which the  
10 appointment was based, he or she shall cease to be a member of the board of regents.

11 **SECTION 220.** 15.915 (4) of the statutes is repealed.

12 **SECTION 220g.** 15.915 (5) of the statutes, as affected by 1995 Wisconsin Act ....  
13 (this act), is renumbered 15.155 (2), and 15.155 (2) (b), as renumbered, is amended  
14 to read:

15 15.155 (2) (b) *Creation.* There is created a recycling market development board  
16 which is attached to the ~~University of Wisconsin System~~ department of development  
17 under s. 15.03.

18 **SECTION 221.** 15.917 of the statutes is repealed.

19 **SECTION 222.** 15.94 (1) of the statutes is amended to read:

20 15.94 (1) The state superintendent ~~secretary~~ of public instruction education or  
21 the superintendent's ~~secretary's~~ designee.

22 **SECTION 223m.** 15.945 (1) of the statutes is repealed.

23 **SECTION 224.** 15.947 (1) of the statutes is amended to read:

24 15.947 (1) COUNCIL ON FIRE SERVICE TRAINING PROGRAMS. There is created in the  
25 technical college system board a council on fire service training programs consisting

1 of a representative of the division of emergency government designated by the  
2 administrator thereof; a representative of the department of ~~industry, labor and~~  
3 ~~human relations~~ development designated by the secretary of ~~industry, labor and~~  
4 ~~human relations~~ development; a representative of the commissioner of insurance  
5 designated by the commissioner; and 4 bona fide members of volunteer fire  
6 departments and 2 bona fide members of paid fire departments appointed for  
7 staggered 6-year terms.

8 **SECTION 224m.** 15.96 of the statutes is created to read:

9 **15.96 University of Wisconsin Hospitals and Clinics Board; creation.**

10 There is created a University of Wisconsin Hospitals and Clinics Board. The board  
11 shall consist of the following members:

12 (1) Three members nominated by the governor, and with the advice and  
13 consent of the senate appointed, for 3-year terms.

14 (2) Three members of the board of regents appointed by the president of the  
15 board of regents.

16 (3) The chancellor of the University of Wisconsin-Madison or his or her  
17 designee.

18 (4) The dean of the University of Wisconsin-Madison Medical School.

19 (5) A chairperson of a department at the University of Wisconsin-Madison  
20 Medical School, appointed by the chancellor of the University of Wisconsin-Madison.

21 (6) A faculty member of a University of Wisconsin-Madison health professions  
22 school, other than the University of Wisconsin-Madison Medical School, appointed  
23 by the chancellor of the University of Wisconsin-Madison.

24 (7) The secretary of administration or his or her designee.

**SECTION 224m**

1           **(8)** Two nonvoting members appointed by the governor, one of whom shall be  
2 an employe or a representative of a labor organization recognized or certified to  
3 represent employes in one of the collective bargaining units specified in s. 111.05 (5)  
4 (a) and one of whom shall be an employe or a representative of a labor organization  
5 recognized or certified to represent employes in one of the collective bargaining units  
6 specified in s. 111.825 (1m).

7           **SECTION 226.** 16.004 (4) of the statutes is amended to read:

8           **16.004 (4) FREEDOM OF ACCESS.** The secretary and such employes of the  
9 department as the secretary designates may enter into the offices of state agencies,  
10 including and authorities created under chs. 231, 233 and 234, and may examine  
11 their books and accounts and any other matter which in the secretary's judgment  
12 should be examined and may interrogate the agency's employes publicly or privately  
13 relative thereto.

14           **SECTION 227.** 16.004 (5) of the statutes is amended to read:

15           **16.004 (5) AGENCIES AND EMPLOYES TO COOPERATE.** All state agencies, including  
16 and authorities created under chs. 231, 233 and 234, and their officers and employes,  
17 shall cooperate with the secretary and shall comply with every request of the  
18 secretary relating to his or her functions.

19           **SECTION 228.** 16.004 (12) (a) of the statutes is amended to read:

20           **16.004 (12) (a)** In this subsection, "state agency" means an association,  
21 authority, board, department, commission, independent agency, institution, office,  
22 society or other body in state government created or authorized to be created by the  
23 constitution or any law, including the legislature, the office of the governor and the  
24 courts, but excluding the University of Wisconsin Hospitals and Clinics Authority.

25           **SECTION 229.** 16.008 (2) of the statutes is amended to read:

**SECTION 229**

1           16.008 (2) The state shall pay for extraordinary police services provided  
2 directly to state facilities, as defined in s. 70.119 (3) (e), in response to a request of  
3 a state officer or agency responsible for the operation and preservation of such  
4 facilities. The University of Wisconsin Hospitals and Clinics Authority shall pay for  
5 extraordinary police services provided to facilities of the authority described in s.  
6 70.11 (38). Municipalities or counties which provide extraordinary police services to  
7 state facilities may submit claims to the claims board for actual additional costs  
8 related to wage and disability payments, pensions and worker's compensation  
9 payments, damage to equipment and clothing, replacement of expendable supplies,  
10 medical and transportation expense and other necessary expenses. The clerk of the  
11 municipality or county submitting a claim shall also transmit an itemized statement  
12 of charges and a statement which identifies the facility served and the person who  
13 requested the services. The board shall obtain a review of the claim and  
14 recommendations from the agency responsible for the facility prior to proceeding  
15 under s. 16.007 (3), (5) and (6).

16           **SECTION 231.** 16.01 (1) of the statutes is amended to read:

17           16.01 (1) In this section, "agency" means any office, department, agency,  
18 institution of higher education, association, society or other body in state  
19 government created or authorized to be created by the constitution or any law which  
20 is entitled to expend moneys appropriated by law, including the legislature and the  
21 courts, and any authority created under ch. 231, ~~233~~ or 234.

22           **SECTION 234.** 16.045 (1) (a) of the statutes is amended to read:

23           16.045 (1) (a) "Agency" means an office, department, independent agency,  
24 institution of higher education, association, society or other body in state  
25 government created or authorized to be created by the constitution or any law, which

1 is entitled to expend moneys appropriated by law, including the legislature and the  
2 courts, but not including an authority created in ch. 231, 232, 233, 234 or 235.

3 **SECTION 235.** 16.07 of the statutes is renumbered 41.40 and amended to read:

4 **41.40 Kickapoo land acquisition; reserve designation.** The department  
5 may acquire land from the federal government adjacent to the Kickapoo river, and  
6 may determine the boundaries of the Kickapoo valley reserve under s. ~~16.21~~ 41.41  
7 (2).

8 **SECTION 237.** 16.135 (2) of the statutes is amended to read:

9 16.135 (2) This section does not apply after ~~July 1, 1996~~ June 30, 2002.

10 **SECTION 238.** 16.15 (1) (ab) of the statutes is amended to read:

11 16.15 (1) (ab) "Authority" has the meaning given under s. 16.70 (2), but  
12 excludes the University of Wisconsin Hospitals and Clinics Authority.

13 **SECTION 239d.** 16.20 (title) and (1) (intro.) and (a) to (f) of the statutes are  
14 renumbered 106.215 (title) and (1) (intro.) and (a) to (f).

15 **SECTION 239f.** 16.20 (1) (fm) of the statutes is amended to read:

16 16.20 (1) (fm) "Public assistance" means ~~general relief under s. 49.02, relief of~~  
17 ~~needy Indian persons under s. 49.046~~ relief provided by counties under s. 59.07 (154),  
18 aid to families with dependent children under s. 49.19, medical assistance under ss.  
19 49.45 to 49.47, low-income energy assistance under s. 49.80, weatherization  
20 assistance under s. 16.39 and the food stamp program under 7 USC 2011 to 2029.

21 **SECTION 239h.** 16.20 (1) (fm) of the statutes, as affected by 1995 Wisconsin Act  
22 .... (this act), is renumbered 106.215 (1) (fm) and amended to read:

23 106.215 (1) (fm) "Public assistance" means relief provided by counties under  
24 s. 59.07 (154), aid to families with dependent children under s. 49.19, medical  
25 assistance under ~~ss. 49.45 to 49.47~~ subch. IV of ch. 49, low-income energy assistance

1 under s. ~~49.80~~ 16.385, weatherization assistance under s. 16.39 and the food stamp  
2 program under 7 USC 2011 to 2029.

3 **SECTION 239j.** 16.20 (1) (g), (2) and (3) of the statutes are renumbered 106.215  
4 (1) (g), (2) and (3).

5 **SECTION 239m.** 16.20 (3m) of the statutes is renumbered 106.215 (3m) and  
6 amended to read:

7 106.215 (3m) REPORTING REQUIREMENT FOR DONATIONS. The board shall submit  
8 an annual report to the chief clerk of each house of the legislature for distribution to  
9 the legislature under s. 13.172 (2) that identifies, for each gift, grant or bequest  
10 credited under s. ~~20.399 (3) (g)~~ 20.445 (6) (j), the name of the individual or  
11 organization making it and the amount of and the manner in which it is utilized.

12 **SECTION 240.** 16.20 (4) (title) of the statutes is renumbered 106.215 (4) (title).

13 **SECTION 241m.** 16.20 (4) (a) of the statutes is amended to read:

14 16.20 (4) (a) *Executive secretary.* The ~~board~~ governor shall nominate, and with  
15 the advice and consent of the senate appoint, an executive secretary of the board  
16 outside the classified service to serve at its the pleasure of the governor.

17 **SECTION 241r.** 16.20 (4) (a) of the statutes, as affected by 1995 Wisconsin Act  
18 .... (this act), is renumbered 106.215 (4) (a).

19 **SECTION 242.** 16.20 (4) (b) of the statutes is renumbered 106.215 (4) (b).

20 **SECTION 243.** 16.20 (5) of the statutes is renumbered 106.215 (5).

21 **SECTION 244.** 16.20 (6) (intro.) and (a) to (d) of the statutes are renumbered  
22 106.215 (6) (intro.) and (a) to (d).

23 **SECTION 244m.** 16.20 (6) (dm) of the statutes is created to read:

**SECTION 244m**

1           16.20 **(6)** (dm) *Benefits to enrollees.* The extent to which the sponsor will  
2 provide to the corps enrollees on the project additional wages or other additional  
3 benefits.

4           **SECTION 244r.** 16.20 (6) (dm) of the statutes, as created by 1995 Wisconsin Act  
5 .... (this act), is renumbered 106.215 (6) (dm).

6           **SECTION 245.** 16.20 (6) (e) of the statutes is renumbered 106.215 (6) (e).

7           **SECTION 245g.** 16.20 (7) (title) of the statutes is renumbered 106.215 (7) (title).

8           **SECTION 245h.** 16.20 (7) (a) and (am) of the statutes are amended to read:

9           16.20 **(7)** (a) *Conservation activities; appropriations.* Moneys appropriated  
10 under s. 20.399 (1) (j), (m) and ~~(q)~~ **(u)** may be utilized for conservation activities as  
11 authorized under those appropriations.

12           (am) *Human services activities; appropriations.* Moneys appropriated under  
13 s. 20.399 (1) ~~(a)~~ **(b)**, (j) and (m) may be utilized for human services activities as  
14 authorized under those appropriations.

15           **SECTION 245m.** 16.20 (7) (a) and (am) of the statutes, as affected by 1995  
16 Wisconsin Act .... (this act), are renumbered 106.215 (7) (a) and (am) and amended  
17 to read:

18           106.215 **(7)** (a) *Conservation activities; appropriations.* Moneys appropriated  
19 under s. ~~20.399 (1)~~ **20.445 (6)** (j), (m) and (u) may be utilized for conservation  
20 activities as authorized under those appropriations.

21           (am) *Human services activities; appropriations.* Moneys appropriated under  
22 s. ~~20.399 (1)~~ **20.445 (6)** (b), (j) and (m) may be utilized for human services activities  
23 as authorized under those appropriations.

24           **SECTION 246.** 16.20 (7) (b) of the statutes is renumbered 106.215 (7) (b).

1           **SECTION 247g.** 16.20 (8) (title), (a) and (b) of the statutes are renumbered  
2 106.215 (8) (title), (a) and (b).

3           **SECTION 247m.** 16.20 (8) (c) of the statutes is amended to read:

4           16.20 (8) (c) *Administrative expenses; appropriations; reallocation.* Moneys  
5 appropriated under s. 20.399 (2) (j), (m) or (q) may be utilized for the payment of  
6 administrative expenses related to the Wisconsin conservation corps program as  
7 authorized under those appropriations. If the board determines that these  
8 appropriations are not sufficient, it may request the joint committee on finance to  
9 take action under s. 13.101 (4) to transfer moneys from the appropriation under s.  
10 20.399 (1) (j), (m) or ~~(q)~~ (u) to the appropriation under s. 20.399 (2) (j), (m) or (q).

11           **SECTION 247r.** 16.20 (8) (c) of the statutes, as affected by 1995 Wisconsin Act  
12 .... (this act), is renumbered 106.215 (8) (c) and amended to read:

13           106.215 (8) (c) *Administrative expenses; appropriations; reallocation.* Moneys  
14 appropriated under s. ~~20.399 (2) (j), (m) or (q)~~ 20.445 (6) (ja), (n) or (y) may be utilized  
15 for the payment of administrative expenses related to the Wisconsin conservation  
16 corps program as authorized under those appropriations. If the board determines  
17 that these appropriations are not sufficient, it may request the joint committee on  
18 finance to take action under s. 13.101 (4) to transfer moneys from the appropriation  
19 under s. ~~20.399 (1)~~ 20.445 (6) (j), (m) or (u) to the appropriation under s. ~~20.399 (2)~~  
20 ~~(j), (m) or (q)~~ 20.445 (6) (ja), (n) or (y).

21           **SECTION 248m.** 16.20 (8) (d) of the statutes is amended to read:

22           16.20 (8) (d) *Approval.* Projects Except as provided in sub. (8g), projects shall  
23 be selected and approved by the board based on guidelines established under sub. (6).

24           **SECTION 248r.** 16.20 (8) (d) of the statutes, as affected by 1995 Wisconsin Act  
25 .... (this act), is renumbered 106.215 (8) (d).

1           **SECTION 249.** 16.20 (8) (e) to (j) of the statutes are renumbered 106.215 (8) (e)  
2 to (j).

3           **SECTION 250m.** 16.20 (8) (k) of the statutes is amended to read:

4           16.20 (8) (k) *Enrollee supervision.* 1. The board is responsible for the overall  
5 supervision and control of corps enrollees.

6           2. The board may delegate to a sponsor responsibility for enrollee recruitment,  
7 training and supervision and for administrative services to be provided for a project  
8 in the responsibility agreement.

9           **SECTION 250r.** 16.20 (8) (k) of the statutes, as affected by 1995 Wisconsin Act  
10 .... (this act), is renumbered 106.215 (8) (k).

11           **SECTION 251.** 16.20 (8) (L) of the statutes is renumbered 106.215 (8) (L).

12           **SECTION 251d.** 16.20 (8g) of the statutes is created to read:

13           16.20 (8g) PARTNERSHIP PROJECTS. (a) If a sponsor pays for the total cost of a  
14 project, the board may select and approve a project without using the guidelines  
15 established under sub. (6).

16           (b) If the department of corrections is a sponsor of a project that is approved  
17 under this subsection, the corps members on the project shall be prisoners in state  
18 prison, probationers or parolees or persons on community supervision and the  
19 members of the project shall receive applicable alcohol or other drug abuse treatment  
20 and educational programming services for a portion of each work week, but not to  
21 exceed 8 hours per work week.

22           **SECTION 251h.** 16.20 (8g) of the statutes, as created by 1995 Wisconsin Act ....  
23 (this act), is renumbered 106.215 (8g).

24           **SECTION 251m.** 16.20 (8m) of the statutes is created to read:

1           16.20 (8m) ADMINISTRATIVE PROJECT. In addition to the projects authorized  
2 under this section, the board may approve one project that provides employment for  
3 corps enrollees in an administrative work or training project sponsored by the  
4 Wisconsin conservation corps. Subsections (5) (a) to (d), (6) and (8) (d), (g) to (j) and  
5 (k) 1. do not apply to a project approved under this subsection.

6           **SECTION 251r.** 16.20 (8m) of the statutes, as created by 1995 Wisconsin Act ....  
7 (this act), is renumbered 106.215 (8m).

8           **SECTION 252g.** 16.20 (9) (title) of the statutes is renumbered 106.215 (9) (title).

9           **SECTION 252r.** 16.20 (9) (a) of the statutes is amended to read:

10           16.20 (9) (a) *Work camps.* If necessary for the implementation of a conservation  
11 project, the board may establish or utilize residential facilities but the board may not  
12 use moneys appropriated under s. 20.399 (1) ~~(q)~~ (u) or (2) (q) for the establishment  
13 of new residential facilities.

14           **SECTION 252t.** 16.20 (9) (a) of the statutes, as affected by 1995 Wisconsin Act  
15 .... (this act), is renumbered 106.215 (9) (a) and amended to read:

16           106.215 (9) (a) *Work camps.* If necessary for the implementation of a  
17 conservation project, the board may establish or utilize residential facilities but the  
18 board may not use moneys appropriated under s. ~~20.399 (1) (u) or (2) (q)~~ 20.445 (6)  
19 (u) or (y) for the establishment of new residential facilities.

20           **SECTION 253m.** 16.20 (9) (b) of the statutes is amended to read:

21           16.20 (9) (b) *Education and training.* The board shall facilitate arrangements  
22 with local schools and institutions of higher education for academic study by corps  
23 enrollees ~~during nonworking hours~~ to upgrade literacy skills, obtain equivalency  
24 diplomas or college degrees or enhance employment skills. The board shall

**SECTION 253m**

1 encourage the development of training programs for corps enrollees for use during  
2 time periods when circumstances do not permit work on a project.

3 **SECTION 253r.** 16.20 (9) (b) of the statutes, as affected by 1995 Wisconsin Act  
4 .... (this act), is renumbered 106.215 (9) (b).

5 **SECTION 254.** 16.20 (10) (title) of the statutes is renumbered 106.215 (10) (title).

6 **SECTION 255m.** 16.20 (10) (a) of the statutes is amended to read:

7 16.20 (10) (a) *Authorization; classification.* The board may employ corps  
8 enrollees. The board shall classify these enrollees as corps members, assistant crew  
9 leaders ~~or~~, crew leaders or regional crew leaders.

10 **SECTION 255r.** 16.20 (10) (a) of the statutes, as affected by 1995 Wisconsin Act  
11 .... (this act), is renumbered 106.215 (10) (a).

12 **SECTION 256.** 16.20 (10) (b) of the statutes is renumbered 106.215 (10) (b).

13 **SECTION 257m.** 16.20 (10) (c) of the statutes is amended to read:

14 16.20 (10) (c) *Wages.* Corps members shall be paid at the prevailing federal  
15 minimum wage or the applicable state minimum wage established under ch. 104,  
16 whichever is greater. Assistant crew leaders ~~and~~, crew leaders and regional crew  
17 leaders may be paid more than the prevailing federal minimum wage or applicable  
18 state minimum wage. Corps enrollees shall receive their pay for the previous pay  
19 period on the last working day of the current pay period.

20 **SECTION 257r.** 16.20 (10) (c) of the statutes, as affected by 1995 Wisconsin Act  
21 .... (this act), is renumbered 106.215 (10) (c).

22 **SECTION 258.** 16.20 (10) (d) to (f) of the statutes are renumbered 106.215 (10)  
23 (d) to (f).

24 **SECTION 259m.** 16.20 (10) (fm) (intro.) of the statutes is amended to read:

**SECTION 259m**

1           16.20 (10) (fm) *Group health care coverage.* (intro.) The board may provide  
2 group health care coverage, including group health care coverage offered by the state  
3 under s. 40.51, to any of the following:

4           **SECTION 259r.** 16.20 (10) (fm) (intro.) of the statutes, as affected by 1995  
5 Wisconsin Act .... (this act), is renumbered 106.215 (10) (fm) (intro.).

6           **SECTION 260m.** 16.20 (10) (fm) 1. of the statutes is amended to read:

7           16.20 (10) (fm) 1. Corps enrollees who have been crew leaders, regional crew  
8 leaders or a combination thereof for at least 2 years.

9           **SECTION 260r.** 16.20 (10) (fm) 1. of the statutes, as affected by 1995 Wisconsin  
10 Act .... (this act), is renumbered 106.215 (10) (fm) 1.

11           **SECTION 261m.** 16.20 (10) (fm) 2. of the statutes is amended to read:

12           16.20 (10) (fm) 2. Crew leaders or regional crew leaders who are discharging  
13 special responsibilities, as determined by the board.

14           **SECTION 261r.** 16.20 (10) (fm) 2. of the statutes, as affected by 1995 Wisconsin  
15 Act .... (this act), is renumbered 106.215 (10) (fm) 2.

16           **SECTION 262.** 16.20 (10) (g) (title) of the statutes is renumbered 106.215 (10)  
17 (g) (title).

18           **SECTION 263m.** 16.20 (10) (g) 1. of the statutes is amended to read:

19           16.20 (10) (g) 1. A person who is employed as a corps enrollee for a 6-month  
20 to one-year period of continuous employment, as determined by standards adopted  
21 by the board, and who receives a satisfactory employment evaluation upon  
22 termination of employment is entitled to an incentive payment of \$500 prorated in  
23 the same proportion as the number of hours of employment completed by that person  
24 bears to 2,080 hours or an education voucher that is worth at least \$1,000 double the  
25 monetary value of the prorated incentive payment, but not more than \$2,200

**SECTION 263m**

1 prorated in the same proportion as the number of hours of employment completed  
2 by that person bears to 2,080 hours. No corps enrollee may receive more than 2  
3 incentive payments or 4 education vouchers.

4 **SECTION 263r.** 16.20 (10) (g) 1. of the statutes, as affected by 1995 Wisconsin  
5 Act .... (this act), is renumbered 106.215 (10) (g) 1. and amended to read:

6 106.215 (10) (g) 1. A person who is employed as a corps enrollee for a 6-month  
7 to one-year period of continuous employment, as determined by standards adopted  
8 by the board, and who receives a satisfactory employment evaluation upon  
9 termination of employment is entitled to an incentive payment of \$500 prorated in  
10 the same proportion as the number of hours of employment completed by that person  
11 bears to 2,080 hours or an education voucher that is worth at least double the  
12 monetary value of the prorated incentive payment, but not more than ~~\$2,200~~ \$2,400  
13 prorated in the same proportion as the number of hours of employment completed  
14 by that person bears to 2,080 hours. No corps enrollee may receive more than 2  
15 incentive payments or 4 education vouchers.

16 **SECTION 264.** 16.20 (10) (g) 2. of the statutes is renumbered 106.215 (10) (g) 2.

17 **SECTION 265.** 16.20 (10) (g) 3. of the statutes is renumbered 106.215 (10) (g) 3.

18 **SECTION 266.** 16.20 (10) (h) of the statutes is renumbered 106.215 (10) (h).

19 **SECTION 267.** 16.20 (11) (title) of the statutes is renumbered 106.215 (11) (title).

20 **SECTION 268m.** 16.20 (11) (a) of the statutes is amended to read:

21 16.20 (11) (a) *Age.* In order to qualify for employment as a corps member or an  
22 assistant crew leader, a person is required to have attained the age of 18 years but  
23 may not have attained the age of 26 years at the time he or she accepts employment.  
24 In order to qualify for employment as a crew leader or a regional crew leader, a person

**SECTION 268m**

1 is required to have attained the age of 18 years at the time he or she accepts  
2 employment.

3 **SECTION 268r.** 16.20 (11) (a) of the statutes, as affected by 1995 Wisconsin Act  
4 .... (this act), is renumbered 106.215 (11) (a).

5 **SECTION 268t.** 16.20 (11) (b) of the statutes is renumbered 106.215 (11) (b).

6 **SECTION 269.** 16.20 (11) (c) of the statutes is amended to read:

7 16.20 (11) (c) *Enrollment period.* In order to qualify for employment as a corps  
8 enrollee, a person is required to sign a statement of intention to serve in the  
9 Wisconsin conservation corps program for a 6-month to one-year period. This  
10 statement does not obligate the board to provide employment for the enrollee for that  
11 period.

12 **SECTION 269m.** 16.20 (11) (c) of the statutes, as affected by 1995 Wisconsin Act  
13 .... (this act), is renumbered 106.215 (11) (c).

14 **SECTION 270m.** 16.20 (11) (d) of the statutes is amended to read:

15 16.20 (11) (d) *Training and skills.* No training or skills are required in order  
16 to qualify for employment as a corps member. The board shall establish minimum  
17 levels of performance, training and skills required to qualify for employment as or  
18 promotion to assistant crew leader ~~or~~, crew leader or regional crew leader.

19 **SECTION 270r.** 16.20 (11) (d) of the statutes, as affected by 1995 Wisconsin Act  
20 .... (this act), is renumbered 106.215 (11) (d).

21 **SECTION 271.** 16.20 (11) (e) of the statutes is renumbered 106.215 (11) (e).

22 **SECTION 272.** 16.20 (12) (title) of the statutes is renumbered 106.215 (12) (title).

23 **SECTION 273m.** 16.20 (12) (a) of the statutes is amended to read:

**SECTION 273m**

1           16.20 (12) (a) *Standards*. The board shall establish standards for the selection  
2 of full-time and part-time corps enrollees from among those persons who are  
3 qualified and seek employment.

4           **SECTION 273r.** 16.20 (12) (a) of the statutes, as affected by 1995 Wisconsin Act  
5 .... (this act), is renumbered 106.215 (12) (a).

6           **SECTION 274.** 16.20 (12) (am) and (b) of the statutes are renumbered 106.215  
7 (12) (am) and (b).

8           **SECTION 275m.** 16.20 (12) (c) of the statutes is renumbered 106.215 (12) (c) and  
9 amended to read:

10           106.215 (12) (c) *Hiring procedure*. The board shall develop procedures for the  
11 hiring of corps enrollees in cooperation with the department of ~~industry, labor and~~  
12 ~~human relations~~. The board shall utilize any appropriate local job service office in  
13 the area of a project to distribute applications, conduct interviews and evaluate  
14 applicants and make recommendations concerning the hiring of corps enrollees. The  
15 board may utilize project sponsors who are sponsoring long-term projects to conduct  
16 interviews, evaluate applicants and make recommendations concerning the hiring  
17 of corps enrollees.

18           **SECTION 276.** 16.20 (13) (title) of the statutes is renumbered 106.215 (13) (title).

19           **SECTION 277m.** 16.20 (13) (a) of the statutes is amended to read:

20           16.20 (13) (a) *Enrollment period*. ~~The normal enrollment period for a corps~~  
21 ~~member who is not promoted to assistant crew leader is one year.~~ The board may  
22 authorize the employment of a corps member who is not promoted to assistant crew  
23 leader beyond the normal 6-month to one-year enrollment period for a limited time,  
24 not to exceed one year, if the corps member has a disability. The normal enrollment  
25 period for a corps member who is promoted to assistant crew leader or for a person

1 who is hired as assistant crew leader is 2 years. The board may authorize the  
2 employment of a corps member or assistant crew leader beyond the normal  
3 enrollment period for a limited time, not to exceed 3 months, under special  
4 circumstances where continued employment is required in order to complete a  
5 project in progress. The normal enrollment period for a crew leader or a regional  
6 crew leader is 2 years. The board may extend the employment of a crew leader  
7 beyond the normal enrollment period if the crew leader possesses special experience,  
8 training or skills valuable to the program. The board may extend the employment  
9 of a regional crew leader for an unlimited time.

10 **SECTION 277r.** 16.20 (13) (a) of the statutes, as affected by 1995 Wisconsin Act  
11 .... (this act), is renumbered 106.215 (13) (a).

12 **SECTION 278.** 16.20 (13) (b) of the statutes is renumbered 106.215 (13) (b).

13 **SECTION 279.** 16.21 of the statutes is renumbered 41.41, and 41.41 (4) (c), (5)  
14 (e) and (12) (a), as renumbered, are amended to read:

15 41.41 (4) (c) The department of agriculture, trade and consumer protection, the  
16 department of natural resources, the department of transportation, the department  
17 of development, the department of administration, the state historical society and  
18 the university of Wisconsin-extension shall cooperate with and assist the board in  
19 matters related to its functions.

20 (5) (e) Consult and cooperate with the department of agriculture, trade and  
21 consumer protection, the department of natural resources, the department of  
22 transportation, the department of development, the department of administration,  
23 the state historical society, the university of Wisconsin-extension, the Winnebago  
24 tribe and any other Indian tribe which appoints a liaison representative to the board  
25 regarding the management of the Kickapoo valley reserve.

1           **(12)** (a) The department of ~~natural resources~~ shall have police supervision over  
2 the Kickapoo valley reserve, other land acquired by the board and all publicly owned  
3 rights-of-way adjacent thereto, and its duly appointed agents may arrest, with or  
4 without warrant, any person on that property committing an offense against the  
5 laws of the state or in violation of any rule of the board in force on that property, and  
6 deliver the person to circuit court for the county where the offense is committed and  
7 make and execute a complaint charging the person with the offense committed. The  
8 district attorney of the county where the offense is committed shall appear and  
9 prosecute all actions arising under this paragraph. This paragraph does not  
10 preclude exercise of concurrent law enforcement jurisdiction in or adjacent to the  
11 reserve, or on other land acquired by the board, by any authority to whom jurisdiction  
12 is granted by law.

13           **SECTION 280.** 16.22 (title), (1) and (2) (intro.) and (a) to (g) of the statutes are  
14 renumbered 106.40 (title), (1) and (2) (intro.) and (a) to (g).

15           **SECTION 281.** 16.22 (2) (h) of the statutes is renumbered 106.40 (2) (h) and  
16 amended to read:

17           106.40 **(2)** (h) From the appropriations under s. ~~20.505 (4) (j) and (p)~~ 20.445 (1)  
18 (jc) and (pe), award grants to persons providing national service programs, giving  
19 priority to the greatest extent practicable to persons providing youth corps programs.

20           **SECTION 282.** 16.22 (2) (i) to (L) and (3) of the statutes are renumbered 106.40  
21 (2) (i) to (L) and (3).

22           **SECTION 283.** 16.352 (5) (a) of the statutes is renumbered 16.352 (5).

23           **SECTION 284.** 16.352 (5) (b) of the statutes is repealed.

24           **SECTION 284m.** 16.354 of the statutes is repealed.

25           **SECTION 285.** 16.39 (3) of the statutes is amended to read:

1           16.39 (3) APPLICATION PROCEDURE. A household may apply after September 30  
2 and before May 16 of any year for weatherization assistance from the county  
3 department under s. 46.215 (1) (n) or 46.22 (1) (b) ~~10. 4m. a. to e.~~ and shall have the  
4 opportunity to do so on a form prescribed by the department for that purpose.

5           **SECTION 286.** 16.39 (4) (b) of the statutes is amended to read:

6           16.39 (4) (b) A household entirely composed of persons receiving aid to families  
7 with dependent children under s. 49.19, food stamps under 7 USC 2011 to 2029, or  
8 supplemental security income or state supplemental payments under 42 USC 1381  
9 to 1383c or s. ~~49.177~~ 49.77.

10          **SECTION 287.** 16.41 (4) of the statutes is amended to read:

11          16.41 (4) In this section, “authority” means a body created under ch. 231, 233  
12 or 234.

13          **SECTION 288p.** 16.42 (1) (intro.) of the statutes is amended to read:

14          16.42 (1) (intro.) All agencies, other than the legislature and the courts, no later  
15 than September 15 of each even-numbered year, in the form and content prescribed  
16 by the department subject to the requirements of sub. (3), shall prepare and forward  
17 to the department and to the legislative fiscal bureau the following program and  
18 financial information:

19          **SECTION 288q.** 16.42 (3) of the statutes is created to read:

20          16.42 (3) (a) In this subsection:

21           1. “Agency” has the meaning given in s. 16.52 (7).

22           2. “Zero-based budgeting” means compilation of a budget in which each  
23 component is justified on the basis of cost, need and relation to the statutory  
24 responsibilities of the agency for which the budget is made.

1 (b) For the period consisting of the fiscal biennia from 1997-99 to 2005-07, the  
2 department shall require each agency to submit one budget request prepared using  
3 the principles of zero-based budgeting for each of its activities, units and programs.  
4 Insofar as practicable, the department shall require 20% of the agencies to submit  
5 a budget request under this subsection for each fiscal biennium during this period.

6 **SECTION 288r.** 16.475 of the statutes is created to read:

7 **16.475 Information technology budget plan. (1)** In this section:

8 (a) "Agency" has the meaning given in s. 16.97 (1).

9 (b) "Information technology" has the meaning given in s. 16.97 (6).

10 **(2)** In March of each odd-numbered year, the governor shall submit to the  
11 cochairpersons of the joint committee on finance an information technology budget  
12 plan that includes at least the following information:

13 (a) The amounts anticipated to be expended by each agency in the current fiscal  
14 biennium and the amounts requested by each agency for expenditure in the  
15 succeeding fiscal biennium for information technology operations and  
16 improvements.

17 (b) An evaluation of how such proposed expenditures would conform with the  
18 planning of the agency with respect to its business operations, the strategic plan of  
19 the agency for the use and application of information technology and the applicable  
20 strategic plan for the use and application of information technology under s. 13.90  
21 (6), 16.971 (2) (m), 36.11 (31) or 758.19 (7).

22 (c) A recommendation for each agency concerning what amount of each  
23 agency's proposed expenditures should be funded in the succeeding fiscal biennium,  
24 including the funding sources and methods of financing for each expenditure, based  
25 on the appropriateness of the expenditure in relation to the agency's information

1 technology plan and priorities and in relation to proposed total state information  
2 technology expenditures, the statewide strategic plan under s. 16.971 (2) (m) and  
3 priorities indicated in that plan.

4 (d) An identification of each information technology system or application in  
5 each recommendation that has not been previously funded and the anticipated total  
6 cost of designing, implementing and providing continued support for the system or  
7 application.

8 **SECTION 290.** 16.50 (3) of the statutes is amended to read:

9 16.50 (3) LIMITATION ON INCREASE OF FORCE AND SALARIES. No department, except  
10 the legislature or the courts, may increase the pay of any employe, expend money or  
11 incur any obligation except in accordance with the estimate that is submitted to the  
12 secretary as provided in sub. (1) and approved by the secretary or the governor. No  
13 change in the number of full-time equivalent positions authorized through the  
14 biennial budget process or other legislative act may be made without the approval  
15 of the joint committee on finance, except for position changes made by the governor  
16 under s. 16.505 (1) (c) or (2), by the University of Wisconsin Hospitals and Clinics  
17 Board under s. 16.505 (2n) or by the board of regents of the university of Wisconsin  
18 system under s. 16.505 (2m). The secretary may withhold, in total or in part, the  
19 funding for any position, as defined in s. 230.03 (11), as well as the funding for  
20 part-time or limited term employes until such time as the secretary determines that  
21 the filling of the position or the expending of funds is consistent with s. 16.505 and  
22 with the intent of the legislature as established by law or in budget determinations,  
23 or the intent of the joint committee on finance creating or abolishing positions under  
24 s. 13.10, the intent of the governor creating or abolishing positions under s. 16.505  
25 (1) (c) or (2) or the intent of the board of regents of the university of Wisconsin system

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

15 **SECTION 293.** 16.505 (1) (intro.) of the statutes is amended to read:

16 16.505 (1) (intro.) Except as provided in subs. (2) ~~and~~, (2m) and (2n), no  
17 position, as defined in s. 230.03 (11), regardless of funding source or type, may be  
18 created or abolished unless authorized by one of the following:

19 **SECTION 294g.** 16.505 (2m) of the statutes is amended to read:

20 16.505 (2m) The board of regents of the university of Wisconsin system may  
21 create or abolish a full-time equivalent position or portion thereof from revenues  
22 appropriated under s. 20.285 (1) (h), (iz), (j) or (n) or (3) (iz) or (n). No later  
23 than the last day of the month following completion of each calendar quarter, the  
24 board of regents shall report to the department and the cochairpersons of the joint  
25 committee on finance concerning the number of full-time equivalent positions

1 created or abolished by the board under this subsection during the preceding  
2 calendar quarter and the source of funding for each such position.

3 **SECTION 294m.** 16.505 (2n) of the statutes is created to read:

4 16.505 (2n) The University of Wisconsin Hospitals and Clinics Board may  
5 create or abolish a full-time equivalent position or portion thereof from revenues  
6 appropriated under s. 20.285 (1) (kb) or 20.495 (1) (g). No later than the last day of  
7 the month following completion of each calendar quarter, the University of  
8 Wisconsin Hospitals and Clinics Board shall report to the department and the  
9 cochairpersons of the joint committee on finance concerning the number of full-time  
10 equivalent positions created or abolished by the board under this subsection during  
11 the preceding calendar quarter.

12 **SECTION 294n.** 16.505 (2n) of the statutes, as created by 1995 Wisconsin Act  
13 .... (this act), is amended to read:

14 16.505 (2n) The University of Wisconsin Hospitals and Clinics Board may  
15 create or abolish a full-time equivalent position or portion thereof from revenues  
16 appropriated under s. ~~20.285 (1) (kb)~~ or 20.495 (1) (g). No later than the last day of  
17 the month following completion of each calendar quarter, the University of  
18 Wisconsin Hospitals and Clinics Board shall report to the department and the  
19 cochairpersons of the joint committee on finance concerning the number of full-time  
20 equivalent positions created or abolished by the board under this subsection during  
21 the preceding calendar quarter.

22 **SECTION 294o.** 16.51 (7) of the statutes is amended to read:

23 16.51 (7) AUDIT CLAIMS FOR EXPENSES IN CONNECTION WITH PRISONERS AND  
24 CHILDREN IN SECURED CORRECTIONAL FACILITIES. Receive, examine, determine and  
25 audit claims, duly certified and approved by the department of corrections or the

1 department of health and social services, from the county clerk of any county in  
2 behalf of the county, which are presented for payment to reimburse the county for  
3 certain expenses incurred or paid by it in reference to all matters growing out of  
4 actions and proceedings involving prisoners in state prisons, as defined in s. 302.01,  
5 or children in secured correctional facilities, as defined in s. 48.02 (15m), including  
6 prisoners or children transferred to a mental health institute for observation or  
7 treatment, when the proceedings are commenced in counties in which the prisons or  
8 secured correctional facilities are located by a district attorney or by the prisoner or  
9 child as a postconviction remedy or a matter involving the prisoner's status as a  
10 prisoner or the child's status as a resident of a secured correctional facility and for  
11 certain expenses incurred or paid by it in reference to holding those children in  
12 secure custody while those actions or proceedings are pending. Expenses shall only  
13 include the amounts as that were necessarily incurred and actually paid and shall  
14 be no more than the legitimate cost would be to any other county had the offense or  
15 crime occurred therein.

16 **SECTION 294p.** 16.51 (7) of the statutes, as affected by 1995 Wisconsin Act ...  
17 (this act), is repealed and recreated to read:

18 16.51 (7) AUDIT CLAIMS FOR EXPENSES IN CONNECTION WITH PRISONERS AND  
19 CHILDREN IN SECURED CORRECTIONAL FACILITIES. Receive, examine, determine and  
20 audit claims, duly certified and approved by the department of corrections, from the  
21 county clerk of any county in behalf of the county, which are presented for payment  
22 to reimburse the county for certain expenses incurred or paid by it in reference to all  
23 matters growing out of actions and proceedings involving prisoners in state prisons,  
24 as defined in s. 302.01, or children in secured correctional facilities, as defined in s.  
25 48.02 (15m), including prisoners or children transferred to a mental health institute

1 for observation or treatment, when the proceedings are commenced in counties in  
2 which the prisons or secured correctional facilities are located by a district attorney  
3 or by the prisoner or child as a postconviction remedy or a matter involving the  
4 prisoner's status as a prisoner or the child's status as a resident of a secured  
5 correctional facility and for certain expenses incurred or paid by it in reference to  
6 holding those children in secure custody while those actions or proceedings are  
7 pending. Expenses shall only include the amounts that were necessarily incurred  
8 and actually paid and shall be no more than the legitimate cost would be to any other  
9 county had the offense or crime occurred therein.

10 **SECTION 295.** 16.517 of the statutes is amended to read:

11 **16.517 Adjustments of program revenue positions and funding levels.**

12 No later than 30 days after the effective date of each biennial budget act, the  
13 department shall provide to the joint committee on finance a report indicating any  
14 initial-modifications that are necessary to the appropriation levels established under  
15 that act for program revenue and program revenue-service appropriations as  
16 defined in s. 20.001 (2) (b) and (c) or to the number of full-time equivalent positions  
17 funded from program revenue and program revenue-service appropriations  
18 authorized by that act to account for any additional funding or positions authorized  
19 under ~~ss. s.~~ s. 16.505 (2) or (2m) ~~and~~ or 16.515 in the fiscal year immediately preceding  
20 the fiscal biennium of the budget that have not been included in authorizations  
21 under the biennial budget act but which should be included as continued budget  
22 authorizations in the fiscal biennium of the budget. Such modifications shall be  
23 limited to adjustment of the appropriation or position levels to the extent required  
24 to account for higher base levels for the fiscal year immediately preceding the fiscal  
25 biennium of the budget due to appropriation or position increases authorized under

1 ~~ss. s.~~ 16.505 (2) or (2m) and or 16.515 during the fiscal year immediately preceding  
2 the fiscal biennium of the budget. If the cochairpersons of the committee do not notify  
3 the secretary that the committee has scheduled a meeting for the purpose of  
4 reviewing the proposed modifications within 14 working days after the date of  
5 receipt of the department's report, the department may make the modifications may  
6 ~~be made~~ specified in the report. If, within 14 working days after the date of the  
7 department's report, the cochairpersons of the committee notify the secretary that  
8 the committee has scheduled a meeting for the purpose of reviewing the proposed  
9 modifications, the department may not make the modifications specified in the  
10 report until the committee approves the report.

11 **SECTION 296.** 16.52 (6) (a) of the statutes is amended to read:

12 16.52 (6) (a) Except as authorized in s. 16.74, all purchase orders, contracts,  
13 or printing orders for any agency as defined in s. 16.70 (1) shall, before any liability  
14 is incurred thereon, be submitted to the secretary for his or her approval as to legality  
15 of purpose and sufficiency of appropriated and allotted funds therefor. In all cases  
16 the date of the contract or order governs the fiscal year to which the contract or order  
17 is chargeable, unless the secretary determines that the purpose of the contract or  
18 order is to prevent lapsing of appropriations or to otherwise circumvent budgetary  
19 intent. Upon such approval, the secretary shall immediately encumber all contracts  
20 or orders, and indicate the fiscal year to which they are chargeable.

21 **SECTION 297.** 16.52 (7) of the statutes is amended to read:

22 16.52 (7) PETTY CASH ACCOUNT. With the approval of the secretary, each agency  
23 which is authorized to maintain a contingent fund under s. 20.920 may establish a  
24 petty cash account from its contingent fund. The procedure for operation and  
25 maintenance of petty cash accounts and the character of expenditures therefrom

1 shall be prescribed by the secretary. In this subsection, “agency” means an office,  
2 department, independent agency, institution of higher education, association,  
3 society or other body in state government created or authorized to be created by the  
4 constitution or any law, which is entitled to expend moneys appropriated by law,  
5 including the legislature and the courts, but not including an authority created in  
6 ch. 231, 233 or 234.

7 **SECTION 299.** 16.528 (1) (a) of the statutes is amended to read:

8 16.528 (1) (a) “Agency” means an office, department, independent agency,  
9 institution of higher education, association, society or other body in state  
10 government created or authorized to be created by the constitution or any law, which  
11 is entitled to expend moneys appropriated by law, including the legislature and the  
12 courts, but not including an authority created in ch. 231, 233 or 234.

13 **SECTION 301.** 16.53 (1) (d) 1. of the statutes is amended to read:

14 16.53 (1) (d) 1. The secretary, with the approval of the joint committee on  
15 employment relations, shall fix the time, except as provided in s. ~~16.20(10)(e) and~~  
16 ~~101.38~~ ss. 106.21 (9) (c) and 106.215 (10) (c), and frequency for payment of salaries  
17 due elective and appointive officers and employes of the state. As determined under  
18 this subdivision, the salaries shall be paid either monthly, semimonthly or for each  
19 2-week period.

20 **SECTION 302.** 16.53 (2) of the statutes is amended to read:

21 16.53 (2) IMPROPER INVOICES. If an agency receives an improperly completed  
22 invoice, the agency shall notify the sender of the invoice within 10 working days after  
23 it receives the invoice of the reason it is improperly completed. In this subsection,  
24 “agency” means an office, department, independent agency, institution of higher  
25 education, association, society or other body in state government created or

1 authorized to be created by the constitution or any law, which is entitled to expend  
2 moneys appropriated by law, including the legislature and the courts, but not  
3 including an authority created in ch. 231, 233 or 234.

4 **SECTION 303.** 16.54 (1) of the statutes is amended to read:

5 16.54 (1) Whenever the United States government shall make available to this  
6 state funds for the education, the promotion of health, the relief of indigency, the  
7 promotion of agriculture or for any other purpose other than the administration of  
8 the tribal or any individual funds of Wisconsin Indians, the governor on behalf of the  
9 state is authorized to accept the funds so made available. In exercising the authority  
10 herein conferred, the governor may stipulate as a condition of the acceptance of the  
11 act of congress by this state such conditions as in the governor's discretion may be  
12 necessary to safeguard the interests of this state.

13 **SECTION 303m.** 16.54 (2) (a) of the statutes is amended to read:

14 16.54 (2) (a) ~~Whenever~~ Except as provided in this paragraph, whenever funds  
15 shall be made available to this state through an act of congress and the funds are  
16 accepted as provided in sub. (1), the governor shall designate the state board,  
17 commission or department to administer any of such funds, and the board,  
18 commission or department so designated by the governor is authorized and directed  
19 to administer such funds for the purpose designated by the act of congress making  
20 an appropriation of such funds, or by the department of the United States  
21 government making such funds available to this state. Whenever a block grant is  
22 made to this state, ~~no funds~~ the governor shall not administer and no board,  
23 commission or department may encumber or expend moneys received as a part of the  
24 block grant unless expenditure of the moneys is first approved by the joint committee  
25 on finance. No moneys received as a part of a block grant may be transferred from

**SECTION 303m**

1 use as a part of one such grant to use as a part of another such grant, regardless of  
2 whether a transfer between appropriations is required, unless the joint committee  
3 on finance approves the transfer ~~under s. 13.10~~. In this subsection, "block grant"  
4 means a multipurpose federal grant so designated under federal law.

5 **SECTION 304b.** 16.54 (2) (b) of the statutes is amended to read:

6 16.54 (2) (b) Upon presentation by the department of health and social services  
7 to the joint committee on finance of alternatives to the provisions under s. 49.80  
8 16.385, the joint committee on finance may revise the eligibility criteria under s.  
9 ~~49.80~~ 16.385 (5), benefit payments under s. ~~49.80~~ 16.385 (6) or the amount allocated  
10 for crises under s. ~~49.80~~ 16.385 (3) (e) 2, and the department shall implement those  
11 revisions. Benefits or eligibility criteria so revised shall take into account and be  
12 consistent with the requirements of federal regulations promulgated under 42 USC  
13 8621 to 8629. If funds received under 42 USC 8621 to 8629 in a federal fiscal year  
14 total less than 90% of the amount received in the previous federal fiscal year, the  
15 department of health and social services shall submit to the joint committee on  
16 finance a plan for expenditure of the funds. The department of health and social  
17 services may not use the funds unless the committee approves the plan.

18 **SECTION 306.** 16.54 (8r) (b) of the statutes is amended to read:

19 16.54 (8r) (b) ~~The~~ Annually by October 1 the board of regents shall report to  
20 the governor and the cochairpersons of the joint committee on finance ~~no later than~~  
21 ~~the 15th day following completion of each calendar quarter~~ concerning the date,  
22 amount and purpose of any federal moneys accepted by the board under par. (a)  
23 during the preceding ~~quarter~~ fiscal year.

24 **SECTION 307.** 16.54 (9) (a) 1. of the statutes is amended to read:

1           16.54 (9) (a) 1. “Agency” means an office, department, independent agency,  
2 institution of higher education, association, society or other body in state  
3 government created or authorized to be created by the constitution or any law, which  
4 is entitled to expend moneys appropriated by law, including the legislature and the  
5 courts, but not including an authority created in ch. 231, 233 or 234.

6           **SECTION 307g.** 16.54 (9) (b) of the statutes is amended to read:

7           16.54 (9) (b) ~~An~~ Except as provided in par. (bd), an indirect cost reimbursement  
8 may be utilized for administrative purposes, program purposes, funding of positions,  
9 payment of federal aid disallowances, or other purposes authorized by law. If an  
10 indirect cost reimbursement is not utilized for such a purpose, the head of the agency  
11 receiving the reimbursement shall request the department to transfer the  
12 reimbursement to the general fund as general purpose revenue — earned. All  
13 transfers and other expenditures are subject to approval of the secretary under s.  
14 16.50 (2) and the governor under this section.

15           **SECTION 307h.** 16.54 (9) (bd) of the statutes is created to read:

16           16.54 (9) (bd) Unless the joint committee on finance approves, the department  
17 of health and social services may not expend, for administrative purposes, program  
18 purposes or funding of positions, amounts of indirect cost reimbursement from the  
19 appropriation under s. 20.435 (8) (pz) that exceed the estimated amount of  
20 expenditures shown for s. 20.435 (8) (pz) in the schedule under s. 20.005 (3) as  
21 published in the biennial budget act or as otherwise modified by the legislature.

22           **SECTION 308.** 16.545 (9) of the statutes is created to read:

23           16.545 (9) To process applications for grants from the federal government upon  
24 request of any agency, as defined in s. 16.70 (1). The department may assess to an

1 agency for whom it processes an application under this subsection a fee for the  
2 expenses incurred by the department in performing this service.

3 **SECTION 309.** 16.61 (title) of the statutes is amended to read:

4 **16.61 (title) Records and forms of state offices and other public records.**

5 **SECTION 310.** 16.61 (1) of the statutes is amended to read:

6 16.61 (1) (title) PUBLIC RECORDS AND FORMS BOARD. The public records and forms  
7 board shall preserve for permanent use important state records, prescribe policies  
8 and standards that provide an orderly method for the disposition of other state  
9 records and rationalize and make more cost-effective the management of forms and  
10 records by state agencies.

11 **SECTION 311.** 16.61 (2) (a) of the statutes is amended to read:

12 16.61 (2) (a) "Board" means the public records and forms board.

13 **SECTION 312.** 16.61 (2) (ad) of the statutes is renumbered 16.97 (5m).

14 **SECTION 313.** 16.61 (2) (af) of the statutes is created to read:

15 16.61 (2) (af) "Form" has the meaning specified in s. 16.97 (5m).

16 **SECTION 314.** 16.61 (2) (ah) of the statutes is renumbered 16.97 (5s).

17 **SECTION 315.** 16.61 (2) (ao) of the statutes is repealed.

18 **SECTION 316.** 16.61 (2) (ap) of the statutes is renumbered 16.97 (8m) and  
19 amended to read:

20 16.97 (8m) "Public contact form" means a form generated and used by any state  
21 agency in transactions between the state agency and a member of the public.

22 **SECTION 317.** 16.61 (2) (b) (intro.) of the statutes is amended to read:

23 16.61 (2) (b) (intro.) "Public records" means all books, papers, maps,  
24 photographs, films, recordings, optical disks, electronically formatted documents or  
25 other documentary materials, regardless of physical form or characteristics, made,

1 or received by any state agency or its officers or employes in connection with the  
2 transaction of public business, and documents of any insurer that is liquidated or in  
3 the process of liquidation under ch. 645. "Public records" does not include:

4 **SECTION 318.** 16.61 (2) (bm) of the statutes is amended to read:

5 16.61 (2) (bm) "Records and forms officer" means a person designated by a state  
6 agency to ~~design, review, analyze, consolidate, simplify and file~~ comply with all  
7 public records and forms management laws and rules under s. 15.04 (1) (j) and to act  
8 as a liaison between that state agency and the board.

9 **SECTION 319.** 16.61 (3) (b) of the statutes is amended to read:

10 16.61 (3) (b) Upon the request of any state agency, county, town, city, village  
11 or school district, may order upon such terms as the board finds necessary to  
12 safeguard the legal, financial and historical interests of the state in public records,  
13 the destruction, reproduction by microfilm or other process, ~~storage by~~ optical disk,  
14 or electronic storage or the temporary or permanent retention or other disposition  
15 of public records.

16 **SECTION 320.** 16.61 (3) (c) of the statutes is amended to read:

17 16.61 (3) (c) ~~Shall~~ May promulgate rules to carry out the purposes of this  
18 section.

19 **SECTION 321.** 16.61 (3) (h) of the statutes is repealed.

20 **SECTION 322.** 16.61 (3) (i) of the statutes is repealed.

21 **SECTION 323.** 16.61 (3) (j) of the statutes is amended to read:

22 16.61 (3) (j) Shall establish a records ~~and forms~~ management program for this  
23 state.

24 **SECTION 324.** 16.61 (3) (k) of the statutes is renumbered 16.971 (2) (am) and  
25 amended to read:

1           16.971 (2) (am) ~~Shall make~~ Make as cost effective as possible the procurement  
2 and use of forms by state agencies.

3           **SECTION 325.** 16.61 (3) (L) of the statutes is amended to read:

4           16.61 (3) (L) Shall receive and investigate complaints about forms, except as  
5 provided in sub. ~~(3m)~~ (3n).

6           **SECTION 326.** 16.61 (3) (p) of the statutes is renumbered 16.61 (3L) and  
7 amended to read:

8           16.61 (3L) (title) EXECUTIVE SECRETARY. ~~Shall~~ The department shall, with the  
9 consent of the board and based on qualifications approved by the board, appoint an  
10 official in the classified service to oversee the day-to-day execution of the board's  
11 duties, to serve as the executive secretary of the board, and to coordinate the  
12 statewide records ~~and forms~~ management program ~~and to have statewide~~  
13 ~~responsibility for limiting paperwork.~~ ~~Except as provided in sub. (3m), the executive~~  
14 ~~secretary shall review and approve, modify or reject all forms approved by a records~~  
15 ~~and forms officer for jurisdiction, authority, standardization of design and~~  
16 ~~nonduplication of existing forms and shall report to the board quarterly on the~~  
17 ~~progress of records and forms management within state agencies.~~ ~~Unless the~~  
18 ~~executive secretary rejects for cause or modifies the form within 20 working days~~  
19 ~~after receipt, it is considered approved.~~ ~~The executive secretary's rejection of any~~  
20 ~~form is appealable to the public records and forms board.~~ ~~If the head of a state agency~~  
21 ~~certifies to the executive secretary that the form is needed on a temporary, emergency~~  
22 ~~basis, approval of the executive secretary is not required.~~

23           **SECTION 327.** 16.61 (3) (q) of the statutes is repealed.

24           **SECTION 328.** 16.61 (3) (tm) of the statutes is created to read:

1           16.61 (3) (tm) Shall recommend to the department qualitative standards for  
2 storage of records in electronic format and for copies of documents generated from  
3 electronically stored records filed with local governmental units.

4           **SECTION 329.** 16.61 (3) (v) of the statutes is repealed.

5           **SECTION 330.** 16.61 (3m) (title) of the statutes is repealed.

6           **SECTION 331.** 16.61 (3m) of the statutes is renumbered 16.971 (2m), and 16.971  
7 (2m) (intro), as renumbered, is amended to read:

8           16.971 (2m) (intro.) The following forms are not subject to review, or approval  
9 ~~or complaint investigation by the board or executive secretary~~ by the department:

10          **SECTION 332.** 16.61 (3n) of the statutes is created to read:

11          16.61 (3n) EXEMPT FORMS. The board may not receive or investigate complaints  
12 about the forms specified in s. 16.971 (2m).

13          **SECTION 333.** 16.61 (5) (title) of the statutes is amended to read:

14          16.61 (5) (title) TRANSFER OF PUBLIC RECORDS TO OPTICAL DISK OR ELECTRONIC  
15 FORMAT.

16          **SECTION 334.** 16.61 (5) (a) of the statutes is amended to read:

17          16.61 (5) (a) Subject to rules promulgated by the department under s. 16.611,  
18 any state agency may transfer ~~any public record in its custody to~~ or maintain in  
19 optical disk or electronic format any public record in its custody and retain the public  
20 record in that format only.

21          **SECTION 335.** 16.61 (5) (b) of the statutes is amended to read:

22          16.61 (5) (b) Subject to rules promulgated by the department under s. 16.611,  
23 state agencies shall maintain procedures to ensure the authenticity, accuracy,  
24 reliability and accessibility of public records transferred to or maintained in optical  
25 disk or electronic format under par. (a).

1           **SECTION 336.** 16.61 (5) (c) of the statutes is amended to read:

2           16.61 (5) (c) Subject to rules promulgated by the department under s. 16.611,  
3 state agencies that transfer ~~public records in their custody to~~ or maintain in optical  
4 disk or electronic format ~~public records in their custody~~ shall ensure that the public  
5 records stored in that format are protected from unauthorized destruction.

6           **SECTION 337.** 16.61 (7) (a) (intro.) of the statutes is amended to read:

7           16.61 (7) (a) (intro.) Any microfilm reproduction of an original record, or a copy  
8 generated from an original record stored in optical disk or electronic format, is  
9 deemed an original public record if all of the following conditions are met:

10          **SECTION 338.** 16.61 (7) (a) 1. of the statutes is amended to read:

11          16.61 (7) (a) 1. Any device used to reproduce the record on film or to transfer  
12 the record to optical disk or electronic format and generate a copy of the record from  
13 optical disk or electronic format accurately reproduces the content of the original.

14          **SECTION 339.** 16.61 (7) (a) 2. of the statutes is amended to read:

15          16.61 (7) (a) 2. The reproduction is on film which complies with the minimum  
16 standards of quality for microfilm reproductions, as established by rule of the board,  
17 or the optical disk or electronic copy and the copy generated from optical disk or  
18 electronic format comply with the minimum standards of quality for such copies, as  
19 established by rule of the department under s. 16.611.

20          **SECTION 340.** 16.61 (7) (a) 5. of the statutes is amended to read:

21          16.61 (7) (a) 5. The state agency records and forms officer or other person  
22 designated by the head of the state agency or the custodian of any other record  
23 executes a statement of intent and purpose describing the record to be reproduced  
24 or transferred to optical disk or electronic format, the disposition of the original  
25 record, the disposal authorization number assigned by the board for public records

1 of state agencies, the enabling ordinance or resolution for cities, towns, villages or  
2 school districts, or the resolution which authorizes the reproduction, ~~or~~ optical  
3 imaging or electronic formatting for counties when required, and executes a  
4 certificate verifying that the record was received or created and microfilmed or  
5 transferred to optical disk or electronic format in the normal course of business and  
6 that the statement of intent and purpose is properly recorded as directed by the  
7 board.

8 **SECTION 341.** 16.61 (8) (a) of the statutes is amended to read:

9 16.61 (8) (a) Any microfilm reproduction of a public record meeting the  
10 requirements of sub. (7) or copy of a public record generated from an original record  
11 stored in optical disk or electronic format in compliance with this section shall be  
12 taken as, stand in lieu of and have all the effect of the original document and shall  
13 be admissible in evidence in all courts and all other tribunals or agencies,  
14 administrative or otherwise, in all cases where the original document is admissible.

15 **SECTION 342.** 16.61 (8) (b) of the statutes is amended to read:

16 16.61 (8) (b) Any enlarged copy of a microfilm reproduction of a public record  
17 made as provided by this section or any enlarged copy of a public record generated  
18 from an original record stored in optical disk or electronic format in compliance with  
19 this section that is certified by the custodian as provided in s. 889.08 shall have the  
20 same force as an actual-size copy.

21 **SECTION 343.** 16.61 (9) of the statutes is amended to read:

22 16.61 (9) PRESERVATION OF REPRODUCTIONS. Provision shall be made for the  
23 preservation of any microfilm reproductions of public records and of any public  
24 records stored in optical disk or electronic format in conveniently accessible files in  
25 the agency of origin or its successor or in the state archives.

1           **SECTION 344.** 16.61 (10) of the statutes is amended to read:

2           16.61 (10) CONTRACTS FOR COPYING. Contracts for microfilm reproduction or,  
3           optical imaging or electronic storage of public records to be performed as provided in  
4           this section shall be made by the secretary as provided in ss. 16.70 to 16.77 and the  
5           cost of making such reproductions or optical disks or of electronic storage shall be  
6           paid out of the appropriation of the state agency having the reproduction made or the  
7           storage performed.

8           **SECTION 345.** 16.61 (11) of the statutes is amended to read:

9           16.61 (11) AUTHORITY TO REPRODUCE RECORDS. Nothing in this section shall be  
10          construed to prohibit the responsible officer of any state agency from reproducing  
11          any document by any method when it is necessary to do so in the course of carrying  
12          out duties or functions in any case other than where the original document is to be  
13          destroyed; but no original public record may be destroyed after microfilming or,  
14          optical imaging or electronic storage without the approval of the board unless  
15          authorized under sub. (4) or (5).

16          **SECTION 346.** 16.61 (12) of the statutes is amended to read:

17          16.61 (12) ACCESS TO REPRODUCTIONS AND COPIES. All persons may examine and  
18          use the microfilm reproductions of public records and copies of public records  
19          generated from optical disk or electronic storage subject to such reasonable rules as  
20          may be made by the responsible officer of the state agency having custody of the  
21          same.

22          **SECTION 347.** 16.61 (13) (d) 1. of the statutes is amended to read:

23          16.61 (13) (d) 1. Except as provided in subd. 2., records which have a  
24          confidential character while in the possession of the original custodian shall retain  
25          their confidential character after transfer to the historical society unless the board

1 of curators of the historical society, with the concurrence of the original custodian or  
2 the custodian's legal successor, determines that the records shall be made accessible  
3 to the public under such proper and reasonable rules as the historical society  
4 promulgates. If the original custodian or the custodian's legal successor is no longer  
5 in existence, confidential records formerly in that person's possession may not be  
6 released by the board of curators unless the release is first approved by the public  
7 records and forms board. For public records and other official materials transferred  
8 to the care of the university archival depository under par. (b), the chancellor of the  
9 university preserving the records shall have the power and duties assigned to the  
10 historical society under this section.

11 **SECTION 348.** 16.611 (title) of the statutes is amended to read:

12 **16.611** (title) **State public records; optical disk and electronic storage.**

13 **SECTION 349.** 16.611 (2) (a) of the statutes is amended to read:

14 16.611 (2) (a) The department shall prescribe, by rule, procedures for the  
15 transfer of public records to optical disk or electronic format and for the maintenance  
16 of public records stored in optical disk or electronic format, including procedures to  
17 ensure the authenticity, accuracy, reliability and accessibility of public records so  
18 transferred and procedures to ensure that such public records are protected from  
19 unauthorized destruction.

20 **SECTION 350.** 16.611 (2) (b) of the statutes is amended to read:

21 16.611 (2) (b) The department shall prescribe, by rule, procedures governing  
22 the operation of its optical disk and electronic storage facility under s. 16.62 (1) (bm).

23 **SECTION 351.** 16.611 (2) (d) of the statutes is created to read:

1           16.611 (2) (d) The department shall prescribe, by rule, qualitative standards  
2 for the storage of public records in electronic format and for copies of public records  
3 stored in electronic format.

4           **SECTION 352.** 16.611 (3) of the statutes is amended to read:

5           16.611 (3) Prior to submitting any proposed rule prescribed under sub. (2) to  
6 the legislative council staff under s. 227.15 (1), the department shall refer the  
7 proposed rule to the public records ~~and forms~~ board for its recommendations.

8           **SECTION 353.** 16.612 (title) of the statutes is amended to read:

9           **16.612 (title) Local government records; optical disk and electronic**  
10 **storage standards.**

11           **SECTION 354.** 16.612 (2) of the statutes is renumbered 16.612 (2) (a) and  
12 amended to read:

13           16.612 (2) (a) The department shall prescribe, by rule, qualitative standards  
14 for optical disks and for copies of documents generated from optical disks used to  
15 store materials filed with local governmental units. Prior to submitting any such  
16 rule to the legislative council staff under s. 227.15 (1), the department shall refer the  
17 rule to the public records ~~and forms~~ board for its recommendations.

18           **SECTION 355.** 16.612 (2) (b) of the statutes is created to read:

19           16.612 (2) (b) The department shall prescribe, by rule, qualitative standards  
20 for the storage of public records in electronic format and for copies of documents  
21 generated from electronically stored materials filed with local governmental units.  
22 Prior to submitting any such rule to the legislative council staff under s. 227.15 (1),  
23 the department shall refer the rule to the public records board for its  
24 recommendations.

25           **SECTION 356.** 16.62 (1) (bm) of the statutes is amended to read:

1           16.62 (1) (bm) To operate ~~an optical disk~~ a storage facility for state agencies  
2 storage of public records in optical disk or electronic format in accordance with rules,  
3 promulgated by the department under s. 16.611, governing operation of the facility.

4           **SECTION 357.** 16.62 (2) of the statutes is amended to read:

5           16.62 (2) The department may establish user charges for records storage and  
6 retrieval services, with any moneys collected to be credited to the appropriation  
7 account under s. 20.505 (1) (im) or ~~(kg)~~ (kd). Such charges shall be structured to  
8 encourage efficient utilization of the services.

9           **SECTION 358.** 16.62 (3) of the statutes is amended to read:

10           16.62 (3) The department may establish user fees for the services of the public  
11 records ~~and forms~~ board. Any moneys collected shall be credited to the appropriation  
12 account under s. 20.505 (1) ~~(kg)~~ (kd).

13           **SECTION 359.** 16.70 (2) of the statutes is amended to read:

14           16.70 (2) "Authority" means a body created under ch. 231, 232, 233 or 234.

15           **SECTION 359m.** 16.70 (7m) of the statutes is created to read:

16           16.70 (7m) "Mainframe computer" means a large scale, central computer  
17 maintained by the division of information technology services for multipurpose  
18 functions.

19           **SECTION 360.** 16.701 of the statutes is created to read:

20           **16.701 Subscription service.** The department may provide a subscription  
21 service containing current information of interest to prospective vendors concerning  
22 state procurement opportunities. The department shall charge a fee for any such  
23 service. The department shall prescribe the amount of the fee by rule.

24           **SECTION 361.** 16.702 of the statutes is created to read:

1           **16.702 Contract administration fees.** (1) The department shall by rule  
2 prescribe a contract administration fee to be paid for each state fiscal year by  
3 providers of materials, supplies, equipment or contractual services to agencies.  
4 Different contract administration fees may be assessed on the basis of different total  
5 dollar volumes of sales by providers to agencies within the fiscal year in which the  
6 fee is assessed or the preceding fiscal year.

7           (2) Except as authorized in sub. (3), no person may provide any materials,  
8 supplies, equipment or contractual services to any agency or agencies having an  
9 aggregate cost to the state exceeding \$500 within any fiscal year unless that person  
10 has paid to the department the fee prescribed under sub. (1) for the fiscal year in  
11 which the materials, supplies, equipment or services are provided. If different fees  
12 are assessed under sub. (1) for different total dollar volumes of sales, no person may  
13 provide any materials, supplies, equipment or contractual services to any agency or  
14 agencies exceeding the dollar volume applicable to the fee which the person has paid  
15 under sub. (1) for the fiscal year in which the materials, supplies, equipment or  
16 services are provided.

17           (3) The department shall promulgate rules providing for:

18           (a) Administration and collection of the fee prescribed under sub. (1).

19           (b) Exemption of any class of providers from payment of the fee prescribed  
20 under sub. (1) if exemption of that class of providers is in the best interest of the state.

21           (4) The department shall deposit all revenues received from fees assessed  
22 under this section in the information technology investment fund.

23           **SECTION 361f.** 16.705 (1) of the statutes is amended to read:

24           16.705 (1) The department or its agents may contract for services which can  
25 be performed more economically or efficiently by such contract. The department or

1 its agents shall contract for contractual services whenever the competitive  
2 enterprise review board directs under s. 16.706 (7).

3 **SECTION 361g.** 16.705 (2) of the statutes is amended to read:

4 16.705 (2) The department shall promulgate rules for the procurement of  
5 contractual services, including but not limited to the approval and monitoring  
6 processes for contractual service contracts. ~~Each~~ Except as otherwise provided in  
7 this subsection, each officer requesting approval to engage any person to perform  
8 contractual services shall submit to the department written justification for such  
9 contracting which shall include a description of the contractual services to be  
10 procured, justification of need, justification for not contracting with other agencies,  
11 a specific description of the scope of contractual services to be performed, and  
12 justification for the procurement process if a process other than competitive bidding  
13 is to be used. If the competitive enterprise review board requires the solicitation of  
14 bids or competitive sealed proposals for contractual services under s. 16.706 (4), the  
15 responsible officer shall submit to the department the information required under  
16 this subsection and information concerning alternatives to procurement of  
17 contractual services, but need not provide justification for such procurement. The  
18 department may not approve any contract for contractual services unless it is  
19 satisfied that the justification for contracting conforms to the requirements of this  
20 section and ss. 16.71 to 16.77.

21 **SECTION 361h.** 16.705 (3) (intro.) of the statutes is amended to read:

22 16.705 (3) (intro.) Contracts for contractual services, other than contracts  
23 awarded under s. 16.706 (7), shall be submitted by the department for the review and  
24 approval of the secretary of employment relations prior to award, under conditions

1 established by rule of the department. The secretary of employment relations shall  
2 review such contracts in order to ensure that agencies:

3 **SECTION 361i.** 16.705 (5) of the statutes is amended to read:

4 16.705 (5) The department shall promulgate rules to assure that the process  
5 used for selection of persons to perform contractual services includes a review of the  
6 independence and relationship, if any, of the contractor to employes of the agency,  
7 disclosure of any former employment of the contractor or employes of the contractor  
8 with the agency and a procedure to minimize the likelihood of selection of a  
9 contractor who provides or is likely to provide services to industries, client groups or  
10 individuals who are the object of state regulation or the recipients of state funding  
11 to a degree that the contractor's independence would be compromised. Such rules  
12 do not apply to contracts awarded under s. 16.706 (7).

13 **SECTION 361j.** 16.706 of the statutes is created to read:

14 **16.706 Competitive enterprise review board. (1)** In this section "board"  
15 means the competitive enterprise review board.

16 **(2)** Any person who believes that the person can provide any materials,  
17 supplies, equipment or contractual services to an executive branch agency, but more  
18 economically, efficiently or effectively than the materials, supplies, equipment or  
19 services are currently provided or more economically, efficiently or effectively than  
20 the agency provides the materials, supplies, equipment or comparable  
21 noncontractual services to itself, may file an application with the board proposing to  
22 provide the materials, supplies, equipment or contractual services to the agency. The  
23 application shall specify each executive branch agency to which it applies, and shall  
24 contain a description of the materials, supplies, equipment or contractual services

1 to which it applies and a description of the materials, supplies, equipment or  
2 contractual services that the applicant is capable of providing.

3 (3) The department shall assist the board in the performance of its functions.

4 Upon receipt of an application by the board under sub. (2), the department shall:

5 (a) Evaluate the proposal contained in the application to determine whether  
6 the proposal is feasible and whether it would result in delivery of materials, supplies,  
7 equipment or services to any affected executive branch agency in a more economical,  
8 efficient or effective manner.

9 (b) Submit its evaluation, together with a recommendation, to the board.

10 (4) The board shall review each proposal filed under sub. (2) together with the  
11 evaluation and recommendation submitted under sub. (3) and shall determine  
12 whether the proposal is feasible and would, if implemented, result in the delivery of  
13 materials, supplies, equipment or services by any executive branch agency in a more  
14 economical, efficient or effective manner. If the board finds that the proposal, if  
15 implemented, would achieve at least one of these objectives, the board may direct the  
16 department to solicit bids or competitive sealed proposals to provide the materials,  
17 supplies, equipment or contractual services specified in the proposal. If the  
18 department delegates the responsibility to solicit such bids or proposals to an  
19 affected executive branch agency under s. 16.71 (1), the department shall ensure that  
20 the agency complies with the directive of the board under this subsection. This  
21 subsection does not apply to commodities, materials, supplies, equipment or services  
22 purchased under s. 16.75 (3t), 16.752 (12) (a) or 16.78 (1).

23 (5) Any executive branch agency that is authorized to provide any materials,  
24 supplies, equipment or contractual services to another executive branch agency

1 consistent with its program responsibilities may submit a bid or competitive sealed  
2 proposal whenever such bids or proposals are solicited under sub. (4).

3 (6) The board shall, by rule, specify time periods for solicitations of bids or  
4 competitive sealed proposals under sub. (4) and for the submission of bids or  
5 competitive sealed proposals in response to the solicitations.

6 (7) Whenever the board directs the solicitation of bids or competitive sealed  
7 proposals under sub. (4), the department shall, before accepting or rejecting any bid  
8 or proposal, refer the question of acceptance of a bid or proposal to the board for its  
9 review. The board may thereafter determine that any bid or competitive sealed  
10 proposal is the best and most reasonable bid or proposal and may direct the  
11 department to accept that bid or proposal. Except with respect to purchases of  
12 printing or stationery, the bid or competitive sealed proposal selected by the board  
13 need not be the lowest cost bid or proposal. Consistently with specifications in the  
14 solicitation, the board may direct the department to include specified terms and  
15 conditions in any contract or order resulting from a bid or competitive sealed  
16 proposal selected by the board. If the department delegates responsibility to solicit  
17 bids or competitive sealed proposals to an executive branch agency under s. 16.71 (1),  
18 the department shall ensure that the agency complies with the directives of the board  
19 under this subsection.

20 (8) The board may, with respect to its responsibilities under this section:

21 (a) Hold public hearings and conduct studies.

22 (b) Consult with private commercial sources.

23 (c) Require any executive branch agency to provide a cost estimate or conduct  
24 a management study regarding any materials, supplies, equipment or services  
25 provided by the agency.

1 (d) Prescribe cost accounting standards for executive branch agencies in their  
2 preparation of cost estimates under par. (c).

3 (e) Prescribe, in consultation with the department or any other affected  
4 executive branch agency, specifications and procedures to which the department or  
5 other agency shall conform when soliciting bids or competitive sealed proposals.

6 **SECTION 361k.** 16.71 (1) of the statutes is amended to read:

7 16.71 (1) Except as authorized in s. 16.74, the department shall purchase and  
8 may delegate to special designated agents the authority to purchase all necessary  
9 materials, supplies, equipment, all other permanent personal property and  
10 miscellaneous capital, and contractual services and all other expense of a  
11 consumable nature for all agencies. In making any delegation, the department shall  
12 require the agent to adhere to all requirements imposed upon the department in  
13 making purchases under this subchapter. Any purchase or delegation of the  
14 responsibility for purchasing is subject to directives issued by the competitive  
15 enterprise review board under s. 16.706. All materials, services and other things and  
16 expense furnished to any agency and interest paid under s. 16.528 shall be charged  
17 to the proper appropriation of the agency to which furnished.

18 **SECTION 361L.** 16.71 (2) of the statutes is amended to read:

19 16.71 (2) The Except as otherwise directed under s. 16.706 (7), the department  
20 of administration shall delegate authority to make all purchases for prison  
21 industries to the department of corrections. This delegation may be withdrawn by  
22 the department of administration only with the consent of, and in accordance with  
23 the terms specified by, the joint committee on finance, for failure to comply with  
24 applicable purchasing rules, procedures or statutory requirements.

25 **SECTION 361m.** 16.71 (3) of the statutes is amended to read:

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

7           **SECTION 361n.** 16.72 (2) (a) of the statutes is amended to read:

8           16.72 (2) (a) ~~The~~ Unless otherwise directed under s. 16.706 (8) (e), the  
9           department of administration shall prepare standard specifications, as far as  
10          possible, for all state purchases. By “standard specifications” is meant a  
11          specification, either chemical or physical or both, prepared to describe in detail the  
12          article which the state desires to purchase, and trade names shall not be used. On  
13          the formulation, adoption and modification of any standard specifications, the  
14          department of administration shall also seek and be accorded without cost, the  
15          assistance, advice and cooperation of other agencies and officers. Each specification  
16          adopted for any commodity shall, insofar as possible, satisfy the requirements of any  
17          and all agencies which use it in common.

18          **SECTION 361p.** 16.72 (2) (b) of the statutes is amended to read:

19          16.72 (2) (b) ~~Except as provided in s.~~ otherwise required under ss. 16.706 (8)  
20          (e) and 565.25 (2) (a) 4., the department shall prepare or review specifications for all  
21          materials, supplies, equipment, other permanent personal property and contractual  
22          services not purchased under standard specifications. Such “nonstandard  
23          specifications” may be generic or performance specifications, or both, prepared to  
24          describe in detail the article which the state desires to purchase either by its physical  
25          properties or programmatic utility. When appropriate for such nonstandard items

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1 or services, trade names may be used to identify what the state requires, but  
2 wherever possible 2 or more trade names shall be designated and the trade name of  
3 any Wisconsin producer, distributor or supplier shall appear first.

4 **SECTION 361po.** 16.72 (2) (c) of the statutes is amended to read:

5 16.72 (2) (c) ~~To~~ Unless otherwise directed under s. 16.706 (8) (e) the department  
6 shall, to the extent possible, the department shall write specifications so as to permit  
7 the purchase of materials manufactured in the United States, as defined in s. 16.754  
8 (1).

9 **SECTION 361q.** 16.72 (2) (d) of the statutes is amended to read:

10 16.72 (2) (d) ~~To the extent possible~~ Unless otherwise directed under s. 16.706  
11 (8) (e), the department and any other designated purchasing agent under s. 16.71 (1)  
12 shall, to the extent possible, write specifications for the purchase of materials,  
13 supplies, commodities, equipment and contractual services so as to permit their  
14 purchase from prison industries, as created under s. 303.01 (1).

15 **SECTION 362.** 16.72 (2) (e) (intro.) of the statutes is amended to read:

16 16.72 (2) (e) (intro.) In writing the specifications under this subsection, the  
17 department and any other designated purchasing agent under s. 16.71 (1) shall,  
18 unless otherwise directed under s. 16.706 (8) (e), incorporate requirements for the  
19 purchase of products made from recycled materials and recovered materials if their  
20 use is technically and economically feasible. Each authority other than the  
21 University of Wisconsin Hospitals and Clinics Authority, in writing specifications for  
22 purchasing by the authority, shall incorporate requirements for the purchase of  
23 products made from recycled materials and recovered materials if their use is  
24 technically and economically feasible. The specifications shall include requirements  
25 for the purchase of the following materials:

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1           **SECTION 363.** 16.72 (2) (f) of the statutes is amended to read:

2           16.72 (2) (f) In Unless otherwise directed under s. 16.706 (8) (e), in writing  
3 specifications under this subsection, the department, any other designated  
4 purchasing agent under s. 16.71 (1) and each authority other than the University of  
5 Wisconsin Hospitals and Clinics Authority shall incorporate requirements relating  
6 to the recyclability and ultimate disposition of products and, wherever possible, shall  
7 write the specifications so as to minimize the amount of solid waste generated by the  
8 state, consistent with the priorities established under s. 159.05 (12). ~~All~~ Unless  
9 otherwise directed under s. 16.706 (8) (e), all specifications under this subsection  
10 shall discourage the purchase of single-use, disposable products and require,  
11 whenever practical, the purchase of multiple-use, durable products.

12           **SECTION 363m.** 16.72 (4m) of the statutes is amended to read:

13           16.72 (4m) The department shall provide the ~~gaming commission~~ department  
14 of revenue with a copy of each contract for a major procurement, as defined in s.  
15 565.01 (4), for the ~~gaming commission~~ department of revenue.

16           **SECTION 364.** 16.72 (7) (intro.) of the statutes is amended to read:

17           16.72 (7) (intro.) Annually, by March 1, the department shall submit to the  
18 ~~council on recycling~~ market development board a report regarding the department's  
19 resource recovery and recycling activities of the preceding year. The report shall  
20 include information concerning the level of compliance by the department and other  
21 agencies and authorities, excluding the University of Wisconsin Hospitals and  
22 Clinics Authority, with all of the following and reasons for any failure to fully comply  
23 with all of the following:

24           **SECTION 365.** 16.72 (7) (a) of the statutes is amended to read:

1           16.72 (7) (a) The requirements under s. 16.75 (8) (a) and (9) that the  
2 department and other purchasing agents and authorities specified in sub. (2) (e) and  
3 (f) make purchasing selections using specifications prescribed under sub. (2) (e) and  
4 (f) and specifically that each such agency and authority ensure that a minimum  
5 proportion of its aggregate paper purchases be recycled fiber.

6           **SECTION 366.** 16.72 (7) (c) of the statutes is amended to read:

7           16.72 (7) (c) The requirement of s. 16.15 (3) that agencies and authorities to  
8 which s. 16.15 (3) applies separate for recycling the materials specified in that  
9 subsection.

10          **SECTION 367.** 16.73 (5) of the statutes is created to read:

11          16.73 (5) If the department designates the board of regents of the University  
12 of Wisconsin System as its purchasing agent for any purpose under s. 16.71 (1), the  
13 board may enter into a contract to sell any materials, supplies, equipment or  
14 contractual services purchased by the board to the University of Wisconsin Hospitals  
15 and Clinics Authority, and may contract with the University of Wisconsin Hospitals  
16 and Clinics Authority for the joint purchase of any materials, supplies, equipment  
17 or contractual services if the sale or purchase is made consistently with that  
18 delegation and with this subchapter.

19          **SECTION 368.** 16.75 (1) (a) 1. of the statutes is amended to read:

20          16.75 (1) (a) 1. All orders awarded or contracts made by the department for all  
21 materials, supplies, equipment and contractual services to be provided to any  
22 agency, except as otherwise provided in par. (c) and subs. (2), (2g), (2m), (3m), (3t),  
23 (6), (7), (8) and (9) and ss. 16.706 (7), 16.73 (4) (a), 16.754, 46.265, 50.05 (7) (f) and  
24 159.15 (7), shall be awarded to the lowest responsible bidder, taking into  
25 consideration life cycle cost estimates under sub. (1m), when appropriate, the

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1 location of the agency, the quantities of the articles to be supplied, their conformity  
2 with the specifications, and the purposes for which they are required and the date  
3 of delivery.

4 **SECTION 368m.** 16.75 (1) (a) 1. of the statutes, as affected by 1995 Wisconsin  
5 Act .... (this act), is repealed and recreated to read:

6 16.75 (1) (a) 1. All orders awarded or contracts made by the department for all  
7 materials, supplies, equipment and contractual services to be provided to any  
8 agency, except as otherwise provided in par. (c) and subs. (2), (2g), (2m), (3m), (3t),  
9 (6), (7), (8) and (9) and ss. 16.706 (7), 16.73 (4) (a), 16.754, 50.05 (7) (f), 159.15 (7) and  
10 301.265, shall be awarded to the lowest responsible bidder, taking into consideration  
11 life cycle cost estimates under sub. (1m), when appropriate, the location of the  
12 agency, the quantities of the articles to be supplied, their conformity with the  
13 specifications, and the purposes for which they are required and the date of delivery.

14 **SECTION 368n.** 16.75 (1) (a) 3. of the statutes is amended to read:

15 16.75 (1) (a) 3. Bids Except as provided in s. 16.706 (8) (e), bids may be received  
16 only in accordance with such specifications as are adopted by the department as  
17 provided in this subsection. Any or all bids may be rejected. Each bid, with the name  
18 of the bidder, shall be entered on a record, and each record with the successful bid  
19 indicated shall, after the award or letting of the contract, be opened to public  
20 inspection. Where a low bid is rejected, a complete written record shall be compiled  
21 and filed, giving the reason in full for such action. Any waiver of sealed, advertised  
22 bids as provided in sub. (2m) or (6) shall be entered on a record kept by the  
23 department and open to public inspection.

24 **SECTION 371.** 16.75 (1m) of the statutes is amended to read:

1           16.75 (1m) The Except as otherwise directed under s. 16.706 (7), the  
2 department shall award each order or contract for materials, supplies or equipment  
3 on the basis of life cycle cost estimates, whenever such action is appropriate. Each  
4 authority other than the University of Wisconsin Hospitals and Clinics Authority  
5 shall award each order or contract for materials, supplies or equipment on the basis  
6 of life cycle cost estimates, whenever such action is appropriate. The terms,  
7 conditions and evaluation criteria to be applied shall be incorporated in the  
8 solicitation of bids or proposals. The life cycle cost formula may include, but is not  
9 limited to, the applicable costs of energy efficiency, acquisition and conversion,  
10 money, transportation, warehousing and distribution, training, operation and  
11 maintenance and disposition or resale. The department shall prepare documents  
12 containing technical guidance for the development and use of life cycle cost  
13 estimates, and shall make the documents available to local governmental units.

14           **SECTION 371e.** 16.75 (2) (a) of the statutes is amended to read:

15           16.75 (2) (a) ~~When~~ Unless otherwise directed under s. 16.706 (7), whenever the  
16 department of administration believes that it is to the best interests of the state to  
17 purchase certain patented or proprietary articles, other than printing and  
18 stationery, it may purchase said articles without the usual statutory procedure. All  
19 equipment shall be purchased from the lowest and best bidder as determined by the  
20 bids and a comparison of the detailed specifications submitted with the bids, and  
21 after due advertisement as herein before provided. Where the low bid or bids are  
22 rejected, a complete written record shall be compiled and filed, giving the reasons in  
23 full for such action.

24           **SECTION 371m.** 16.75 (2g) (a) of the statutes is amended to read:

1           16.75 (2g) (a) ~~The~~ Unless otherwise directed under s. 16.706 (4), the purchasing  
2 authority under s. 16.71 (2) may make purchases for products of and goods for resale  
3 by prison industries, other than purchases of printing or stationery, without inviting  
4 bids and without accepting the lowest responsible bid.

5           **SECTION 374.** 16.75 (3t) (a) of the statutes is amended to read:

6           16.75 (3t) (a) In this subsection, “form” has the meaning given under s. ~~16.61~~  
7 ~~(2) (ad)~~ 16.97 (5m).

8           **SECTION 375.** 16.75 (4) (a) (intro.) of the statutes is amended to read:

9           16.75 (4) (a) (intro.) The department shall encourage the participation of small  
10 businesses and veteran-owned businesses in the statewide purchasing program by  
11 ensuring that there are no undue impediments to such participation and by actively  
12 encouraging small businesses and veteran-owned businesses to play an active role  
13 in the solicitation of ~~public~~ purchasing business by agencies. To that end the  
14 department shall:

15           **SECTION 380.** 16.75 (8) (a) 1. of the statutes is amended to read:

16           16.75 (8) (a) 1. The department, any other designated purchasing agent under  
17 s. 16.71 (1), any agency making purchases under s. 16.74 and each authority other  
18 than the University of Wisconsin Hospitals and Clinics Authority shall, to the extent  
19 practicable, make purchasing selections using specifications developed under s.  
20 16.72 (2) (e) to maximize the purchase of materials utilizing recycled materials and  
21 recovered materials.

22           **SECTION 381.** 16.75 (8) (a) 2. (intro.) of the statutes is amended to read:

23           16.75 (8) (a) 2. (intro.) Each agency and authority other than the University  
24 of Wisconsin Hospitals and Clinics Authority shall ensure that the average recycled  
25 or recovered content of all paper purchased by the agency or authority measured as

1 a proportion, by weight, of the fiber content of paper products purchased in a  
2 calendar year, is not less than the following:

3 **SECTION 381m.** 16.75 (8) (b) of the statutes is created to read:

4 16.75 (8) (b) Paragraph (a) does not apply to purchases which the department  
5 is directed to make under s. 16.706 (7).

6 **SECTION 382.** 16.75 (9) of the statutes is amended to read:

7 16.75 (9) The Unless otherwise directed under s. 16.706 (8) (e), the department,  
8 any other designated purchasing agent under s. 16.71 (1), any agency making  
9 purchases under s. 16.74 and any authority other than the University of Wisconsin  
10 Hospitals and Clinics Authority shall, to the extent practicable, make purchasing  
11 selections using specifications prepared under s. 16.72 (2) (f).

12 **SECTION 382m.** 16.75 (10) of the statutes is amended to read:

13 16.75 (10) An agency that has building, fleet or energy management  
14 responsibilities shall, to the extent cost-effective and technically feasible, rely upon  
15 energy systems that utilize fuels produced in this state. In reviewing bids for the  
16 purchase of fuels or energy systems or equipment, the agency shall purchase fuel or  
17 energy systems or equipment produced in this state if the cost of the lowest  
18 responsible bid for such fuel or energy systems or equipment is no greater than the  
19 lowest responsible bid for fuel or energy systems or equipment produced outside of  
20 this state. This subsection does not apply to purchases made under s. 16.706 (7).

21 **SECTION 383b.** 16.752 (7) (a) 1. of the statutes is amended to read:

22 16.752 (7) (a) 1. A legible copy of the articles of incorporation of the organization  
23 showing the date of filing and with the seal of the secretary of state department of  
24 financial institutions.

25 **SECTION 384.** 16.752 (8) (e) of the statutes is amended to read:

1           16.752 (8) (e) Comply with applicable occupational health and safety standards  
2 prescribed by the U.S. secretary of labor, the federal occupational health and safety  
3 administration or the department of ~~industry, labor and human relations~~  
4 development.

5           **SECTION 384m.** 16.754 (3) (intro.) of the statutes is amended to read:

6           16.754 (3) EXEMPTIONS. (intro.) Subsection (2) does not apply if the materials  
7 are purchased for the purpose of commercial resale or for the purpose of use in the  
8 production of goods for commercial sale. Subsection (2) does not apply to the  
9 purchase of stationery and printing materials. Subsection (2) does not apply if the  
10 department determines, under s. 16.75 (1) (a) 2., that the foreign nation or  
11 subdivision thereof in which the vendor is domiciled does not give preference to  
12 vendors domiciled in that nation or subdivision in making governmental purchases.  
13 Subsection (2) does not apply if the competitive enterprise review board otherwise  
14 directs under s. 16.706 (7). Subsection (2) does not apply if the department or other  
15 person having contracting authority in respect to the purchase determines that:

16           **SECTION 385.** 16.76 (1) of the statutes is amended to read:

17           16.76 (1) All contracts for materials, supplies, equipment or contractual  
18 services to be provided to any agency shall run to the state of Wisconsin. Such  
19 contracts shall be signed by the secretary or an individual authorized by the  
20 secretary, except that contracts entered into directly by the legislature, the courts or  
21 a legislative service or judicial branch agency shall be signed by an individual  
22 authorized under s. 16.74 (2) (b).

23           **SECTION 386.** 16.765 (1) of the statutes is amended to read:

24           16.765 (1) Contracting agencies, the University of Wisconsin Hospitals and  
25 Clinics Authority and the Bradley center sports and entertainment corporation

1 ~~under ch. 232~~ shall include in all contracts executed by them a provision obligating  
2 the contractor not to discriminate against any employe or applicant for employment  
3 because of age, race, religion, color, handicap, sex, physical condition, developmental  
4 disability as defined in s. 51.01 (5), sexual orientation as defined in s. 111.32 (13m)  
5 or national origin and, except with respect to sexual orientation, obligating the  
6 contractor to take affirmative action to ensure equal employment opportunities.

7 **SECTION 387.** 16.765 (2) (intro.) and (a) of the statutes are consolidated,  
8 renumbered 16.765 (2) and amended to read:

9 16.765 (2) Contracting agencies, the University of Wisconsin Hospitals and  
10 Clinics Authority and the Bradley center sports and entertainment corporation shall  
11 include the following provision in every contract executed by them: (a) "In  
12 connection with the performance of work under this contract, the contractor agrees  
13 not to discriminate against any employe or applicant for employment because of age,  
14 race, religion, color, handicap, sex, physical condition, developmental disability as  
15 defined in s. 51.01 (5), sexual orientation or national origin. This provision shall  
16 include, but not be limited to, the following: employment, upgrading, demotion or  
17 transfer; recruitment or recruitment advertising; layoff or termination; rates of pay  
18 or other forms of compensation; and selection for training, including apprenticeship.  
19 Except with respect to sexual orientation, the contractor further agrees to take  
20 affirmative action to ensure equal employment opportunities. The contractor agrees  
21 to post in conspicuous places, available for employes and applicants for employment,  
22 notices to be provided by the contracting officer setting forth the provisions of the  
23 nondiscrimination clause.

24 **SECTION 388.** 16.765 (4) to (7) (intro.) of the statutes are amended to read:

1           16.765 (4) ~~The contracting~~ Contracting agencies, the University of Wisconsin  
2 Hospitals and Clinics Authority and the Bradley center sports and entertainment  
3 corporation shall take appropriate action to revise the standard government contract  
4 forms under this section.

5           (5) The head of each contracting agency and the ~~board~~ boards of directors of the  
6 University of Wisconsin Hospitals and Clinics Authority and the Bradley center  
7 sports and entertainment corporation shall be primarily responsible for obtaining  
8 compliance by any contractor with the nondiscrimination and affirmative action  
9 provisions prescribed by this section, according to procedures recommended by the  
10 department. The department shall make recommendations to the contracting  
11 agencies and the ~~board~~ boards of directors of the University of Wisconsin Hospitals  
12 and Clinics Authority and the Bradley center sports and entertainment corporation  
13 for improving and making more effective the nondiscrimination and affirmative  
14 action provisions of contracts. The department shall promulgate such rules as may  
15 be necessary for the performance of its functions under this section.

16           (6) The department may receive complaints of alleged violations of the  
17 nondiscrimination provisions of such contracts. The department shall investigate  
18 and determine whether a violation of this section has occurred. The department may  
19 delegate this authority to the contracting agency, the University of Wisconsin  
20 Hospitals and Clinics Authority or the Bradley center sports and entertainment  
21 corporation for processing in accordance with the department's procedures.

22           (7) (intro.) When a violation of this section has been determined by the  
23 department, the contracting agency, the University of Wisconsin Hospitals and  
24 Clinics Authority or the Bradley center sports and entertainment corporation, the

1 contracting agency, the University of Wisconsin Hospitals and Clinics Authority or  
2 the Bradley center sports and entertainment corporation shall:

3 **SECTION 389.** 16.765 (7) (d) of the statutes is amended to read:

4 16.765 (7) (d) Direct the violating party to take immediate steps to prevent  
5 further violations of this section and to report its corrective action to the contracting  
6 agency, the University of Wisconsin Hospitals and Clinics Authority or the Bradley  
7 center sports and entertainment corporation.

8 **SECTION 390.** 16.78 of the statutes is amended to read:

9 **16.78 Purchases from division of information technology services. (1)**

10 Every agency other than the board of regents of the university of Wisconsin system  
11 or an agency making purchases under s. 16.74 shall purchase all mainframe  
12 computer services from the division of information technology services in the  
13 department of ~~administration~~, unless the division grants written authorization to  
14 the agency to procure the services under s. 16.75 (1), to purchase the services from  
15 another agency or to provide the services to itself. The board of regents of the  
16 university of Wisconsin system may purchase mainframe computer services from the  
17 division of information technology services.

18 **(2)** Sections 16.705 to 16.767 and 16.77 (1) do not apply to the purchase of  
19 mainframe computer services by any agency from the division of information  
20 technology services.

21 **SECTION 390m.** 16.80 of the statutes is created to read:

22 **16.80 Purchases of computers by teachers.** The department shall  
23 negotiate with private vendors to facilitate the purchase of computers and other  
24 educational technology, as defined in s. 16.922 (1) (c), by public and private  
25 elementary and secondary school teachers for their private use. The department

**SECTION 390m**

1 shall attempt to make available types of computers and other educational technology  
2 under this section that will encourage and assist teachers in becoming  
3 knowledgeable about the technology and its uses and potential uses in education.

4 **SECTION 390s.** 16.82 (4) (a) of the statutes is amended to read:

5 16.82 (4) (a) May Unless otherwise directed under s. 16.706, may produce or  
6 contract to have produced, printing of classes 1, 3 and 4, and excerpts from the  
7 statutes under class 2, and all materials offered by state agencies for production.

8 **SECTION 391g.** 16.84 (3) of the statutes is created to read:

9 16.84 (3) Contract with the gaming commission for the performance of building  
10 and warehouse protection relating to ch. 565, if so requested by the gaming  
11 commission.

12 **SECTION 391r.** 16.84 (3) of the statutes, as created by 1995 Wisconsin Act  
13 ....(this act), is amended to read:

14 16.84 (3) Contract with the ~~gaming commission~~ department of revenue for the  
15 performance of building and warehouse protection relating to ch. 565, if so requested  
16 by the ~~gaming commission~~ department of revenue.

17 **SECTION 392.** 16.84 (5) of the statutes is amended to read:

18 16.84 (5) Have responsibility, subject to approval of the governor, for all  
19 functions relating to the leasing, acquisition, allocation and utilization of all real  
20 property by the state, except where such responsibility is otherwise provided by the  
21 statutes. In this connection, the department shall, with the governor's approval,  
22 require physical consolidation of office space utilized by any executive branch agency  
23 having fewer than 50 authorized full-time equivalent positions with office space  
24 utilized by another executive branch agency, whenever feasible. The department  
25 shall lease or acquire office space for legislative offices or legislative service agencies

1 at the direction of the joint committee on legislative organization. In this subsection,  
2 “executive branch agency” has the meaning given in s. 16.70 (4).

3 **SECTION 393.** 16.84 (14) of the statutes is created to read:

4 16.84 (14) Provide interagency mail delivery service for agencies, as defined  
5 in s. 16.70 (1). The department may charge agencies for this service. Any moneys  
6 collected shall be credited to the appropriation account under s. 20.505 (1) (kd).

7 **SECTION 394.** 16.845 (1) of the statutes is amended to read:

8 16.845 (1) RULE; PENALTY. Except as elsewhere expressly prohibited, the  
9 managing authority of any facility owned by the state or by the University of  
10 Wisconsin Hospitals and Clinics Authority may permit its use for free discussion of  
11 public questions, or for civic, social, recreational or athletic activities. No such use  
12 shall be permitted if it would unduly burden the managing authority or interfere  
13 with the prime use of such facility. The applicant for use shall be liable to the state  
14 or to the University of Wisconsin Hospitals and Clinics Authority for any injury done  
15 to its property, for any expense arising out of any such use and for such sum as the  
16 managing authority may charge for such use. ~~All such sums are to~~ payable to the  
17 state shall be paid into the general fund and ~~to be~~ credited to the appropriation  
18 account for the operation of the facility used. The managing authority may permit  
19 such use notwithstanding the fact that a reasonable admission fee may be charged  
20 to the public. Whoever does or attempts to do an act for which a permit is required  
21 under this section without first obtaining the permit may be fined not more than  
22 \$100 or imprisoned not more than 30 days or both. This ~~section~~ subsection applies  
23 only to those ~~buildings, facilities and grounds~~ for which a procedure for obtaining a  
24 permit has been established by the managing authority.

25 **SECTION 394m.** 16.846 of the statutes is created to read:

1           **16.846 Fine arts in state buildings program. (1) DEFINITIONS.** In this  
2 section:

3           (a) "State building" has the meaning given in s. 44.51 (2).

4           (b) "Work of art" has the meaning given in s. 44.51 (3).

5           **(2) MINIMUM EXPENDITURE REQUIRED.** (a) Except as provided in par. (b), at least  
6 0.02% of the appropriation for the construction, reconstruction, renovation or  
7 remodeling of or addition to a state building, including but not limited to amounts  
8 appropriated for design and supervision, site preparation, equipment and  
9 administrative and personnel costs, shall be utilized to acquire one or more works  
10 of art to be incorporated into the structure for which the appropriation was made, or  
11 displayed inside or on the grounds of that structure and to fund all administrative  
12 costs that the board incurs in acquiring one or more works of art.

13           (b) If the state building to which this section applies is located contiguous to  
14 other state buildings, the advisory committee acting under sub. (3) may apply the  
15 funds set aside under par. (a) to the acquisition, including all associated  
16 administrative costs, of one or more works of art to be incorporated into one of the  
17 other contiguous buildings or to be displayed on the grounds of one or more of the  
18 contiguous state buildings.

19           **(3) ADVISORY COMMITTEE.** (a) After selection of the architect for any project  
20 subject to this section, the department shall convene an advisory committee for the  
21 purpose of reviewing and recommending works of art to be incorporated into the  
22 structure.

23           (b) The advisory committee shall consist of at least 5 members appointed by the  
24 secretary, including:

1           1. At least 2 persons who are artists, art educators, art administrators,  
2 museum directors or curators, art critics or art collectors.

3           2. At least 2 persons who are project managers, architects, users of the building  
4 or members of the building commission.

5           **(4) CONTRACTS WITH ARTISTS.** (a) After review of the recommendations of the  
6 advisory committee convened under sub. (3), the department shall make the final  
7 selection of the artist and the work of art to be incorporated into the project. The  
8 department shall ensure that the aggregate of works of art selected under this  
9 section represent a wide variety of art forms executed by the broadest feasible  
10 diversity of artists, except that the department shall give preference to artists who  
11 are residents of this state.

12           (b) 1. The department shall enter into one or more contracts to procure the work  
13 of art selected for the project. Except as provided in subd. 2., the contracts shall  
14 provide for sole ownership of the works of art acquired under this section in the state  
15 of Wisconsin.

16           2. If the work of art to be acquired is an existing work of art and is no longer  
17 subject to the control of the artist originating the work of art, the contract shall  
18 provide sole ownership in the state of Wisconsin, subject to the existing obligations,  
19 if any, of the owner to the originating artist. If the work of art selected is a work of  
20 art which is owned by the artist originating the work of art or if the work of art has  
21 not been executed on the date of the contract, the contract shall provide for sole  
22 ownership in the state of Wisconsin, subject to the following rights retained by the  
23 artist unless limited by written agreement between the department and the artist:

24           a. The right to claim authorship of the work of art.

1           b. The right to reproduce the work of art, including all rights secured to the  
2 artist under federal copyrights laws.

3           **(5) DEPARTMENT RESPONSIBILITIES.** After acquisition of the work of art under sub.  
4 (4), the department shall:

5           (a) Ensure proper execution of the work of art, if the work of art is a new work  
6 of art.

7           (b) Ensure that the work of art acquired under this section is properly installed  
8 within the public view.

9           (c) Consult with the artist or the artist's representative to ensure that each  
10 work of art acquired under this section is properly maintained and is not artistically  
11 altered without the consent of the artist or the artist's representative.

12           (d) Ensure that any work of art acquired under this section is maintained and  
13 displayed on the grounds of the state building for at least 25 years, unless the  
14 department finds that earlier removal is in the public interest. When the  
15 department, in consultation with the agency making principal use of the building to  
16 which the work of art is appurtenant, determines that the work of art should be  
17 removed, the department shall loan the work of art to an accredited museum in the  
18 state or to an educational or other appropriate public institution capable of  
19 maintaining and exhibiting the work of art.

20           **(6) APPLICABILITY.** (a) This section does not apply to any of the following:

21           1. Any contract for the construction, reconstruction, renovation or remodeling  
22 of or addition to any state building if the total construction cost of the project is  
23 \$250,000 or less.

24           2. Sheds, warehouses, highways or streets, or other buildings or spaces which  
25 are not open for entry by the general public in the normal use of the building or space.

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1           3. Game farms, fish hatcheries, nurseries and other production facilities  
2 operated by the department of natural resources.

3           (b) This section does not apply if the joint committee on finance has approved  
4 the funding report of the arts board under 1995 Wisconsin Act ... (this act), section  
5 9105 (3g) (a).

6           **SECTION 396.** 16.847 (4) (h) of the statutes is repealed.

7           **SECTION 397m.** 16.848 of the statutes is created to read:

8           **16.848 Energy savings performance contracting. (1) DEFINITIONS.** In this  
9 section:

10           (a) "Agency" has the meaning given in s. 16.70 (1).

11           (b) "Energy conservation measure" means a facility alteration or training,  
12 service or operations program designed to reduce energy consumption or operating  
13 costs or ensure state or local building code compliance.

14           (c) "Performance contract" means a contract for the evaluation and  
15 recommendation of energy conservation and facility improvement measures, and for  
16 the implementation of one or more such measures.

17           (d) "Qualified provider" means a person who is experienced in the design,  
18 implementation and installation of energy conservation and facility improvement  
19 measures and who has the ability to provide labor and material payment and  
20 performance bonds equal to the maximum amount of any payments due under a  
21 performance contract entered into by the person.

22           **(2) AUTHORIZATION; REPORT.** (a) Any agency may, in accordance with this section,  
23 enter into a performance contract under subch. IV with a qualified provider to reduce  
24 energy or operating costs, ensure state or local building code compliance or enhance  
25 the protection of property of the agency.

1           (b) Prior to entering into a performance contract for the implementation of any  
2 energy conservation or facility improvement measure, an agency shall obtain a  
3 report from a qualified provider containing recommendations concerning the  
4 amount the agency should spend on energy conservation and facility improvement  
5 measures. The report shall contain estimates of all costs of installation,  
6 modifications, or remodeling, including costs of design, engineering, maintenance,  
7 repairs and financing. In addition, the report shall contain a guarantee specifying  
8 a minimum amount by which energy or operating costs of the agency will be reduced,  
9 if the installation, modification or remodeling is performed by that qualified  
10 provider.

11           (c) If, after review of the report under par. (b), the agency finds that the amount  
12 it would spend on the energy conservation and facility improvement measures  
13 recommended in the report is not likely to exceed the amount to be saved in energy  
14 and operation costs over the remaining useful life of the facility to which the  
15 measures apply, the agency may enter into the contract.

16           (d) Any performance contract for construction work is subject to approval under  
17 subch. V and ss. 13.48 (10) and 20.924 (1).

18           **(3) NOTICE.** Before entering into a performance contract under this section, an  
19 agency shall publish a class 1 notice of its intent to award the performance contract,  
20 the names of the parties to the proposed performance contract, and a description of  
21 the energy conservation and facility improvement measures included in the  
22 performance contract.

23           **(4) INSTALMENT PAYMENT AND LEASE-PURCHASE AGREEMENTS.** An agency may  
24 enter into an instalment payment contract or lease-purchase agreement for the  
25 purchase and installation of energy conservation or facility improvement measures.

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1           **(5) PAYMENT SCHEDULE; SAVINGS.** Each performance contract shall provide that  
2 all payments, except obligations on termination of the contract before its expiration,  
3 shall be made over time as energy savings are achieved. Energy savings shall be  
4 guaranteed by the qualified provider for the entire term of the performance contract.

5           **(6) TERMS OF CONTRACTS.** A performance contract may extend beyond the fiscal  
6 year in which it becomes effective, subject to appropriation of moneys for costs  
7 incurred in future fiscal years.

8           **(7) ALLOCATION OF OBLIGATIONS.** Each agency shall allocate sufficient moneys  
9 from its appropriations for each fiscal year to make payment of any amounts payable  
10 by the agency under performance contracts during that fiscal year.

11           **(8) BONDS.** Each qualified provider under a performance contract shall provide  
12 labor and material payment and performance bonds in an amount equivalent to the  
13 maximum amount of any payments due under the contract.

14           **(9) USE OF MONEYS.** Unless otherwise provided by law, if an agency receives  
15 appropriations designated for operating and capital expenditures, the agency may  
16 use moneys designated for operating or capital expenditures to make payments  
17 under any performance contract, including instalment payments or payments under  
18 lease-purchase agreements.

19           **(10) MONITORING; REPORTS.** During the entire term of each performance  
20 contract, the qualified provider entering into the contract shall monitor the  
21 reductions in energy consumption and cost savings attributable to the energy  
22 conservation and facility improvement measures installed under the contract, and  
23 shall periodically prepare and provide a report to the agency entering into the  
24 contract documenting the reductions in energy consumption and cost savings to the  
25 agency.

1           **(11) ENERGY CONSERVATION MEASURES.** Energy conservation measures under  
2 this section may include the following:

3           (a) Insulation of a building structure or systems within a building.

4           (b) Storm windows or doors, caulking or weather stripping, multiglazed  
5 windows or doors, heat-absorbing or heat-reflective glazed and coated window or  
6 door systems, additional glazing, reductions in glass area, or other window and door  
7 system modifications that reduce energy consumption.

8           (c) Automated or computerized energy control and facility management  
9 systems or computerized maintenance management systems.

10          (d) Heating, ventilating or air conditioning system modifications or  
11 replacements.

12          (e) Replacement or modification of lighting fixtures to increase the energy  
13 efficiency of the lighting system without increasing the overall illumination of a  
14 facility, unless an increase in illumination is necessary to conform to the applicable  
15 state or local building code for the lighting system after the proposed modifications  
16 are made.

17          (f) Energy recovery systems.

18          (g) Utility management systems and services.

19          (h) Cogeneration systems that produce steam or forms of energy such as heat,  
20 as well as electricity, for use primarily within a building or complex of buildings.

21          (i) Lifesafety systems.

22          (j) Any other facility improvement measure that is designed to provide  
23 long-term energy or operating cost reductions or compliance with state or local  
24 building codes.

1           **(12) APPLICATION.** No agency may enter into a performance contract except in  
2 accordance with this section.

3           **SECTION 398.** 16.85 (1) of the statutes is amended to read:

4           **16.85 (1)** To take charge of and supervise all engineering or architectural  
5 services or construction work as defined in s. 16.87 performed by, or for, the state, or  
6 any department, board, institution, commission or officer thereof, including  
7 nonprofit-sharing corporations organized for the purpose of assisting the state in the  
8 construction and acquisition of new buildings or improvements and additions to  
9 existing buildings as contemplated under ss. 13.488, 36.09 and 36.11, except the  
10 engineering, architectural and construction work of the department of  
11 transportation, the engineering service performed by the department of ~~industry,~~  
12 ~~labor and human relations~~ development, department of revenue, public service  
13 commission, department of health and social services and other departments, boards  
14 and commissions when the service is not related to the maintenance, construction  
15 and planning of the physical properties of the state, and energy efficiency projects  
16 of the energy efficiency program under s. 16.847. The department shall not authorize  
17 construction work for any state office facility in the city of Madison after May 11,  
18 1990, unless the department first provides suitable space for a day care center  
19 primarily for use by children of state employees.

20           **SECTION 399.** 16.85 (2) of the statutes is amended to read:

21           **16.85 (2)** To furnish engineering, architectural, project management and other  
22 building construction services whenever requisitions therefor are presented to the  
23 department by any agency. The department may deposit moneys received from the  
24 provision of these services in the account under s. 20.505 (1) (kc) or in the general  
25 fund as general purpose revenue — earned. In this subsection, “agency” means an

1 office, department, independent agency, institution of higher education, association,  
2 society or other body in state government created or authorized to be created by the  
3 constitution or any law, which is entitled to expend moneys appropriated by law,  
4 including the legislature and the courts, but not including an authority created in  
5 ch. 231, 233 or 234.

6 **SECTION 400.** 16.85 (14) of the statutes is created to read:

7 16.85 (14) To review and approve the design and specifications of any  
8 construction or improvement project of the University of Wisconsin Hospitals and  
9 Clinics Authority on state-owned land, to approve the decision to construct any such  
10 construction or improvement project and to periodically review the progress of the  
11 project during construction to assure compliance with the approved design and  
12 specifications. This subsection does not apply to any construction or improvement  
13 project of the authority that costs less than the amount that is required to be specified  
14 in the lease agreement between the authority and the board of regents of the  
15 University of Wisconsin System under s. 233.04 (7) (d).

16 **SECTION 400m.** 16.851 of the statutes is created to read:

17 **16.851 Plans for state buildings, structures or facilities.** Except as the  
18 department otherwise provides by rule, records of the department containing plans  
19 or specifications for any state-owned or state-leased building, structure or facility,  
20 or any proposed state-owned or state-leased building, structure or facility, are not  
21 subject to the right of public inspection or copying under s. 19.35 (1). If the  
22 department transfers any records containing any such plans or specifications to any  
23 other authority as defined in s. 19.32 (1), the department shall require the authority  
24 to agree in writing not to make the record available for public inspection or copying  
25 except as the department otherwise permits by rule.

**SECTION 400p**

1           **SECTION 400p.** 16.855 (14) (a) of the statutes is amended to read:

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

13           **SECTION 400r.** 16.855 (22) of the statutes is created to read:

14           16.855 (22) (a) The department shall by rule prescribe a contract  
15 administration fee to be paid for each state fiscal year by persons who contract with  
16 the department to provide engineering or architectural services or to perform  
17 construction work, as defined in s. 16.87 (1). Different contract administration fees  
18 may be assessed on the basis of different total dollar volumes of sales by contractors  
19 within the fiscal year in which the fee is assessed or the preceding fiscal year.

20           (b) Except as authorized in par. (c), no person may contract with any agency,  
21 as defined in s. 16.70 (1), to provide engineering or architectural services or other  
22 services specified in s. 84.01 (13) or to perform construction work, as defined in s.  
23 16.87 (1), including any highway improvement, having an aggregate cost to the state  
24 exceeding \$500 within any fiscal year unless that person has paid to the department  
25 the fee prescribed under par. (a) for the fiscal year in which the services are provided

1 or the work is performed. If different fees are assessed under par. (a) for different  
2 total dollar volumes of sales, no person may provide any such services or work  
3 exceeding the dollar volume applicable to the fee which the person has paid under  
4 par. (a) for the fiscal year in which the services are provided or work is performed.

5 (c) The department shall promulgate rules providing for:

6 1. Administration and collection of the fee prescribed under par. (a).

7 2. Exemption of any class of contractors from payment of the fee prescribed  
8 under par. (a) if exemption of that class of contractors is in the best interest of the  
9 state.

10 (d) The department shall deposit all revenues received from fees assessed  
11 under this subsection in the information technology investment fund.

12 **SECTION 401.** 16.865 (8) of the statutes is amended to read:

13 16.865 (8) Annually in each fiscal year, allocate as a charge to each agency a  
14 proportionate share of the estimated costs attributable to programs administered by  
15 the agency to be paid from the appropriation under s. 20.505 (2) (k). The department  
16 may charge premiums to agencies to finance costs under this subsection and pay the  
17 costs from the appropriation on an actual basis. The department shall deposit all  
18 collections under this subsection in the appropriation account under s. 20.505 (2) (k).  
19 Costs assessed under this subsection may include judgments, investigative and  
20 adjustment fees, data processing and staff support costs, program administration  
21 costs, litigation costs and the cost of insurance contracts under sub. (5). In this  
22 subsection, "agency" means an office, department, independent agency, institution  
23 of higher education, association, society or other body in state government created  
24 or authorized to be created by the constitution or any law, which is entitled to expend

1 moneys appropriated by law, including the legislature and the courts, but not  
2 including an authority created in ch. 231, 232, 233, 234 or 235.

3 **SECTION 402.** 16.955 (1) of the statutes is amended to read:

4 16.955 (1) INFORMATION. If the governor determines that a disruption of energy  
5 supplies poses a serious risk to the economic well-being, health or welfare of the  
6 citizens of this state, the governor may issue an order declaring an energy alert.  
7 Upon declaration of an energy alert by the governor, the department may issue  
8 general or special orders, as defined in s. 101.01 (1)(e) (7), or promulgate emergency  
9 rules under ch. 227 to compel disclosure of information required for purposes of this  
10 section. Any person, or agent of the person, who produces, imports or sells, coal or  
11 other forms of fuel, other than electricity, natural gas or wood, who is subject to an  
12 emergency rule or general or special order of the department within reasonable time  
13 limits specified in the order shall file or furnish such reports, information, data,  
14 copies of extracts of originals as the department deems necessary relating to existing  
15 and future energy supplies, including but not limited to record of sales in years for  
16 1970 and thereafter, storage capacity, supplies on hand and anticipated supplies, and  
17 anticipated demand. To the extent that the reports and data requested by the  
18 department are presently available from other state or federal agencies, the  
19 department shall coordinate its data reporting requirements with the agencies to  
20 avoid duplication of reporting.

21 **SECTION 403.** 16.967 (6) of the statutes is amended to read:

22 16.967 (6) REPORTS. By March 31, 1990, and biennially thereafter, the  
23 ~~departments~~ department of administration, the department of agriculture, trade  
24 and consumer protection, the department of development, the department of health  
25 and social services, ~~industry, labor and human relations,~~ the department of natural

**SECTION 403**

1 resources, the department of tourism, the department of revenue and, the  
2 department of transportation, and the board of regents of the university of Wisconsin  
3 system, the public service commission and the board of curators of the historical  
4 society shall each submit to the board a plan to integrate land information to enable  
5 such information to be readily translatable, retrievable and geographically  
6 referenced for use by any state, local governmental unit or public utility.

7 **SECTION 403m.** 16.97 (3) of the statutes is repealed.

8 **SECTION 406.** 16.97 (5) of the statutes is repealed.

9 **SECTION 406e.** 16.97 (5m) of the statutes is created to read:

10 16.97 (5m) "Executive branch agency" has the meaning given in s. 16.70 (4).

11 **SECTION 406s.** 16.97 (7m) of the statutes is created to read:

12 16.97 (7m) "Mainframe computer services" means computer services provided  
13 by the division of information technology services utilizing a mainframe computer  
14 as defined in s. 16.70 (7m).

15 **SECTION 408.** 16.971 (1) of the statutes is renumbered 16.971 (1m) and  
16 amended to read:

17 16.971 (1m) The department shall ensure that an adequate level of data  
18 processing information technology services is made available to all agencies by  
19 providing systems analysis and application programming services to augment  
20 agency resources, as requested. The department shall also ensure that executive  
21 branch agencies make effective and efficient use of the computing information  
22 technology resources of the state. The department shall, in cooperation with  
23 agencies, establish policies, procedures and planning processes, for the  
24 administration of data processing information technology services, which the  
25 executive branch agencies shall follow. The policies, procedures and processes shall

1 address the needs of agencies to carry out their functions. The department shall  
2 monitor adherence to these policies, procedures and processes.

3 **SECTION 409.** 16.971 (1) of the statutes is created to read:

4 16.971 (1) In this section:

5 (a) "Division" means the division of technology management of the department.

6 (b) "Small agency" means an agency having fewer than 50 authorized full-time  
7 equivalent positions.

8 **SECTION 410.** 16.971 (2) (intro.) of the statutes is amended to read:

9 16.971 (2) (intro.) The ~~department~~ division shall:

10 **SECTION 411.** 16.971 (2) (a) of the statutes is created to read:

11 16.971 (2) (a) Except as provided in sub. (2m), review and approve, modify or  
12 reject all forms approved by a records and forms officer for jurisdiction, authority,  
13 standardization of design and nonduplication of existing forms. Unless the division  
14 rejects for cause or modifies the form within 20 working days after receipt, it is  
15 considered approved. The division's rejection of any form is appealable to the public  
16 records board. If the head of an agency certifies to the division that the form is needed  
17 on a temporary basis, approval by the division is not required.

18 **SECTION 412.** 16.971 (2) (ap) of the statutes is created to read:

19 16.971 (2) (ap) Prescribe a forms management program for agencies.

20 **SECTION 412g.** 16.971 (2) (b) of the statutes is amended to read:

21 16.971 (2) (b) Develop and maintain ~~computing~~ information technology  
22 resource planning and budgeting techniques at all levels of state government.

23 **SECTION 412r.** 16.971 (2) (c) of the statutes is amended to read:

24 16.971 (2) (c) Develop and maintain ~~techniques~~ procedures to ensure  
25 ~~interagency computer~~ information technology resource planning and sharing

**SECTION 412r**

1 between executive branch agencies. The procedures shall ensure the  
2 interconnection of information technology resources of executive branch agencies, if  
3 interconnection is consistent with the strategic plans formulated under pars. (L) and  
4 (m).

5 **SECTION 413.** 16.971 (2) (e) of the statutes is amended to read:

6 16.971 (2) (e) Collect, analyze and interpret, in cooperation with the state  
7 agencies, that data necessary to assist the ~~computer~~ information technology resource  
8 planning needs of the governor and legislature.

9 **SECTION 413e.** 16.971 (2) (f) of the statutes is amended to read:

10 16.971 (2) (f) Provide advice and assistance during budget preparation  
11 concerning ~~computer~~ information technology resource plans and capabilities.

12 **SECTION 413m.** 16.971 (2) (g) of the statutes is amended to read:

13 16.971 (2) (g) Ensure that management reviews of ~~data processing~~ information  
14 technology organizations are conducted.

15 **SECTION 413s.** 16.971 (2) (h) of the statutes is amended to read:

16 16.971 (2) (h) Gather, interpret and disseminate information on new  
17 technological developments, management techniques and ~~computing~~ information  
18 technology resource capabilities and their possible effect on current and future  
19 management plans to all interested parties.

20 **SECTION 414.** 16.971 (2) (i) of the statutes is amended to read:

21 16.971 (2) (i) Ensure that a level of ~~computing service~~ is information technology  
22 services are provided to all state agencies that is are equitable in regard to resource  
23 availability, cost and performance.

24 **SECTION 414g.** 16.971 (2) (j) of the statutes is amended to read:

1           16.971 (2) (j) Ensure that all state executive branch agencies develop and  
2 operate with clear guidelines and standards in the areas of data-processing  
3 information technology systems development and that they employ good  
4 management practices and cost-benefit justifications.

5           **SECTION 415.** 16.971 (2) (L) of the statutes is created to read:

6           16.971 (2) (L) Require each executive branch agency to adopt, revise biennially,  
7 and require each executive branch agency other than the board of regents of the  
8 University of Wisconsin System to submit for its approval, a strategic plan for the  
9 utilization of information technology to carry out the functions of the agency. As a  
10 part of each plan, the division shall require each executive branch agency to address  
11 the business needs of the agency and to identify all resources relating to information  
12 technology which the agency desires to acquire, contingent upon funding  
13 availability, the priority for such acquisitions and the justification for such  
14 acquisitions. Each plan shall identify any changes in the functioning of the agency  
15 under the plan. The division shall consult with the joint committee on information  
16 policy in providing guidance for and scheduling of planning by executive branch  
17 agencies.

18           **SECTION 416.** 16.971 (2) (m) of the statutes is amended to read:

19           16.971 (2) (m) Assist in coordination and integration of the plans of executive  
20 branch agencies relating to information technology to approved under par. (L) and,  
21 using these plans and the statewide long-range telecommunications plan under s.  
22 16.99 (2) (a), formulate and revise biennially a consistent statewide strategic plan  
23 for the use and application of information technology. The division shall, no later  
24 than September 15 of each even-numbered year, submit the statewide strategic plan

**SECTION 416**

1 to the cochairpersons of the joint committee on information technology and the  
2 governor.

3 **SECTION 416m.** 16.971 (2) (n) of the statutes is created to read:

4 16.971 (2) (n) Maintain an information technology resource center to provide  
5 appropriate technical assistance and training to small agencies.

6 **SECTION 417.** 16.971 (3) of the statutes is amended to read:

7 16.971 (3) (a) The secretary shall notify the joint committee on finance in  
8 writing of the proposed acquisition of any ~~computing~~ information technology  
9 resource that the department considers major or that is likely to result in a  
10 substantive change of service, and that was not considered in the regular budgeting  
11 process and is to be financed from general purpose revenues or corresponding  
12 revenues in a segregated fund. If the cochairpersons of the committee do not notify  
13 the secretary that the committee has scheduled a meeting for the purpose of  
14 reviewing the proposed acquisition within 14 working days after the date of the  
15 secretary's notification, the department may approve acquisition of the resource. If,  
16 within 14 working days after the date of the secretary's notification, the  
17 cochairpersons of the committee notify the secretary that the committee has  
18 scheduled a meeting for the purpose of reviewing the proposed acquisition, the  
19 department shall not approve acquisition of the resource unless the acquisition is  
20 approved by the committee.

21 (b) The secretary shall promptly notify the joint committee on finance in  
22 writing of the proposed acquisition of any ~~computing~~ information technology  
23 resource that the department considers major or that is likely to result in a  
24 substantive change in service, and that was not considered in the regular budgeting

1 process and is to be financed from program revenues or corresponding revenues from  
2 program receipts in a segregated fund.

3 **SECTION 418.** 16.971 (4) (a) of the statutes is amended to read:

4 16.971 (4) (a) The department may license or authorize state executive branch  
5 agencies to license computer programs developed by executive branch agencies to the  
6 federal government, other states, and municipalities. Any agency other than an  
7 executive branch agency may license a computer program developed by that agency  
8 to the federal government, other states and municipalities.

9 **SECTION 419.** 16.971 (5) of the statutes is created to read:

10 16.971 (5) (a) From the appropriation under s. 20.870 (1) (q), the department  
11 may distribute grants to agencies to be used for information technology development  
12 projects.

13 (b) The department shall award grants under par. (a) once during each fiscal  
14 year. Grants shall be awarded in accordance with criteria developed annually by the  
15 department prior to awarding of grants. No later than September 15 of each year,  
16 the department shall submit its proposed criteria for the award of grants in the  
17 following fiscal year to the cochairpersons of the joint committee on information  
18 policy. The department shall not award any grant under the criteria until the criteria  
19 are approved by the committee.

20 (bd) The department shall distribute applications for grants for each fiscal year  
21 under par. (a) to each eligible agency no later than January 1 preceding that fiscal  
22 year.

23 (bh) No later than March 1 of any fiscal year, any eligible agency may file an  
24 application for a grant under par. (a) for the succeeding fiscal year.

1 (bp) If the criteria are approved by the committee under par. (bd), the  
2 department shall make grant awards for each fiscal year no later than May 15  
3 preceding that fiscal year.

4 (bt) Following the award of grants for each fiscal year, the secretary shall notify  
5 the cochairpersons of the joint committee on finance under s. 16.515 (1) of any  
6 proposed supplementation of appropriations for implementation of projects.

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

23 (e) No moneys may be authorized for use by the department under this  
24 subsection unless the department determines that such use will permit the effective  
25 utilization of information technology by agencies and will be consistent with the

1 department's responsibilities to ensure adequate information technology resources  
2 for agencies under sub. (1m) and to implement a statewide strategic plan for  
3 information technology purposes under sub. (2) (m). If a grant is distributed to the  
4 legislature, a legislative service agency, the courts, a judicial branch agency or the  
5 board of regents of the University of Wisconsin System, the use shall be consistent  
6 with the appropriate plan under s. 13.90 (6), 36.11 (31) or 758.19 (7). The department  
7 shall accord priority to utilization of moneys under this subsection for projects that  
8 will effect cost savings, avoid future cost increases or enable improved provision of  
9 state services.

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

23 (g) The department shall promulgate rules governing the administration of  
24 this subsection, including criteria for distributing grants under par. (a).

25 **SECTION 420.** 16.971 (6) of the statutes is amended to read:

1           16.971 (6) Notwithstanding subs. ~~(1)~~ (1m) and (2), the revisor of statutes shall  
2           approve the specifications for preparation and schedule for delivery of computer data  
3           bases containing the Wisconsin statutes.

4           **SECTION 422.** 16.971 (8) of the statutes is created to read:

5           16.971 (8) (a) In this subsection, “program revenues–service” has the meaning  
6           given in s. 20.001 (2) (c).

7           (b) The secretary may propose to the joint committee on finance that available  
8           moneys from any appropriation account under s. 20.505 derived from  
9           program–revenues service be temporarily reallocated during the 1995–97 fiscal  
10          biennium to the information technology investment fund. The secretary shall notify  
11          the cochairpersons of the committee of any such proposal. If the cochairpersons of  
12          the committee do not notify the secretary that the committee has scheduled a  
13          meeting for the purpose of reviewing the proposal within 14 working days after the  
14          date of the secretary’s notification, the secretary may reallocate the moneys as  
15          proposed by the secretary. If, within 14 working days after the date of the secretary’s  
16          notification, the cochairpersons of the committee notify the secretary that the  
17          committee has scheduled a meeting for the purpose of reviewing the proposed  
18          reallocation, the reallocation may be made only upon approval of the committee. No  
19          interest is chargeable to the information technology investment fund as a result of  
20          any such reallocation. The secretary shall ensure that any amounts reallocated  
21          under this subsection are repaid to the account from which they were transferred no  
22          later than 5 years after the date of the reallocation.

23          (c) Temporary reallocations made under this subsection are subject to the  
24          procedures under s. 20.002 (11).

25          **SECTION 422m.** 16.971 (9) of the statutes is created to read:

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

8           **SECTION 423m.** 16.971 (11) of the statutes is created to read:

9           16.971 (11) The division may charge executive branch agencies for information  
10 technology development and management services provided to them by the division  
11 under this section.

12           **SECTION 424.** 16.973 (intro.) of the statutes is amended to read:

13           **16.973** (title) **Powers of the division of information technology**  
14 **services.** (intro.) The division of information technology services may:

15           **SECTION 424g.** 16.973 (2) of the statutes is amended to read:

16           16.973 (2) Provide such mainframe computer services and telecommunications  
17 services to local governmental units as the division considers to be appropriate and  
18 as the division can efficiently and economically provide. The division may exercise  
19 this power only if in doing so it maintains the services it provides at least at the same  
20 levels that it provides prior to exercising this power and it does not increase the rates  
21 chargeable to users served prior to exercise of this power as a result of exercising this  
22 power. The division may charge local governmental units for services provided to  
23 them under this subsection in accordance with a methodology determined by the  
24 secretary.

25           **SECTION 425.** 16.974 (intro.) of the statutes is amended to read:

1           **16.974** (title) **Duties of the division of information technology services.**

2           (intro.) The division of information technology services shall:

3           **SECTION 426.** 16.974 (1) of the statutes is amended to read:

4           16.974 (1) Provide or contract with a public or private entity to provide  
5           mainframe computer services to agencies. The division may charge agencies for  
6           services provided to them under this subsection in accordance with a methodology  
7           determined by the secretary.

8           **SECTION 427.** 16.975 of the statutes is amended to read:

9           **16.975 Access to information.** The division of information technology  
10          services shall withhold from access under s. 19.35 (1) all information submitted to  
11          the division by agencies, local governmental units or entities in the private sector for  
12          the purpose of processing. The authority division may not process such information  
13          without the consent of the agency, unit or other entity which submitted the  
14          information and may not withhold such information from the agency, unit or other  
15          entity or from any other person authorized by the agency, unit or entity to have access  
16          to the information. The agency, unit or other entity submitting the information  
17          remains the custodian of the information while it is in the custody of the authority  
18          division and access to such information by that agency, unit or entity or any other  
19          person shall be determined by that agency, unit or other entity and in accordance  
20          with law.

21          **SECTION 428.** 16.976 of the statutes is amended to read:

22          **16.976 Council on information technology.** The council on information  
23          technology shall advise the secretary on matters relating to the operation and  
24          performance of the division of information technology services under this  
25          subchapter.



1 (c) Itemized cost estimates for the project.

2 (d) A narrative description of the project, including the manner in which the  
3 project meets the criteria under sub. (4) (a) and the purpose for which the grant will  
4 be awarded or the loan made.

5 (e) A description of the process that the grant or loan recipient will use to  
6 evaluate the project.

7 (f) A plan for continuing the project beyond the grant or loan period, if  
8 appropriate.

9 (g) Any other information the board determines is necessary to assist in  
10 awarding a grant or approving a loan.

11 **(2m)** In the case of a county or municipal library board, whether the library  
12 board applies individually or in conjunction with other entities, an application for a  
13 loan shall be accompanied by a resolution of the governing body of each county or  
14 municipality that is served by the library board requesting the loan on behalf of the  
15 library board.

16 **(3)** The board may approve an application for one or more of the following:

17 (a) A grant to fund all or a portion of the cost of an educational technology or  
18 distance education project.

19 (b) A loan under s. 24.61 (3) (d), and a grant to subsidize that portion of the  
20 interest costs on that loan generated by the first 2 points of the annual interest rate  
21 applicable to that loan, to fund all or a portion of the cost of an educational technology  
22 or distance education project.

23 (c) A loan under s. 24.61 (3) (d) to fund all or a portion of the cost of an  
24 educational technology or distance education project.

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1           (4) (a) The board shall review all applications for a grant or loan under this  
2 section and may make a grant, or approve an application for a loan, if the board finds  
3 that the project will do any of the following:

4           1. Enhance the educational opportunities for residents of this state.

5           2. Improve the administrative efficiency of public schools in this state.

6           3. Enhance the training and continuing education opportunities of elementary  
7 and secondary school teachers in this state.

8           (b) The board shall ensure that grants and loans are distributed to eligible  
9 applicants from the territory of all of the cooperative educational service agencies  
10 from which applications are received.

11           (c) The board may not make a grant under sub. (3) (a) unless there is a matching  
12 fund contribution from the grant recipient, including in-kind contributions, of at  
13 least 25% of the cost of the project. Contributions from private sources, including  
14 in-kind contributions, may be applied to meet the matching fund requirement.

15           (5) (a) A grant or loan recipient shall use the grant or loan for one or more of  
16 the following purposes:

17           1. Training teachers, librarians and other staff members in the use and  
18 integration of technology for educational purposes.

19           2. Purchasing or upgrading technology, including computer hardware and  
20 software, distance education equipment and other equipment, materials or  
21 resources related to the project, and wiring within a school or library building or to  
22 connect schools in the same school district if such wiring is directly related to the  
23 project.

24           3. Integrating the use of educational technology and distance education  
25 throughout the curriculum.

**SECTION 436m**

1           4. Implementing the use of technology to enhance administrative efficiencies.

2           5. Offering community education opportunities through distance education or  
3 educational technology to school district, municipal or county residents.

4           (b) Grants may not be used to supplant or replace funds otherwise available for  
5 the project.

6           **(6)** The board may require a grant or loan recipient to report to the board on  
7 the distance education and educational technology used in the school district,  
8 municipality or county for the purpose of assisting the state in planning related to  
9 distance education and educational technology if the board finds that complying with  
10 the requirement will not impose a substantial burden on the grant or loan recipient.

11           **(7)** Upon approval of an application for a loan to conduct an educational  
12 technology or distance education project, the board shall provide written notice of its  
13 approval to the board of commissioners of public lands.

14           **(8)** The board shall do all of the following:

15           (a) Provide consultative services to school boards and library boards to assist  
16 them in developing and implementing distance education and educational  
17 technology projects and in preparing applications for grants and loans under this  
18 section.

19           (b) Consult and coordinate its activities under par. (a) with the boards of control  
20 of the cooperative educational service agencies.

21           (c) Annually by August 15, submit a report to the joint committee on finance  
22 identifying all recipients of grants under this section in the previous fiscal year and  
23 all applicants for and recipients of loans approved by the board under this section in  
24 the previous fiscal year. The report shall indicate the purpose for which each grant  
25 was awarded and for which each loan was approved.

**SECTION 436m**

1           **(9)** By February 1, 2000, the secretary of administration and the board shall  
2 jointly submit to the joint committee on finance a report specifying their  
3 recommendations on whether the board and the program under this section should  
4 be continued and, if so, what changes should be made.

5           **SECTION 437.** 17.07 (3), (4), (5) and (6) of the statutes are amended to read:

6           17.07 **(3)** State officers ~~appointed by~~ serving in an office that is filled by  
7 appointment of the governor for a fixed term by and with the advice and consent of  
8 the senate, or ~~appointed by~~ serving in an office that is filled by appointment of any  
9 other officer or body for a fixed term subject to the concurrence of the governor, by  
10 the governor at any time, for cause.

11           **(4)** State officers ~~appointed by~~ serving in an office that is filled by appointment  
12 of the governor with the advice and consent of the senate to serve at the pleasure of  
13 the governor, or ~~appointed by~~ serving in an office that is filled by appointment of any  
14 other officer or body for an indefinite term subject to the concurrence of the governor,  
15 by the governor at any time.

16           **(5)** State officers ~~appointed~~ serving in an office that is filled by appointment  
17 of the governor alone for a fixed or indefinite term or to supply a vacancy in any office,  
18 elective or appointive, except justices of the supreme court and judges and the  
19 adjutant general, by the governor at pleasure; the adjutant general, by the governor,  
20 at any time, for cause or for withdrawal of federal recognition of his or her  
21 commission under 32 USC 323; and all officers appointed by the governor during the  
22 recess of the legislature whose appointments are required to be later confirmed by  
23 the senate shall be deemed to be appointed by the governor alone until so confirmed.

24           **(6)** Other state officers ~~appointed by~~ serving in an office that is filled by  
25 appointment of any officer or body without the concurrence of the governor, by the

1 officer or body ~~that appointed them~~ having the authority to make appointments to  
2 that office, at pleasure, except that officers appointed according to merit and fitness  
3 under and subject to ch. 230 or officers whose removal is governed by ch. 230 ~~who~~ may  
4 be removed only in conformity with said that chapter.

5 **SECTION 438.** 18.06 (10) of the statutes is repealed.

6 **SECTION 439.** 18.13 (4) of the statutes is repealed.

7 **SECTION 440.** 19.21 (4) (b) of the statutes is amended to read:

8 19.21 (4) (b) The period of time any town, city or village public record is kept  
9 before destruction shall be as prescribed by ordinance unless a specific period of time  
10 is provided by statute. The period prescribed in the ordinance may not be less than  
11 2 years with respect to water stubs, receipts of current billings and customer's  
12 ledgers of any municipal utility, and 7 years for other records unless a shorter period  
13 has been fixed by the public records ~~and forms~~ board under s. 16.61 (3) (e) and except  
14 as provided under sub. (7). This paragraph does not apply to school records of a 1st  
15 class city school district.

16 **SECTION 441.** 19.21 (4) (c) of the statutes is amended to read:

17 19.21 (4) (c) Any local governmental unit or agency may provide for the keeping  
18 and preservation of public records kept by that governmental unit through the use  
19 of microfilm or another reproductive device, ~~or~~ optical imaging or electronic  
20 formatting. A local governmental unit or agency shall make such provision by  
21 ordinance or resolution. Any such action by a subunit of a local governmental unit  
22 or agency shall be in conformity with the action of the unit or agency of which it is  
23 a part. Any photographic reproduction of a record authorized to be reproduced under  
24 this paragraph is deemed an original record for all purposes if it meets the applicable

1 standards established in ss. 16.61 (7) and 16.612. This paragraph does not apply to  
2 public records kept by counties electing to be governed by ch. 228.

3 **SECTION 442.** 19.21 (5) (c) of the statutes is amended to read:

4 19.21 (5) (c) The period of time any public record shall be kept before  
5 destruction shall be determined by ordinance except that in all counties the specific  
6 period of time expressed within s. 7.23 or 59.715 or any other law requiring a specific  
7 retention period shall apply. The period of time prescribed in the ordinance for the  
8 destruction of all records not governed by s. 7.23 or 59.715 or any other law  
9 prescribing a specific retention period may not be less than 7 years, unless a shorter  
10 period is fixed by the public records ~~and forms~~ board under s. 16.61 (3) (e).

11 **SECTION 443.** 19.21 (6) of the statutes is amended to read:

12 19.21 (6) A school district may provide for the destruction of obsolete school  
13 records. Prior to any such destruction, at least 60 days' notice in writing of such  
14 destruction shall be given to the historical society, which shall preserve any records  
15 it determines to be of historical interest. The historical society may, upon  
16 application, waive the notice. The period of time a school district record shall be kept  
17 before destruction shall be not less than 7 years, unless a shorter period is fixed by  
18 the public records ~~and forms~~ board under s. 16.61 (3) (e) and except as provided under  
19 sub. (7). This section does not apply to pupil records under s. 118.125.

20 **SECTION 444.** 19.21 (8) of the statutes is amended to read:

21 19.21 (8) Any metropolitan sewerage commission created under ss. 66.88 to  
22 66.918 may provide for the destruction of obsolete commission records. No record of  
23 the metropolitan sewerage district may be destroyed except by action of the  
24 commission specifically authorizing the destruction of that record. Prior to any  
25 destruction of records under this subsection, the commission shall give at least 60

1 days' prior notice of the proposed destruction to the state historical society, which  
2 may preserve records it determines to be of historical interest. Upon the application  
3 of the commission, the state historical society may waive this notice. Except as  
4 provided under sub. (7), the commission may only destroy a record under this  
5 subsection after 7 years elapse from the date of the record's creation, unless a shorter  
6 period is fixed by the public records and forms board under s. 16.61 (3) (e).

7 **SECTION 445.** 19.23 (1) of the statutes is amended to read:

8 19.23 (1) Any public records, in any state office, that are not required for  
9 current use may, in the discretion of the public records and forms board, be  
10 transferred into the custody of the historical society, as provided in s. 16.61.

11 **SECTION 445m.** 19.36 (9) of the statutes is created to read:

12 19.36 (9) RECORDS OF PLANS OR SPECIFICATIONS FOR STATE BUILDINGS. Records  
13 containing plans or specifications for any state-owned or state-leased building,  
14 structure or facility or any proposed state-owned or state-leased building, structure  
15 or facility are not subject to the right of inspection or copying under s. 19.35 (1) except  
16 as the department of administration otherwise provides by rule.

17 **SECTION 446m.** 19.42 (10) (L) of the statutes is amended to read:

18 19.42 (10) (L) The executive director, ~~executive assistant to the executive~~  
19 ~~director~~ and investment directors of the investment board.

20 **SECTION 447.** 19.42 (10) (n) of the statutes is created to read:

21 19.42 (10) (n) The chief executive officer and members of the board of directors  
22 of the University of Wisconsin Hospitals and Clinics Authority.

23 **SECTION 448m.** 19.42 (13) (k) of the statutes is amended to read:

24 19.42 (13) (k) The executive director, ~~executive assistant to the executive~~  
25 ~~director~~ and investment directors of the investment board.

1           **SECTION 449.** 19.42 (13) (m) of the statutes is created to read:

2           19.42 **(13)** (m) The chief executive officer and members of the board of directors  
3 of the University of Wisconsin Hospitals and Clinics Authority.

4           **SECTION 450.** 19.44 (1) (g) of the statutes is amended to read:

5           19.44 **(1)** (g) The identity of each person from which the individual who is  
6 required to file received, directly or indirectly, any gift or gifts having an aggregate  
7 value of more than \$50 within the taxable year preceding the time of filing, except  
8 that the source of a gift need not be identified if the donation is permitted under s.  
9 19.56 (3) (e), (em) or (f) or if the donor is the donee's parent, grandparent, child,  
10 grandchild, brother, sister, parent-in-law, grandparent-in-law, brother-in-law,  
11 sister-in-law, uncle, aunt, niece, nephew, spouse, fiance or fiancée.

12           **SECTION 451.** 19.45 (11) (intro.) of the statutes is amended to read:

13           19.45 **(11)** (intro.) The legislature recognizes that all state public officials and  
14 employes and all employes of the University of Wisconsin Hospitals and Clinics  
15 Authority should be guided by a code of ethics and thus:

16           **SECTION 452.** 19.45 (11) (d) of the statutes is created to read:

17           19.45 **(11)** (d) The board of directors of the University of Wisconsin Hospitals  
18 and Clinics Authority shall establish a code of ethics for employes of the authority  
19 who are not state public officials.

20           **SECTION 453.** 19.48 (4) (intro.) of the statutes is amended to read:

21           19.48 **(4)** (intro.) Preserve the statements of economic interests filed with it for  
22 a period of 6 years from the date of receipt in such form, including microfilming, ~~or~~  
23 optical imaging or electronic formatting, as will facilitate document retention, except  
24 that:

25           **SECTION 454.** 19.53 (1) of the statutes is amended to read:

1           19.53 (1) In the case of a state public official ~~in the unclassified~~ outside the  
2 classified service, a recommendation that the state public official be censured,  
3 suspended, or removed from office or employment. Such recommendation shall be  
4 made to the appropriate appointing authority who may censure, suspend, or take  
5 action to remove the official from office or employment.

6           **SECTION 455.** 19.56 (2) (b) 6. of the statutes is amended to read:

7           19.56 (2) (b) 6. Is made available to the official by the department of  
8 development or the department of tourism in accordance with sub. (3) (e), (em) or (f).

9           **SECTION 456.** 19.56 (3) (em) of the statutes is created to read:

10          19.56 (3) (em) A state public official who is an officer or employe of the  
11 department of tourism may solicit, receive and retain on behalf of the state anything  
12 of value for the purpose of hosting individuals in order to promote tourism.

13          **SECTION 457.** 19.56 (3) (f) of the statutes is amended to read:

14          19.56 (3) (f) A state public official may receive and retain from the department  
15 of development anything of value which the department of development is  
16 authorized to provide under par. (e) and may receive and retain from the department  
17 of tourism anything of value which the department of tourism is authorized to  
18 provide under par. (em).

19          **SECTION 458.** 19.575 of the statutes is created to read:

20          **19.575 Tourism activities.** The department of tourism shall file a report with  
21 the board no later than April 30 annually, specifying the source and amount of  
22 anything of value received by the department of tourism during the preceding  
23 calendar year for a purpose specified in s. 19.56 (3) (em) and the program or activity  
24 in connection with which the thing is received, together with the location and date  
25 of that program or activity.

1           **SECTION 459.** 19.62 (4) of the statutes is repealed.

2           **SECTION 460.** 19.625 of the statutes is repealed.

3           **SECTION 461.** 19.63 of the statutes is repealed.

4           **SECTION 462.** 19.69 (2) of the statutes is amended to read:

5           19.69 (2) (title) ~~COPY TO PUBLIC RECORDS AND FORMS BOARD.~~ A state authority that  
6 prepares a written specification of a matching program under sub. (1) shall provide  
7 to the public records and forms board a copy of the specification and any subsequent  
8 revision of the specification within 30 days after the state authority prepares the  
9 specification or the revision.

10          **SECTION 463.** 19.75 of the statutes is repealed.

11          **SECTION 464a.** 19.82 (1) of the statutes is amended to read:

12          19.82 (1) “Governmental body” means a state or local agency, board,  
13 commission, committee, council, department or public body corporate and politic  
14 created by constitution, statute, ordinance, rule or order; a governmental or  
15 quasi-governmental corporation except for the Bradley center sports and  
16 entertainment corporation; a local exposition district under subch. II of ch. 229; any  
17 public purpose corporation, as defined in s. 181.79 (1); a nonprofit corporation  
18 operating the Olympic ice training center under s. 42.11 (3); or a formally constituted  
19 subunit of any of the foregoing, but excludes any such body or committee or subunit  
20 of such body which is formed for or meeting for the purpose of collective bargaining  
21 under subch. I, IV or V of ch. 111.

22          **SECTION 464d.** 19.85 (3) of the statutes is amended to read:

23          19.85 (3) Nothing in this subchapter shall be construed to authorize a  
24 governmental body to consider at a meeting in closed session the final ratification or

1 approval of a collective bargaining agreement under subch. I, IV or V of ch. 111 which  
2 has been negotiated by such body or on its behalf.

3 **SECTION 464e.** 19.86 of the statutes is amended to read:

4 **19.86 Notice of collective bargaining negotiations.** Notwithstanding s.  
5 19.82 (1), where notice has been given by either party to a collective bargaining  
6 agreement under subch. I, IV or V of ch. 111 to reopen such agreement at its  
7 expiration date, the employer shall give notice of such contract reopening as provided  
8 in s. 19.84 (1) (b). If the employer is not a governmental body, notice shall be given  
9 by the employer's chief officer or such person's designee. This section does not apply  
10 to a nonprofit corporation operating the Olympic ice training center under s. 42.11  
11 (3).

12 **SECTION 466g.** 20.001 (6) of the statutes is renumbered 20.001 (6) (a) and  
13 amended to read:

14 20.001 (6) (a) ~~Applied~~ Except as provided in par. (b), applied receipts are  
15 program or segregated revenue the appropriation of which reduces the amounts  
16 appropriated under another appropriation. The reduction is indicated in the other  
17 appropriation by the phrase "less the amounts appropriated as applied receipts  
18 under". Applied receipts shall be expended and deposited in the same manner as  
19 other program or segregated revenue.

20 **SECTION 466j.** 20.001 (6) (b) of the statutes is created to read:

21 20.001 (6) (b) If the other appropriation under par. (a) is a sum sufficient  
22 appropriation, the reduction reduces the estimate under s. 20.005 of the dollar  
23 amounts that will be needed.

24 **SECTION 467.** 20.002 (11) (c) of the statutes is amended to read:

1           20.002 (11) (c) The Except as provided in s. 16.971 (8) (b), the secretary may  
2 assess a special interest charge against the programs or activities utilizing surplus  
3 moneys within the same fund under this subsection in an amount not to exceed the  
4 daily interest earnings rate of the state investment fund during the period of transfer  
5 of surplus moneys to other accounts or programs. Except as provided in s. 16.465,  
6 the secretary shall assess a special interest charge against the fund utilizing surplus  
7 moneys under this subsection in an amount equal to the rate of return the state  
8 investment fund earnings would have created to the fund from which the  
9 reallocation was made. This interest shall be calculated and credited to the  
10 appropriate fund at the same time the earnings from the state investment fund are  
11 distributed and shall be considered an adjustment to those earnings.

12           **SECTION 467m.** 20.002 (11) (g) of the statutes is created to read:

13           20.002 (11) (g) Any reallocation of moneys under this subsection made during  
14 the 1995-97 fiscal biennium from an appropriation account under s. 20.505 derived  
15 from program revenues-service is subject to the procedures under s. 16.971 (8).

16           **SECTION 468.** 20.003 (3) (a) of the statutes is amended to read:

17           20.003 (3) (a) In the schedule of s. 20.005 and in the text in ss. 20.115 to 20.875,  
18 all state agencies shall be arranged alphabetically within functional areas. Each  
19 functional area is assigned a subchapter and each state agency shall be assigned a  
20 section within that subchapter. Each subsection constitutes a program, and each  
21 paragraph constitutes an appropriation.

22           **SECTION 469b.** 20.003 (4) of the statutes is amended to read:

23           20.003 (4) **REQUIRED GENERAL FUND BALANCE.** No bill directly or indirectly  
24 affecting general purpose revenues as defined in s. 20.001 (2) (a) may be enacted by  
25 the legislature if the bill would cause the estimated general fund balance on June 30

1 of any fiscal year as projected under s. 20.005 (1) to be an amount equal to less than  
 2 one percent of the total general purpose revenue appropriations for that fiscal year  
 3 plus any amount from general purpose revenue designated as "Compensation  
 4 Reserves" for that fiscal year in the summary under s. 20.005 (1).

5 **SECTION 471.** 20.005 (1) of the statutes is repealed and recreated to read:

6 20.005 (1) SUMMARY OF ALL FUNDS. The budget governing fiscal operations for  
 7 the state of Wisconsin for all funds beginning on July 1, 1995, and ending on June  
 8 30, 1997, is summarized as follows: [See Figure 20.005 (1) following]

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9 **Figure: 20.005 (1)**

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### GENERAL FUND SUMMARY

	<b>1995-96</b>	<b>1996-97</b>
<b>Revenues</b>		
Opening Balance, July 1	\$ 339,211,000	\$ 440,283,400
Estimated Taxes	8,213,260,000	8,629,495,000
Less Federal Retirees Refunds	-32,379,900	-15,388,900
Departmental Revenues	<u>174,583,600</u>	<u>145,197,500</u>
<b>Total Available</b>	<b>\$ 8,694,674,700</b>	<b>\$ 9,199,587,000</b>
<b>Appropriations, Transfers and Reserves</b>		
Gross Appropriations	\$ 8,270,797,400	\$ 9,123,792,600
Compensation Reserves	19,391,200	46,763,300
1995 Wisconsin Act 12	1,702,200	-2,762,300
Transfer to Local Government		
Property Insurance Fund	3,653,300	2,330,000
Less Lapses	<u>-41,152,800</u>	<u>-64,630,000</u>
<b>Net Appropriations</b>	<b>\$ 8,254,391,300</b>	<b>\$ 9,105,493,600</b>

	<b>1995-96</b>	<b>1996-97</b>
<b>Balances</b>		
Gross Balance	\$ 440,283,400	\$ 94,093,400
Less Required Statutory Balance	<u>-82,901,900</u>	<u>-91,705,600</u>
<b>Net Balance, June 30</b>	<b>\$ 357,381,500</b>	<b>\$ 2,387,800</b>

**SUMMARY OF APPROPRIATIONS — ALL FUNDS**

	<b>1995-96</b>	<b>1996-97</b>
General Purpose Revenue	\$ 8,270,797,400	\$ 9,123,792,600
Federal Revenue	(3,867,329,400)	(3,942,103,300)
Program	3,482,242,300	3,563,872,300
Segregated	385,087,100	378,231,000
Program Revenue	(2,176,768,000)	(1,970,518,700)
State	1,823,148,700	1,600,004,500
Service	353,619,300	370,514,200
Segregated Revenue	(1,916,706,800)	(1,985,280,300)
State	1,724,098,000	1,788,442,300
Service	140,901,400	145,789,800
Local	<u>51,707,400</u>	<u>51,048,200</u>
<b>GRAND TOTAL</b>	<b>\$16,231,601,600</b>	<b>\$17,021,694,900</b>

**SUMMARY OF COMPENSATION RESERVES — ALL FUNDS**

<b><u>Fund Source</u></b>	<b>1995-96</b>	<b>1996-97</b>
General Purpose Revenue	\$ 19,391,200	\$ 46,763,300
Federal Revenue	5,978,800	14,418,400
Program Revenue	15,151,700	36,539,600
Segregated Revenue	<u>3,963,700</u>	<u>9,558,600</u>
<b>TOTAL</b>	<b>\$ 44,485,400</b>	<b>\$ 107,279,900</b>

**LOTTERY FUND SUMMARY**

	<b>1995-96</b>	<b>1996-97</b>
<b>Gross Revenue</b>	\$ 509,572,500	\$ 514,564,400
<b>Expenses</b>		
Prizes	\$ 293,031,900	\$ 295,908,900
Administrative Expenses	<u>62,800,300</u>	<u>65,373,400</u>
	\$ 355,832,200	\$ 361,282,300
<b>Net Proceeds</b>	\$ 153,740,300	\$ 153,282,100
<b>Total Available for Property Tax Relief</b>		
Opening Balance	\$ 20,291,300	\$ 10,191,500
Net Proceeds	153,740,300	153,282,100
Interest Earnings	<u>3,300,000</u>	<u>3,400,000</u>
	\$ 177,331,600	\$ 166,873,600
<b>Property Tax Relief</b>	\$ 167,140,100	\$ 156,582,300

	<b>1995-96</b>	<b>1996-97</b>
<b>Gross Closing Balance</b>	\$ 10,191,500	\$ 10,291,300
<b>Reserve</b>	\$ 10,191,500	\$ 10,291,300
<b>Net Closing Balance</b>	-0-	-0-

1 \_\_\_\_\_  
2       **SECTION 472.** 20.005 (2) of the statutes is repealed and recreated to read:  
3       20.005 (2) STATE BORROWING PROGRAM SUMMARY. The following tabulation sets  
4 forth the state borrowing program summary: [See Figures 20.005 (2) (a) and (b)  
5 following]

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

**SUMMARY OF BONDING AUTHORITY MODIFICATIONS  
1995-97 FISCAL BIENNIUM**

<b>Source and Purpose</b>	<b>Amount</b>
<b>GENERAL OBLIGATIONS</b>	
Building Commission	
Housing state departments and agencies	\$ 29,629,000
Project contingencies	7,475,000
Capital equipment acquisition	11,461,000
Other public purposes, including Wisconsin initiative for state technology and applied research	119,175,000
Refunding building corporation Self-amortizing debt	(1,551,600)
Clean Water Fund	
Clean water fund	40,700,000
Corrections	
Correctional facilities	41,020,000
Self-amortizing facilities and equipment	4,703,000

<b>Source and Purpose</b>	<b>Amount</b>
Educational Communications Board	
Educational communications facilities	174,000
Health and Social Services	
Mental health facilities	595,000
Juvenile correctional facilities	29,175,000
Historical Society	
Self-amortizing facilities	1,753,000
Historic records	348,000
Military Affairs	
Armories and military facilities	172,000
Natural Resources	
General fund supported administrative facilities	869,000
Nonpoint source grants	(4,000,000)
Environmental repair	4,000,000
Segregated revenue supported dam maintenance	1,000,000
Segregated revenue supported facilities	3,907,000
Stewardship fund	(19,000,000)
State Fair Park	
Self-amortizing housing facilities	11,780,000
Housing facilities	4,347,000
Transportation	
Harbor Improvements	3,000,000
Freight Railroad Assistance	4,500,000

<b>Source and Purpose</b>	<b>Amount</b>
University of Wisconsin	
Academic facilities	41,486,000
Self-amortizing facilities	113,879,000
Veterans Affairs	
Wisconsin veterans home	762,000
Self-amortizing facilities	1,417,000
Self-amortizing wastewater treatment facilities	(5,690,000)
Self-amortizing mortgage loans	<u>170,000,000</u>
<b>TOTAL General Obligation Bonds</b>	<b>\$ 617,085,400</b>
<b>STATE-ISSUED REVENUE OBLIGATIONS</b>	
Transportation	\$ 138,867,500
<b>TOTAL State-issued Revenue Obligation Bonds</b>	<u>138,867,500</u>
<b>GRAND TOTAL Bonding Authority Modifications</b>	<b>\$ 755,952,900</b>

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**Figure: 20.005 (2) (b)**

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**GENERAL OBLIGATION AND  
BUILDING CORPORATION DEBT SERVICE  
FISCAL YEARS 1995-96 AND 1996-97**

<b>STATUTE, AGENCY AND PUPOSE</b>	<b>SOURCE</b>	<b>1995-96</b>	<b>1996-97</b>
<b><i>20.225 Educational communications board</i></b>			
(1) (c) Principal repayment and interest	GPR	\$ 633,600	\$ 682,500
<b><i>20.245 Historical society</i></b>			
(2) (e) Principal repayment and interest	GPR	527,000	497,600
(4) (e) Principal repayment and interest	GPR	-0-	-0-
(5) (e) Principal repayment and interest	GPR	394,100	417,700

<b>STATUTE, AGENCY AND PUROSE</b>	<b>SOURCE</b>	<b>1995-96</b>	<b>1996-97</b>
<b><i>20.250 Medical College of Wisconsin</i></b>			
(1) (e) Principal repayment and interest	GPR	469,000	539,200
<b><i>20.255 Public instruction, department of</i></b>			
(1) (d) Principal repayment and interest	GPR	858,200	838,100
<b><i>20.285 University of Wisconsin System</i></b>			
(1) (d) Principal repayment and interest	GPR	65,125,500	62,982,600
<b><i>20.320 Clean water fund</i></b>			
(1) (c) Principal repayment and interest — clean water fund	GPR	18,583,900	23,506,400
<b><i>20.370 Natual resources, department of</i></b>			
(7) (aa) Resource acquisition and development — principal repayment and interest	GPR	13,962,500	15,791,500
(7) (ba) Debt service — remedial action	GPR	773,100	1,354,700
(7) (ca) Principal repayment and interest — nonpoint source grants	GPR	768,700	1,780,100
(7) (cb) Principal repayment and interest — pollution abatement bonds	GPR	81,793,800	78,877,900
(7) (cc) Principal repayment and interest — combined sewer overflow; pollution abatement bonds	GPR	18,787,700	17,783,700
(7) (cd) Principal repayment and interest — municipal clean drinking water grants	GPR	967,700	968,900
(7) (ea) Administrative facilities — principal repayment and interest	GPR	498,200	572,000

<b>STATUTE, AGENCY AND PUROSE</b>	<b>SOURCE</b>	<b>1995-96</b>	<b>1996-97</b>
<b><i>20.410 Corrections, department of</i></b>			
(1) (e) Principal repayment and interest	GPR	38,426,600	41,469,800
(1) (ec) Prison industries principal, interest and rebates	GPR	-0-	-0-
(1) (ef) Lease rental payments	GPR	-0-	-0-
(3) (e) Principal repayment and interest	GPR	-0-	1,902,800
<b><i>20.435 Health and social services, department of</i></b>			
(2) (ee) Principal repayment and interest	GPR	6,285,600	6,683,000
(2) (ef) Lease rental payments	GPR	-0-	-0-
(3) (e) Principal repayment and interest	GPR	1,625,400	-0-
(5) (e) Principal repayment and interest	GPR	21,800	-0-
<b><i>20.465 Military affairs, department of</i></b>			
(1) (d) Principal repayment and interest	GPR	2,210,900	2,353,000
<b><i>20.485 Veterans affairs, department of</i></b>			
(1) (e) Lease rental payments	GPR	-0-	-0-
(1) (f) Principal repayment and interest	GPR	1,032,600	1,058,400
<b><i>20.867 Building commission</i></b>			
(1) (a) Principal repayment and interest; housing of state agencies	GPR	-0-	-0-
(1) (b) Principal repayment and interest; capitol and executive residence	GPR	4,021,200	3,993,600
(3) (a) Principal repayment and interest	GPR	20,003,700	31,424,000

<b>STATUTE, AGENCY AND PUROSE</b>	<b>SOURCE</b>	<b>1995-96</b>	<b>1996-97</b>
(3) (b) Principal repayment and interest	GPR	-0-	-0-
(3) (c) Lease rental payments	GPR	<u>-0-</u>	<u>-0-</u>
<b>TOTAL General Purpose Revenue Debt Service</b>		\$277,770,800	\$295,477,500
<b><i>20.190 State fair park board</i></b>			
(1) (c) Housing facilities principal repayment, interest and rebates	GPR	\$ -0-	\$ -0-
(1) (j) State fair principal repayment, interest and rebates	PR	1,140,600	1,451,800
<b><i>20.245 Historical society</i></b>			
(2) (j) Self-amortizing facilities; principal repayment, interest and rebates	PR	92,000	92,100
<b><i>20.285 University of Wisconsin System</i></b>			
(1) (kd) Principal repayment, interest and rebates	PR	15,194,200	19,041,000
(1) (ke) Lease rental payments	PR	209,000	209,000
<b><i>20.410 Corrections, department of</i></b>			
(1) (ko) Prison industries principal repayment, interest and rebates	PR	84,700	81,100
<b><i>20.485 Veterans affairs, department of</i></b>			
(1) (go) Self-amortizing housing facilities; principal repayment and interest	PR	-0-	-0-
<b><i>20.505 Administration, department of</i></b>			
(5) (g) Principal repayment, interest and rebates; parking	PR	1,062,200	1,398,900
(5) (kb) Parking	PR	-0-	-0-
(5) (kc) Principal repayment, interest and rebates	PR	8,440,900	8,212,400

STATUTE, AGENCY AND PUROSE	SOURCE	1995-96	1996-97
<b>20.867 Building commission</b>			
(3) (g) Principal repayment, interest and rebates; program revenues	PR	-0-	-0-
(3) (h) Principal repayment, interest and rebates	PR	-0-	-0-
(3) (i) Principal repayment, interest and rebates; capital equipment	PR	<u>-0-</u>	<u>-0-</u>
<b>TOTAL Program Revenue Debt Service</b>		\$ 26,223,600	\$ 30,486,300
<b>20.320 Clean water fund program</b>			
(1) (t) Principal repayment and interest — clean water fund bonds	SEG	\$ 4,000,000	\$ 4,000,000
(1) (u) Principal repayment and interest — clean water fund revenue obligation repayment	SEG	-0-	-0-
<b>20.370 Natural resources, department of</b>			
(7) (aq) Resource acquisition and development — principal repayment and interest	SEG	228,300	229,200
(7) (ar) Dam repair and removal — principal repayment and interest	SEG	260,900	380,200
(7) (eq) Administrative facilities — principal repayment and interest	SEG	570,100	729,500
<b>20.485 Veterans affairs, department of</b>			
(3) (t) Debt service	SEG	51,164,900	54,533,100
(3) (v) Revenue obligation repayment	SEG	<u>-0-</u>	<u>-0-</u>
<b>TOTAL Segregated Revenue Debt Service</b>		\$ 56,224,200	\$ 59,872,000
<b>GRAND TOTAL All Debt Service</b>		\$360,218,600	\$385,835,800

1           **SECTION 473.** 20.005 (3) of the statutes is repealed and recreated to read:

2           20.005 (3) APPROPRIATIONS. The following tabulation lists all annual, biennial  
3 and sum certain continuing appropriations and anticipated expenditures from other  
4 appropriations for the programs and other purposes indicated. All appropriations  
5 are made from the general fund unless otherwise indicated. The letter abbreviations  
6 shown designating the type of appropriation apply to both fiscal years in the schedule  
7 unless otherwise indicated. [See Figure 20.005 (3) following]

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8           **Figure: 20.005 (3)**

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9           

10           

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
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### Commerce

11           **20.115 Agriculture, trade and consumer protection, department of**

12           (1)    FOOD SAFETY AND CONSUMER PROTECTION

13           (a)    General program operations	GPR	A	120,300	120,300
14           Food inspection	GPR	A	3,405,100	2,518,700
15           Meat and poultry inspection	GPR	A	2,593,500	2,593,500
16           Trade and consumer protection	GPR	A	1,842,400	2,591,100
NET APPROPRIATION			7,961,300	7,823,600
17           (f)    Food regulation lapse restoration	GPR	S	158,000	-0-
18           (g)    Related services	PR	A	25,500	25,500
19           (gb)   Food regulation	PR	A	2,978,300	3,349,500
20           (gh)   Public warehouse regulation	PR	A	49,500	49,500
21           (gm)   Dairy trade regulation; dairy and				
22           farm product producer security	PR	A	591,400	591,400

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(hm) Mobile air conditioner fees	PR	A	291,500	291,500
2	(i) Sale of supplies	PR	A	32,000	32,000
3	(j) Weights and measures inspection	PR	A	578,000	598,800
4	(jm) Warehouse keeper and grain dealer				
5	regulation	PR	C	189,300	257,900
6	(m) Federal funds	PR-F	C	2,856,300	2,856,300
7	(q) Automobile repair regulation	SEG	A	334,400	334,400
8	(r) Unfair sales act	SEG	A	94,200	94,200
9	(s) Weights and measures; petroleum				
10	inspection fund	SEG	A	203,400	203,400
11	(u) Recyclable and nonrecyclable				
12	products regulation	SEG	A	186,000	186,000
<b>(1) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			8,119,300	7,823,600
	PROGRAM REVENUE			7,591,800	8,052,400
	FEDERAL			(2,856,300)	(2,856,300)
	OTHER			(4,735,500)	(5,196,100)
	SEGREGATED FUNDS			818,000	818,000
	OTHER			(818,000)	(818,000)
	TOTAL-ALL SOURCES			16,529,100	16,694,000
13	(2) ANIMAL HEALTH SERVICES				
14	(a) General program operations	GPR	A	75,300	75,300
15	Animal health services	GPR	A	2,962,800	2,962,800
	NET APPROPRIATION			3,038,100	3,038,100
16	(b) Animal disease indemnities	GPR	S	108,600	108,600
17	(g) Related services	PR	A	2,090,300	2,090,300

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(gb) Animal health and disease				
2	research; gifts and grants	PR	C	-0-	-0-
3	(h) Sale of supplies	PR	A	63,400	63,400
4	(ha) Inspection, testing and enforcement	PR	C	125,900	125,900
5	(i) Mink research assessments	PR	A	6,000	6,000
6	(j) Dog licenses, rabies control and				
7	related services	PR	A	128,300	128,300
8	(k) Animal health contractual services	PR-S	C	-0-	-0-
9	(m) Federal funds	PR-F	C	123,100	123,100
<b>(2) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			3,146,700	3,146,700
	PROGRAM REVENUE			2,537,000	2,537,000
	FEDERAL			(123,100)	(123,100)
	OTHER			(2,413,900)	(2,413,900)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			5,683,700	5,683,700
10	(3) MARKETING SERVICES				
11	(a) General program operations	GPR	A	27,700	27,700
12	Agricultural services	GPR	A	1,536,200	1,536,200
	NET APPROPRIATION			1,563,900	1,563,900
13	(g) Related services	PR	A	1,308,400	1,308,400
14	(ga) Gifts and grants	PR	C	-0-	-0-
15	(h) Grain inspection and certification	PR	C	2,691,800	2,691,800
16	(i) Marketing orders and agreements	PR	C	70,700	70,700
17	(ja) Marketing services and materials	PR	C	299,000	299,000

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(L) Something special from Wisconsin				
2	promotion	PR	A	30,000	30,000
3	(m) Federal funds	PR-F	C	7,500	7,500
<b>(3) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			1,563,900	1,563,900
	PROGRAM REVENUE			4,407,400	4,407,400
	FEDERAL			(7,500)	(7,500)
	OTHER			(4,399,900)	(4,399,900)
	TOTAL-ALL SOURCES			5,971,300	5,971,300
4	(4) AGRICULTURAL ASSISTANCE				
5	(a) Aid to Wisconsin livestock breeders				
6	association	GPR	A	40,000	40,000
7	(b) Aids to county and district fairs	GPR	S	585,000	585,000
8	(c) Research and development grants	GPR	B	200,000	200,000
9	(e) Aids to world dairy expo, inc.	GPR	A	25,000	25,000
10	(f) Exposition center grants	GPR	A	240,000	240,000
11	(g) Pari-mutuel racing supplemental				
12	aid	PR	C	-0-	-0-
13	(h) Pari-mutuel racing supplemental				
14	aid to Wisconsin livestock breeders				
15	assn.	PR	C	-0-	-0-
<b>(4) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			1,090,000	1,090,000
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			1,090,000	1,090,000
16	(7) AGRICULTURAL RESOURCE MANAGEMENT				
17	(a) General program operations	GPR	A	1,819,300	1,819,300

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(c) Soil and water resource				
2	management program	GPR	C	2,522,500	2,455,700
3	(dm) Wind erosion control aids	GPR	C	50,000	50,000
4	(e) Ag. chem. grants	GPR	C	2,000,000	2,000,000
5	(g) Agricultural impact statements	PR	C	122,500	150,700
6	(ga) Related services	PR	C	94,400	94,400
7	(gm) Seed testing and labeling	PR	C	64,700	64,700
8	(h) Fertilizer research assessments	PR	C	160,500	160,500
9	(ha) Liming material research funds	PR	C	25,000	25,000
10	(ig) Plat review	PR	C	331,600	-0-
11	(j) Gypsy moth eradication; program				
12	revenues	PR	C	74,600	74,600
13	(k) Agricultural resource management				
14	services	PR-S	C	202,100	202,100
15	(km) Animal waste management grants	PR-S	C	100,000	100,000
16	(m) Federal funds	PR-F	C	2,105,800	2,094,000
17	(q) Gypsy moth eradication;				
18	conservation fund	SEG	A	832,600	832,600
19	(qb) Gypsy moth eradication; segregated				
20	revenues	SEG	C	200,000	200,000
21	(qd) Soil and water management;				
22	environmental fund	SEG	A	1,526,800	1,526,800

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(r) General program operations;				
2	agricultural management	SEG	A	955,200	955,200
3	(s) Groundwater — standards;				
4	implementation	SEG	A	750,500	681,200
5	(t) Fertilizer, additives and commercial				
6	feed regulation	SEG	A	718,800	718,800
7	(u) Pesticide regulation and admin. of				
8	agricultural chemical cleanup				
9	program	SEG	A	1,892,500	1,892,500
10	(v) Chemical and container disposal	SEG	A	560,400	560,400
11	(w) Agricultural chemical cleanup				
12	program; reimbursement	SEG	C	2,238,600	2,238,600
<b>(7) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			6,391,800	6,325,000
	PROGRAM REVENUE			3,281,200	2,966,000
	FEDERAL			(2,105,800)	(2,094,000)
	OTHER			(873,300)	(569,900)
	SERVICE			(302,100)	(302,100)
	SEGREGATED FUNDS			9,675,400	9,606,100
	OTHER			(9,675,400)	(9,606,100)
	TOTAL-ALL SOURCES			19,348,400	18,897,100
13	(8) CENTRAL ADMINISTRATIVE SERVICES				
14	(a) General program operations	GPR	A	3,515,400	3,461,100
15	(g) Gifts and grants	PR	C	-0-	-0-
16	(ga) Milk standards program	PR	C	362,200	366,300
17	(gm) Enforcement cost recovery	PR	A	25,000	25,000
18	(h) Sale of material and supplies	PR	C	49,300	49,300

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(ha) General laboratory related services	PR	C	40,000	40,000
2	(i) Related services	PR	A	200,500	200,500
3	(j) Stray voltage program	PR	A	219,500	219,500
4	(k) Computer system equipment, staff				
5	and services	PR	A	322,300	333,800
6	(kL) Central services	PR-S	C	674,600	674,600
7	(km) General laboratory services	PR-S	B	2,219,600	2,184,900
8	(kp) General laboratory services; other				
9	agencies	PR-S	C	40,100	40,100
10	(ks) State contractual services	PR-S	C	-0-	-0-
11	(kt) Information technology				
12	development projects	PR-S	A	-0-	-0-
13	(m) Federal funds	PR-F	C	40,000	40,000
14	(pz) Indirect cost reimbursements	PR-F	C	508,300	508,300
<b>(8) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			3,515,400	3,461,100
	PROGRAM REVENUE			4,701,400	4,682,300
	FEDERAL			(548,300)	(548,300)
	OTHER			(1,218,800)	(1,234,400)
	SERVICE			(2,934,300)	(2,899,600)
	TOTAL-ALL SOURCES			8,216,800	8,143,400
15	(9) FARM MEDIATION AND FARMER ASSISTANCE				
16	(a) General program operations	GPR	A	208,200	219,300
17	(m) Federal funds	PR-F	C	183,700	183,700
<b>(9) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			208,200	219,300
	PROGRAM REVENUE			183,700	183,700

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
FEDERAL			(183,700)	(183,700)
TOTAL-ALL SOURCES			391,900	403,000

## 20.115 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES			24,035,300	23,629,600
PROGRAM REVENUE			22,702,500	22,828,800
FEDERAL			(5,824,700)	(5,812,900)
OTHER			(13,641,400)	(13,814,200)
SERVICE			(3,236,400)	(3,201,700)
SEGREGATED FUNDS			10,493,400	10,424,100
OTHER			(10,493,400)	(10,424,100)
TOTAL-ALL SOURCES			57,231,200	56,882,500

1 **20.124 Banking, office of the commissioner of**

## 2 (1) SUPERVISION OF BANKS AND RELATED FINANCIAL INSTITUTIONS

3	(a)	Losses on public deposits	GPR	S	-0-	-0-
4	(g)	General program operations	PR	A	5,205,500	-0-
5	(h)	Gifts, grants, settlements and				
6		publications	PR	C	-0-	-0-
7	(u)	State deposit fund	SEG	S	-0-	-0-

## 20.124 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES			-0-	-0-
PROGRAM REVENUE			5,205,500	-0-
OTHER			(5,205,500)	(-0-)
SEGREGATED FUNDS			-0-	-0-
OTHER			(-0-)	(-0-)
TOTAL-ALL SOURCES			5,205,500	-0-

8 **20.141 Credit unions, office of the commissioner of**

## 9 (1) SUPERVISION OF CREDIT UNIONS

10	(g)	General program operations	PR	A	1,402,900	-0-
11	(m)	Credit union examinations, federal				
12		funds	PR-F	C	-0-	-0-

## 20.141 DEPARTMENT TOTALS

PROGRAM REVENUE			1,402,900	-0-
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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
	FEDERAL			(-0-)	(-0-)
	OTHER			(1,402,900)	(-0-)
	TOTAL-ALL SOURCES			1,402,900	-0-
1	<b>20.143 Development, department of</b>				
2	(1) ECONOMIC AND COMMUNITY DEVELOPMENT				
3	(a) General program operations	GPR	A	5,011,800	5,003,100
4	(b) Economic development promotion	GPR	A	120,000	120,000
5	(bm) Aid to Forward Wisconsin, inc.	GPR	A	250,000	250,000
6	(bs) Mexico trade office	GPR	A	37,000	37,000
7	(c) Wisconsin development fund,				
8	grants and loans	GPR	B	5,332,300	7,182,300
9	(cb) Wis. dev. fund; tech. and pollution				
10	control & abate. grants & loans				
11	assis.	GPR	B	400,000	-0-
12	(cf) Community-based nonprofit				
13	organization grant for educational				
14	project	GPR	A	-0-	-0-
15	(df) American Indian economic				
16	development; technical assistance	GPR	A	30,000	25,000
17	(dg) American Indian economic				
18	development; liaison	GPR	A	50,100	49,300
19	(dh) American Indian economic				
20	development; liaison — grants	GPR	A	30,000	25,000
21	(dr) Main street program	GPR	A	449,400	422,400

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(e) Technology-based economic				
2	development	GPR	A	234,600	234,600
3	(em) Hazardous pollution prevention				
4	contract	GPR	A	75,000	75,000
5	(en) Business development initiative	GPR	A	150,000	150,000
6	(er) Rural economic development				
7	program	GPR	B	209,200	271,500
8	(ew) International trade, business and				
9	economic development grants	GPR	B	-0-	-0-
10	(fc) Health care provider loan				
11	assistance program; repayments	GPR	C	35,000	53,000
12	(fd) Physician and health care provider				
13	loan assistance programs; contract	GPR	B	18,500	10,000
14	(fe) Physician loan assistance program;				
15	repayments	GPR	C	355,200	317,200
16	(fg) Community-based economic				
17	development programs	GPR	A	797,100	797,100
18	(fm) Minority business projects; grants				
19	and loans	GPR	B	479,200	479,200
20	(fy) Women's business incubator grant	GPR	B	-0-	-0-
21	(g) Gifts, grants and proceeds	PR	C	312,000	312,000
22	(h) Economic development operations	PR	A	-0-	-0-
23	(ie) Wisconsin development fund,				
24	repayments	PR	C	2,365,500	665,500

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(ij) Plat review	PR	C	-0-	303,400
2	(im) Minority business projects;				
3	repayments	PR	C	190,000	202,300
4	(in) Business development initiative				
5	loan repayments	PR	C	30,000	12,700
6	(ir) Rural economic development loan				
7	repayments	PR	C	131,800	79,500
8	(jL) Health care provider loan				
9	assistance program; local				
10	contributions	PR	C	-0-	-0-
11	(jm) Physician loan assistance program;				
12	local contributions	PR	C	-0-	-0-
13	(k) Sale of materials or services	PR-S	C	-0-	-0-
14	(ka) Sale of materials and services —				
15	local assistance	PR-S	C	-0-	-0-
16	(kb) Sale of materials and services —				
17	individuals and organizations	PR-S	C	-0-	-0-
18	(kc) Clean air act compliance assistance	PR-S	A	151,800	151,800
19	(km) Minority business projects, transfer	PR	B	100,000	100,000
20	(m) Federal aid, state operations	PR-F	C	623,600	627,600
21	(n) Federal aid, local assistance	PR-F	C	34,225,000	34,400,000
22	(o) Federal aid, individuals and				
23	organizations	PR-F	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(s) Wis. develop. fund; tech. & poll.				
2	control & abate. grants & loans rec.				
3	fund	SEG	B	400,000	-0-
4	(sm) Wis. develop. fund; tech. & poll.				
5	control & abate. grants & loans,				
6	env. fd.	SEG	B	400,000	-0-
7	(x) Industrial building construction				
8	loan fund	SEG	C	-0-	-0-
(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			14,064,400	15,501,700
	PROGRAM REVENUE			38,129,700	36,854,800
	FEDERAL			(34,848,600)	(35,027,600)
	OTHER			(3,129,300)	(1,675,400)
	SERVICE			(151,800)	(151,800)
	SEGREGATED FUNDS			800,000	-0-
	OTHER			(800,000)	(-0-)
	TOTAL-ALL SOURCES			52,994,100	52,356,500
9	(2) TOURISM DEVELOPMENT AND PROMOTION				
10	(a) General program operations	GPR	A	2,244,600	-0-
11	(b) Tourism marketing	GPR	A	7,750,000	-0-
12	(bm) Heritage tourism pilot program	GPR	B	131,700	-0-
13	(g) Gifts, grants and proceeds	PR	C	4,200	-0-
14	(k) Sale of materials or services	PR-S	C	-0-	-0-
15	(ka) Sale of materials and services —				
16	local assistance	PR-S	C	-0-	-0-
17	(kb) Sale of materials and services —				
18	individuals and organizations	PR-S	C	-0-	-0-
19	(m) Federal aid, state operations	PR-F	C	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(n) Federal aid, local assistance	PR-F	C	-0-	-0-
2	(o) Federal aid, individuals and				
3	organizations	PR-F	C	-0-	-0-
(2) P R O G R A M T O T A L S					
	GENERAL PURPOSE REVENUES			10,126,300	-0-
	PROGRAM REVENUE			4,200	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(4,200)	(-0-)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			10,130,500	-0-
4	(3) REGULATION OF INDUSTRY, SAFETY AND BUILDINGS				
5	(a) General program operations	GPR	A	-0-	113,700
6	(de) Private sewage system replacement				
7	and rehabilitation	GPR	C	-0-	3,500,000
8	(dm) Storage tank inventory	GPR	A	-0-	-0-
9	(g) Gifts and grants	PR	C	-0-	18,000
10	(ga) Auxiliary services	PR	C	-0-	25,000
11	(gb) Local agreements	PR	C	-0-	-0-
12	(h) Local energy resource system fees	PR	A	-0-	-0-
13	(j) Safety and buildings operations	PR	A	-0-	13,712,900
14	(ka) Interagency agreements	PR-S	C	-0-	89,800
15	(kc) Administrative services	PR-S	A	-0-	1,010,500
16	(ks) Data processing	PR-S	C	-0-	-0-
17	(L) Fire dues distribution	PR	C	-0-	6,500,000
18	(La) Fire prevention and fire dues				
19	administration	PR	A	-0-	573,800

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(m) Federal funds	PR-F	C	-0-	986,100
2	(ma) Federal aid program administration	PR-F	C	-0-	-0-
3	(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-
4	(q) Groundwater standards;				
5	implementation	SEG	A	-0-	-0-
6	(r) Safety and buildings operations;				
7	petroleum inspection fund	SEG	A	-0-	7,017,900
8	(v) Petroleum storage environmental				
9	remedial action; awards	SEG	B	-0-	84,031,700
10	(w) Petroleum storage environmental				
11	remedial action; administration	SEG	A	-0-	1,759,800
	<b>(3) PROGRAM TOTALS</b>				
	GENERAL PURPOSE REVENUES			-0-	3,613,700
	PROGRAM REVENUE			-0-	22,916,100
	FEDERAL			(-0-)	(986,100)
	OTHER			(-0-)	(20,829,700)
	SERVICE			(-0-)	(1,100,300)
	SEGREGATED FUNDS			-0-	92,809,400
	OTHER			(-0-)	(92,809,400)
	TOTAL-ALL SOURCES			-0-	119,339,200
12	(4) EXECUTIVE AND ADMINISTRATIVE SERVICES				
13	(a) General program operations	GPR	A	2,582,400	2,381,300
14	(g) Gifts, grants and proceeds	PR	C	12,000	12,000
15	(k) Sale of materials or services	PR-S	C	43,100	43,100
16	(ka) Sale of materials and services —				
17	local assistance	PR-S	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(kb) Sale of materials and services —				
2	individuals and organizations	PR-S	C	-0-	-0-
3	(kc) Information technology				
4	development projects	PR-S	A	-0-	-0-
5	(m) Federal aid, state operations	PR-F	C	-0-	-0-
6	(n) Federal aid, local assistance	PR-F	C	-0-	-0-
7	(o) Federal aid, individuals and				
8	organizations	PR-F	C	-0-	-0-
9	(pz) Indirect cost reimbursements	PR-F	C	125,400	135,400
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			2,582,400	2,381,300
	PROGRAM REVENUE			180,500	190,500
	FEDERAL			(125,400)	(135,400)
	OTHER			(12,000)	(12,000)
	SERVICE			(43,100)	(43,100)
	TOTAL-ALL SOURCES			2,762,900	2,571,800
10	(7) INDUSTRY, SAFETY AND BUILDINGS CODE DEVELOPMENT				
11	(jz) Code development operations	PR	A	542,300	-0-
12	(rz) Code development operations;				
13	petroleum inspection fund	SEG	A	11,200	-0-
	(7) PROGRAM TOTALS				
	PROGRAM REVENUE			542,300	-0-
	OTHER			(542,300)	(-0-)
	SEGREGATED FUNDS			11,200	-0-
	OTHER			(11,200)	(-0-)
	TOTAL-ALL SOURCES			553,500	-0-
	20.143 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			26,773,100	21,496,700
	PROGRAM REVENUE			38,856,700	59,961,400
	FEDERAL			(34,974,000)	(36,149,100)
	OTHER			(3,687,800)	(22,517,100)
	SERVICE			(194,900)	(1,295,200)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
SEGREGATED FUNDS			811,200	92,809,400
OTHER			(811,200)	(92,809,400)
TOTAL-ALL SOURCES			66,441,000	174,267,500
<b>1 20.144 Financial institutions, department of</b>				
<b>2 (1) SUPERVISION OF FINANCIAL INSTITUTIONS, SECURITIES REG. AND OTHER FUNCTIONS</b>				
<b>3 (a) Losses on public deposits</b>	GPR	S	-0-	-0-
<b>4 (g) General program operations</b>	PR	A	-0-	9,908,400
<b>5 (h) Gifts, grants, settlements and</b>				
<b>6 publications</b>	PR	C	-0-	65,000
<b>7 (i) Investor education fund</b>	PR	A	-0-	100,000
<b>8 (u) State deposit fund</b>	SEG	S	-0-	-0-
	(1) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES			-0-	-0-
PROGRAM REVENUE			-0-	10,073,400
OTHER			(-0-)	(10,073,400)
SEGREGATED FUNDS			-0-	-0-
OTHER			(-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	10,073,400
<b>9 (2) OFFICE OF CREDIT UNIONS</b>				
<b>10 (g) General program operations</b>	PR	A	-0-	1,293,500
<b>11 (m) Credit union examinations, federal</b>				
<b>12 funds</b>	PR-F	C	-0-	-0-
	(2) PROGRAM TOTALS			
PROGRAM REVENUE			-0-	1,293,500
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(1,293,500)
TOTAL-ALL SOURCES			-0-	1,293,500
	20.144 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES			-0-	-0-
PROGRAM REVENUE			-0-	11,366,900
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(11,366,900)

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	11,366,900
1	<b>20.145 Insurance, office of the commissioner of</b>				
2	(1) SUPERVISION OF THE INSURANCE INDUSTRY				
3	(g) General program operations	PR	A	6,836,800	6,411,800
4	(gm) Gifts and grants	PR	C	-0-	-0-
5	(m) Federal funds	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	PROGRAM REVENUE			6,836,800	6,411,800
	FEDERAL			(-0-)	(-0-)
	OTHER			(6,836,800)	(6,411,800)
	TOTAL-ALL SOURCES			6,836,800	6,411,800
6	(2) PATIENTS COMPENSATION FUND				
7	(u) Administration	SEG	A	532,200	532,200
8	(um) Peer review council	SEG	A	88,000	88,000
9	(v) Specified responsibilities, inv. board				
10	payments and future medical				
11	expenses	SEG	C	55,028,200	55,028,200
	(2) PROGRAM TOTALS				
	SEGREGATED FUNDS			55,648,400	55,648,400
	OTHER			(55,648,400)	(55,648,400)
	TOTAL-ALL SOURCES			55,648,400	55,648,400
12	(3) LOCAL GOVERNMENT PROPERTY INSURANCE FUND				
13	(u) Administration	SEG	A	238,200	238,200
14	(v) Specified payments, fire dues and				
15	reinsurance	SEG	C	6,950,000	6,950,000
	(3) PROGRAM TOTALS				
	SEGREGATED FUNDS			7,188,200	7,188,200

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
	OTHER			(7,188,200)	(7,188,200)
	TOTAL-ALL SOURCES			7,188,200	7,188,200
1	(4) STATE LIFE INSURANCE FUND				
2	(u) Administration	SEG	A	405,400	397,400
3	(v) Specified payments and losses	SEG	C	2,980,000	2,980,000
	(4) PROGRAM TOTALS				
	SEGREGATED FUNDS			3,385,400	3,377,400
	OTHER			(3,385,400)	(3,377,400)
	TOTAL-ALL SOURCES			3,385,400	3,377,400
4	(7) HEALTH INSURANCE RISK-SHARING PLAN ADMINISTRATION				
5	(a) Premium and deductible reduction				
6	subsidy	GPR	B	893,000	846,000
7	(g) Premium and deductible reduction				
8	subsidy; insurer assessments and				
9	penalties	PR	C	1,996,800	2,043,800
10	(u) Administration	SEG	A	92,800	92,800
	(7) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			893,000	846,000
	PROGRAM REVENUE			1,996,800	2,043,800
	OTHER			(1,996,800)	(2,043,800)
	SEGREGATED FUNDS			92,800	92,800
	OTHER			(92,800)	(92,800)
	TOTAL-ALL SOURCES			2,982,600	2,982,600
11	(8) OFFICE OF HEALTH CARE INFORMATION				
12	(hg) General program operations; office				
13	of health care information	PR	A	1,407,100	1,407,100
14	(hi) Compilations and special reports;				
15	office of health care information	PR	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(hj) Gifts and grants; office of health				
2	care information	PR	C	-0-	-0-
3	(kx) Interagency and intra-agency				
4	programs	PR-S	C	-0-	-0-
5	(mr) Federal funds; office of health care				
6	information	PR-F	C	-0-	-0-
	(8) PROGRAM TOTALS				
	PROGRAM REVENUE			1,407,100	1,407,100
	FEDERAL			(-0-)	(-0-)
	OTHER			(1,407,100)	(1,407,100)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			1,407,100	1,407,100
	20.145 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			893,000	846,000
	PROGRAM REVENUE			10,240,700	9,862,700
	FEDERAL			(-0-)	(-0-)
	OTHER			(10,240,700)	(9,862,700)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			66,314,800	66,306,800
	OTHER			(66,314,800)	(66,306,800)
	TOTAL-ALL SOURCES			77,448,500	77,015,500
7	<b>20.155 Public service commission</b>				
8	(1) REGULATION OF PUBLIC UTILITIES				
9	(g) Utility regulation	PR	A	11,246,600	11,083,500
10	(h) Holding company and nonutility				
11	affiliate regulation	PR	C	509,500	509,500
12	(j) Intervenor financing	PR	A	250,000	250,000
13	(L) Stray voltage program	PR	A	190,600	190,600
14	(Lb) Gifts for stray voltage program	PR	C	-0-	-0-
15	(m) Federal funds	PR-F	C	80,600	80,600

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(n) Indirect costs reimbursement	PR-F	C	16,000	16,000
	(1) P R O G R A M T O T A L S				
	PROGRAM REVENUE			12,293,300	12,130,200
	FEDERAL			(96,600)	(96,600)
	OTHER			(12,196,700)	(12,033,600)
	TOTAL-ALL SOURCES			12,293,300	12,130,200
2	(2) OFFICE OF THE COMMISSIONER OF RAILROADS				
3	(g) Railroad regulation and general				
4	program operations	PR	A	448,300	352,200
5	(x) Railroad regulation and general				
6	program operations; federal funds	SEG-F	C	-0-	-0-
	(2) P R O G R A M T O T A L S				
	PROGRAM REVENUE			448,300	352,200
	OTHER			(448,300)	(352,200)
	SEGREGATED FUNDS			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			448,300	352,200
	2 0 . 1 5 5 D E P A R T M E N T T O T A L S				
	PROGRAM REVENUE			12,741,600	12,482,400
	FEDERAL			(96,600)	(96,600)
	OTHER			(12,645,000)	(12,385,800)
	SEGREGATED FUNDS			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			12,741,600	12,482,400
7	<b>20.165 Regulation and licensing, department of</b>				
8	(1) PROFESSIONAL REGULATION				
9	(g) General program operations	PR	A	7,346,600	7,243,900
10	(h) Technical assistance; nonstate				
11	agencies and organizations	PR	C	-0-	-0-
12	(i) Examinations; general program				
13	operations	PR	C	563,600	572,600

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(k) Technical assistance; state agencies	PR-S	C	-0-	-0-
2	(m) Federal funds	PR-F	C	-0-	-0-
	<b>20.165 DEPARTMENT TOTALS</b>				
	PROGRAM REVENUE			7,910,200	7,816,500
	FEDERAL			(-0-)	(-0-)
	OTHER			(7,910,200)	(7,816,500)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			7,910,200	7,816,500
3	<b>20.175 Savings and loan, office of the commissioner of</b>				
4	(1) SUPERVISION OF SAVINGS INSTITUTIONS				
5	(g) General program operations	PR	A	1,141,200	-0-
	<b>20.175 DEPARTMENT TOTALS</b>				
	PROGRAM REVENUE			1,141,200	-0-
	OTHER			(1,141,200)	(-0-)
	TOTAL-ALL SOURCES			1,141,200	-0-
6	<b>20.185 Securities, office of the commissioner of</b>				
7	(1) SECURITIES, CORPORATE TAKE-OVER AND FRANCHISE INVESTMENT REGULATION				
8	(g) General program operations	PR	A	2,011,300	-0-
9	(h) Investor education fund	PR	A	100,000	-0-
	<b>20.185 DEPARTMENT TOTALS</b>				
	PROGRAM REVENUE			2,111,300	-0-
	OTHER			(2,111,300)	(-0-)
	TOTAL-ALL SOURCES			2,111,300	-0-
10	<b>20.190 State fair park board</b>				
11	(1) STATE FAIR PARK				
12	(c) Housing facilities principal				
13	repayment, interest and rebates	GPR	S	-0-	-0-
14	(h) State fair operations	PR	A	11,667,400	12,047,600

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(i) State fair capital expenses	PR	C	224,000	224,000
2	(j) State fair principal repayment,				
3	interest and rebates	PR	S	1,140,600	1,451,800
4	(jm) Gifts and grants	PR	C	-0-	-0-
<b>20.190 DEPARTMENT TOTALS</b>					
	GENERAL PURPOSE REVENUES			-0-	-0-
	PROGRAM REVENUE			13,032,000	13,723,400
	OTHER			(13,032,000)	(13,723,400)
	TOTAL-ALL SOURCES			13,032,000	13,723,400
5	<b>20.197 Gaming commission</b>				
6	(1) GAMING AND AGENCY-WIDE OPERATIONS				
7	(g) General program operations; racing	PR	A	3,142,100	3,114,500
8	(h) General program operations; Indian				
9	gaming regulation	PR	A	360,200	375,200
10	(j) General program operations;				
11	charitable and crane games	PR	A	239,600	238,900
12	(q) General program operations; lottery	SEG	A	25,113,600	-0-
	(1) PROGRAM TOTALS				
	PROGRAM REVENUE			3,741,900	3,728,600
	OTHER			(3,741,900)	(3,728,600)
	SEGREGATED FUNDS			25,113,600	-0-
	OTHER			(25,113,600)	(-0-)
	TOTAL-ALL SOURCES			28,855,500	3,728,600
13	(2) LOTTERY EXPENSES				
14	(r) Retailer compensation	SEG	S	28,198,300	-0-
15	(s) Prizes	SEG	S	-0-	-0-
16	(v) On-line vendor fees	SEG	S	9,078,700	-0-
	(2) PROGRAM TOTALS				
	SEGREGATED FUNDS			37,277,000	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
	OTHER			(37,277,000)	(-0-)
	TOTAL-ALL SOURCES			37,277,000	-0-
1	(3) RACING SPECIAL PROGRAMS, SUPPLEMENTS AND GRANTS				
2	(h) Purse supplements	PR	C	-0-	-0-
3	(i) County fair association grants	PR	C	50,000	50,000
	(3) PROGRAM TOTALS				
	PROGRAM REVENUE			50,000	50,000
	OTHER			(50,000)	(50,000)
	TOTAL-ALL SOURCES			50,000	50,000
	20.197 DEPARTMENT TOTALS				
	PROGRAM REVENUE			3,791,900	3,778,600
	OTHER			(3,791,900)	(3,778,600)
	SEGREGATED FUNDS			62,390,600	-0-
	OTHER			(62,390,600)	(-0-)
	TOTAL-ALL SOURCES			66,182,500	3,778,600
	Commerce				
	FUNCTIONAL AREA TOTALS				
	GENERAL PURPOSE REVENUES			51,701,400	45,972,300
	PROGRAM REVENUE			119,136,500	141,820,700
	FEDERAL			(40,895,300)	(42,058,600)
	OTHER			(74,809,900)	(95,265,200)
	SERVICE			(3,431,300)	(4,496,900)
	SEGREGATED FUNDS			140,010,000	169,540,300
	FEDERAL			(-0-)	(-0-)
	OTHER			(140,010,000)	(169,540,300)
	SERVICE			(-0-)	(-0-)
	LOCAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			310,847,900	357,333,300

## Education

4	<b>20.215 Arts board</b>				
5	(1) SUPPORT OF ARTS PROJECTS				
6	(a) General program operations	GPR	A	290,100	290,100
7	(b) State aid for the arts	GPR	A	1,253,200	1,111,500

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(c) Portraits of governors	GPR	A	-0-	-0-
2	(d) Challenge grant program	GPR	A	1,000,000	1,000,000
3	(f) Wisconsin regranting program	GPR	A	150,000	150,000
4	(g) Gifts and grants; state operations	PR	C	4,000	4,000
5	(h) Gifts and grants; aids to individuals				
6	and organizations	PR	C	-0-	-0-
7	(k) Funds received from other state				
8	agencies	PR-S	C	-0-	-0-
9	(ka) Percent-for-art administration	PR-S	A	49,900	49,900
10	(kb) Information technology				
11	development projects	PR-S	A	-0-	-0-
12	(m) Federal grants; state operations	PR-F	C	438,400	438,400
13	(o) Federal grants; aids to individuals				
14	and organizations	PR-F	C	457,600	457,600
<b>20.215 DEPARTMENT TOTALS</b>					
	GENERAL PURPOSE REVENUES			2,693,300	2,551,600
	PROGRAM REVENUE			949,900	949,900
	FEDERAL			(896,000)	(896,000)
	OTHER			(4,000)	(4,000)
	SERVICE			(49,900)	(49,900)
	TOTAL-ALL SOURCES			3,643,200	3,501,500

15 **20.225 Educational communications board**

16	(1) INSTRUCTIONAL TECHNOLOGY				
17	(a) General program operations	GPR	A	3,994,700	3,797,400
18	(b) Energy costs	GPR	A	438,400	443,500
19	(c) Principal repayment and interest	GPR	S	633,600	682,500

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(d) Milwaukee area technical college	GPR	A	330,000	330,000
2	(e) Distance education projects	GPR	A	107,200	107,200
3	(eg) Transmitter construction	GPR	C	-0-	-0-
4	(er) Transmitter operation	GPR	A	25,000	25,000
5	(f) Programming	GPR	A	1,801,500	1,708,900
6	(g) Gifts, grants, contracts and leases	PR	C	5,253,300	5,256,900
7	(h) Instructional material	PR	A	325,600	326,500
8	(k) Funds received from other state				
9	agencies	PR-S	C	-0-	-0-
10	(ka) Information technology				
11	development projects	PR-S	A	-0-	-0-
12	(m) Federal grants	PR-F	C	472,400	472,400

**20.225 DEPARTMENT TOTALS**

GENERAL PURPOSE REVENUES	7,330,400	7,094,500
PROGRAM REVENUE	6,051,300	6,055,800
FEDERAL	(472,400)	(472,400)
OTHER	(5,578,900)	(5,583,400)
SERVICE	(-0-)	(-0-)
<b>TOTAL-ALL SOURCES</b>	<b>13,381,700</b>	<b>13,150,300</b>

**13 20.235 Higher educational aids board**

14	(1) STUDENT SUPPORT ACTIVITIES				
15	(b) Tuition grants	GPR	B	16,050,200	16,050,200
16	(cg) Nursing student loans	GPR	A	195,000	100,000
17	(cr) Minority teacher loans	GPR	A	30,000	120,000
18	(d) Dental education contract	GPR	A	1,167,000	1,167,000

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(e) Minnesota-Wisconsin student				
2	reciprocity agreement	GPR	S	-0-	-0-
3	(fb) Indian student assistance	GPR	B	779,800	779,800
4	(fc) Independent student grants				
5	program	GPR	B	200,000	200,000
6	(fd) Talent incentive grants	GPR	B	3,933,800	3,933,800
7	(fe) Wisconsin higher education grants	GPR	B	25,270,200	14,283,200
8	(ff) Wisconsin higher education grants;				
9	technical college students	GPR	B	-0-	10,863,200
10	(fg) Minority undergraduate retention				
11	grants program	GPR	B	702,100	613,100
12	(fj) Handicapped student grants	GPR	B	-0-	123,800
13	(fy) Academic excellence higher				
14	education scholarship program	GPR	B	2,973,600	3,016,300
15	(g) Student loans	PR	A	-0-	-0-
16	(gg) Nursing student loan repayments	PR	C	-0-	-0-
17	(gm) Indian student assistance;				
18	contributions	PR	C	-0-	-0-
19	(i) Gifts and grants	PR	C	-0-	-0-
20	(no) Federal aid; aids to individuals and				
21	organizations	PR-F	C	1,795,100	1,795,100
<b>(1) PROGRAM TOTALS</b>					
	<b>GENERAL PURPOSE REVENUES</b>			<b>51,301,700</b>	<b>51,250,400</b>
	<b>PROGRAM REVENUE</b>			<b>1,795,100</b>	<b>1,795,100</b>
	<b>FEDERAL</b>			<b>(1,795,100)</b>	<b>(1,795,100)</b>

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1995-96	1996-97
OTHER				(-0-)	(-0-)
TOTAL-ALL SOURCES				53,096,800	53,045,500
1	(2) ADMINISTRATION				
2	(aa) General program operations	GPR	A	686,400	-0-
3	(ba) Student loan interest	GPR	S	273,800	273,800
4	(bb) Student loan interest, loans sold or				
5	conveyed	GPR	S	-0-	-0-
6	(bc) Write-off of uncollectible student				
7	loans	GPR	A	-0-	-0-
8	(bd) Purchase of defective student loans	GPR	S	-0-	-0-
9	(ga) Student interest payments	PR	C	1,000	1,000
10	(gb) Student interest payments, loans				
11	sold or conveyed	PR	C	-0-	-0-
12	(ia) Student loans; collection and				
13	administration	PR	C	-0-	-0-
14	(ja) Write-off of defaulted student loans	PR	A	-0-	-0-
15	(ka) Information technology				
16	development projects	PR-S	A	-0-	-0-
17	(n) Federal aid; state operations	PR-F	C	2,000	-0-
18	(qa) Student loan revenue obligation				
19	repayment	SEG	C	-0-	-0-
20	(qb) Wisconsin health education loan				
21	revenue obligation repayment	SEG	C	184,800	-0-
(2) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				960,200	273,800

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
PROGRAM REVENUE			3,000	1,000
FEDERAL			(2,000)	(-0-)
OTHER			(1,000)	(1,000)
SERVICE			(-0-)	(-0-)
SEGREGATED FUNDS			184,800	-0-
OTHER			(184,800)	(-0-)
TOTAL-ALL SOURCES			1,148,000	274,800

## 20.235 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES			52,261,900	51,524,200
PROGRAM REVENUE			1,798,100	1,796,100
FEDERAL			(1,797,100)	(1,795,100)
OTHER			(1,000)	(1,000)
SERVICE			(-0-)	(-0-)
SEGREGATED FUNDS			184,800	-0-
OTHER			(184,800)	(-0-)
TOTAL-ALL SOURCES			54,244,800	53,320,300

1	<b>20.245 Historical society</b>				
2	(1) ARCHIVES, RESEARCH AND LIBRARY SERVICES				
3	(a) General program operations;				
4	archives and research services	GPR	A	1,557,100	1,510,400
5	(am) General program operations;				
6	library services	GPR	A	1,866,600	1,816,700
7	(b) Distribution of the history of				
8	Wisconsin	GPR	C	35,000	35,000
9	(d) Pilot electronic records program	GPR	A	79,300	79,300
10	(e) Principal repayment, interest and				
11	rebates	GPR	S	-0-	-0-
12	(g) Admissions, sales and other				
13	receipts	PR	C	402,800	402,800
14	(h) Gifts and grants	PR	C	57,400	57,400

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(k) Funds received from other state				
2	agencies	PR-S	C	-0-	25,000
3	(m) General program operations;				
4	federal funds	PR-F	C	149,200	132,800
5	(r) Endowment	SEG	C	116,200	116,200
(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			3,538,000	3,441,400
	PROGRAM REVENUE			609,400	618,000
	FEDERAL			(149,200)	(132,800)
	OTHER			(460,200)	(460,200)
	SERVICE			(-0-)	(25,000)
	SEGREGATED FUNDS			116,200	116,200
	OTHER			(116,200)	(116,200)
	TOTAL-ALL SOURCES			4,263,600	4,175,600
6	(2) HISTORIC SITES				
7	(a) General program operations	GPR	A	321,600	313,000
8	(bd) Stonefield Village	GPR	A	168,100	168,100
9	(be) Pendarvis and First Capitol	GPR	A	162,600	162,600
10	(bf) Villa Louis	GPR	A	120,400	120,400
11	(bg) Old Wade House	GPR	A	178,900	194,400
12	(bh) Madeline Island	GPR	A	6,200	6,200
13	(bi) Old World Wisconsin	GPR	A	572,100	572,100
14	(c) Energy costs	GPR	A	68,000	69,100
15	(e) Principal repayment and interest	GPR	S	527,000	497,600
16	(g) Admissions, sales and other				
17	receipts	PR	C	1,488,900	1,488,900
18	(h) Gifts and grants	PR	C	58,000	58,000

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(j) Self-amortizing facilities; principal				
2	repayment, interest and rebates	PR	S	92,000	92,100
3	(k) Funds received from other state				
4	agencies	PR-S	C	-0-	-0-
5	(m) General program operations;				
6	federal funds	PR-F	C	-0-	-0-
7	(r) Endowment	SEG	C	163,600	163,600
(2) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			2,124,900	2,103,500
	PROGRAM REVENUE			1,638,900	1,639,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(1,638,900)	(1,639,000)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			163,600	163,600
	OTHER			(163,600)	(163,600)
	TOTAL-ALL SOURCES			3,927,400	3,906,100
8	(3) HISTORIC AND BURIAL SITES PRESERVATION				
9	(a) General program operations	GPR	A	1,067,000	1,038,500
10	(d) Historical markers; state-funded				
11	markers and plaques	GPR	A	10,000	10,000
12	(g) Admissions, sales and other				
13	receipts	PR	A	1,000	1,000
14	(gm) Excavation and analysis; cataloged				
15	burial sites	PR	C	-0-	-0-
16	(h) Gifts and grants	PR	C	16,000	16,000
17	(k) Funds received from other state				
18	agencies	PR-S	C	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(m) General program operations;				
2	federal funds	PR-F	C	690,300	690,300
3	(n) Federal aids	PR-F	C	-0-	-0-
4	(r) Endowment	SEG	C	-0-	-0-
5	(u) Historic preservation;				
6	transportation fund	SEG	C	40,500	40,500
(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			1,077,000	1,048,500
	PROGRAM REVENUE			707,300	707,300
	FEDERAL			(690,300)	(690,300)
	OTHER			(17,000)	(17,000)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			40,500	40,500
	OTHER			(40,500)	(40,500)
	TOTAL-ALL SOURCES			1,824,800	1,796,300
7	(4) EXECUTIVE AND ADMINISTRATIVE SERVICES				
8	(a) General program operations	GPR	A	1,854,400	1,804,900
9	(c) Energy costs	GPR	A	156,400	159,100
10	(d) Wisconsin sesquicentennial				
11	commission; general program				
12	operations	GPR	A	150,000	-0-
13	(e) Principal repayment and interest	GPR	S	-0-	-0-
14	(f) Humanities grants	GPR	B	-0-	-0-
15	(g) Admissions, sales and other				
16	receipts	PR	A	232,100	232,100
17	(h) Gifts and grants	PR	C	138,400	138,400

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(i) Wisconsin sesquicentennial				
2	commission; license revenue	PR	A	-0-	-0-
3	(k) Funds received from other state				
4	agencies	PR-S	C	189,400	189,400
5	(ka) Information technology				
6	development projects	PR-S	A	-0-	-0-
7	(m) General program operations;				
8	federal funds	PR-F	C	3,000	3,000
9	(pz) Indirect cost reimbursements	PR-F	C	95,000	95,000
10	(q) Endowment principal	SEG	C	-0-	-0-
11	(r) Endowment	SEG	C	120,000	120,000
<b>(4) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			2,160,800	1,964,000
	PROGRAM REVENUE			657,900	657,900
	FEDERAL			(98,000)	(98,000)
	OTHER			(370,500)	(370,500)
	SERVICE			(189,400)	(189,400)
	SEGREGATED FUNDS			120,000	120,000
	OTHER			(120,000)	(120,000)
	TOTAL-ALL SOURCES			2,938,700	2,741,900
12	(5) MUSEUM				
13	(a) General program operations	GPR	A	893,300	869,500
14	(c) Energy costs	GPR	A	95,000	96,300
15	(e) Principal repayment and interest	GPR	S	394,100	417,700
16	(g) Admissions, sales and other				
17	receipts	PR	C	209,600	209,600
18	(h) Gifts and grants	PR	C	14,600	14,600

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(k) Funds received from other state				
2	agencies	PR-S	C	1,054,200	1,054,200
3	(m) General program operations;				
4	federal funds	PR-F	C	15,300	15,300
5	(r) Endowment	SEG	C	11,600	11,600
<b>(5) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			1,382,400	1,383,500
	PROGRAM REVENUE			1,293,700	1,293,700
	FEDERAL			(15,300)	(15,300)
	OTHER			(224,200)	(224,200)
	SERVICE			(1,054,200)	(1,054,200)
	SEGREGATED FUNDS			11,600	11,600
	OTHER			(11,600)	(11,600)
	TOTAL-ALL SOURCES			2,687,700	2,688,800
<b>20.245 DEPARTMENT TOTALS</b>					
	GENERAL PURPOSE REVENUES			10,283,100	9,940,900
	PROGRAM REVENUE			4,907,200	4,915,900
	FEDERAL			(952,800)	(936,400)
	OTHER			(2,710,800)	(2,710,900)
	SERVICE			(1,243,600)	(1,268,600)
	SEGREGATED FUNDS			451,900	451,900
	OTHER			(451,900)	(451,900)
	TOTAL-ALL SOURCES			15,642,200	15,308,700
6	<b>20.250 Medical college of Wisconsin</b>				
7	(1) TRAINING OF HEALTH MANPOWER				
8	(a) General program operations	GPR	A	4,171,600	4,105,100
9	(b) Department of family and				
10	community medicine	GPR	A	3,273,900	3,190,000
11	(c) Area health education centers and				
12	projects	GPR	A	235,000	235,000
13	(e) Principal repayment and interest	GPR	S	469,000	539,200

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97	
20.250 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			8,149,500	8,069,300	
TOTAL-ALL SOURCES			8,149,500	8,069,300	
<b>1</b>	<b>20.255 Public instruction, department of</b>				
<b>2</b>	(1)	EDUCATIONAL LEADERSHIP			
<b>3</b>	(a)	General program operations	GPR A	12,870,400	9,807,100
<b>4</b>	(b)	General program operations;			
<b>5</b>		residential schools	GPR A	10,040,000	10,044,800
<b>6</b>	(c)	Energy costs	GPR A	297,200	302,600
<b>7</b>	(d)	Principal repayment and interest	GPR S	858,200	838,100
<b>8</b>	(dt)	Educational assessment program	GPR A	525,000	622,000
<b>9</b>	(dw)	Pupil assessment	GPR A	950,000	1,540,000
<b>10</b>	(g)	Student activity therapy	PR A	6,500	6,500
<b>11</b>	(gt)	Residential schools; pupil			
<b>12</b>		transportation	PR A	700,000	700,000
<b>13</b>	(hf)	Administrative leadership academy	PR A	-0-	-0-
<b>14</b>	(hg)	Personnel licensure, supply,			
<b>15</b>		information & improve. & lic. revoc.			
<b>16</b>		proceedings	PR A	2,216,200	2,216,200
<b>17</b>	(hm)	Services for drivers	PR A	225,200	225,200
<b>18</b>	(hr)	Alcohol and other drug abuse			
<b>19</b>		program	PR C	651,900	651,900
<b>20</b>	(i)	Publications	PR A	526,100	526,100
<b>21</b>	(im)	Library products and services	PR C	580,000	580,000

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>	
1	(jg) School lunch handling charges	PR	A	2,281,200	2,281,200	
2	(jm) Professional services center charges	PR	A	117,000	117,000	
3	(jr) Gifts, grants and trust funds	PR	C	395,000	395,000	
4	(js) State-owned housing maintenance	PR	A	5,000	5,300	
5	(jz) School district boundary appeal					
6	proceedings	PR	C	10,500	10,500	
7	(ke) Funds transferred from other state					
8	agencies; program operations	PR-S	C	2,049,900	2,049,900	
9	(km) State agency library processing					
10	center	PR-S	A	84,500	84,500	
11	(ks) Data processing	PR-S	C	1,550,000	1,550,000	
12	(kt) Information technology					
13	development projects	PR-S	A	-0-	-0-	
14	(me) Federal aids; program operations	PR-F	C	15,227,300	15,227,300	
15	(pz) Indirect cost reimbursements	PR-F	C	704,000	704,000	
16	(u) Wisconsin health education loan					
17	revenue obligation repayment	SEG	C	-0-	100,100	
	<b>(1) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			25,540,800	23,154,600	
	PROGRAM REVENUE			27,330,300	27,330,600	
	FEDERAL			(15,931,300)	(15,931,300)	
	OTHER			(7,714,600)	(7,714,900)	
	SERVICE			(3,684,400)	(3,684,400)	
	SEGREGATED FUNDS			-0-	100,100	
	OTHER			(-0-)	(100,100)	
	TOTAL-ALL SOURCES			52,871,100	50,585,300	
18	(2) AIDS FOR LOCAL EDUCATIONAL PROGRAMMING					

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(ac) General equalization aids	GPR	A	2,324,607,100	3,152,215,800
2	(b) Aids for handicapped education	GPR	A	275,548,700	275,548,700
3	(bc) Aid for children-at-risk programs	GPR	A	3,500,000	3,500,000
4	(bh) Aid to county handicapped				
5	children's education boards	GPR	A	2,316,300	2,316,300
6	(bm) Minimum state aid and general				
7	equalization aids	GPR	A	22,200,000	-0-
8	(cc) Bilingual-bicultural education aids	GPR	A	8,291,400	8,291,400
9	(cg) Tuition payments	GPR	A	6,620,700	6,620,700
10	(ci) Alternative school American Indian				
11	language and culture education aid	GPR	A	136,900	136,900
12	(cm) Grants for school breakfast				
13	programs	GPR	C	150,000	150,000
14	(cn) Aids for school lunches and				
15	nutritional improvement	GPR	A	4,320,600	4,320,600
16	(cp) Wisconsin morning milk program	GPR	A	325,000	325,000
17	(cr) Aid for pupil transportation	GPR	A	17,742,500	17,742,500
18	(cu) Achievement guarantee contracts	GPR	A	196,000	4,591,000
19	(cw) Aid for transportation to				
20	institutions of higher education	GPR	A	20,000	20,000
21	(d) Youth initiatives program	GPR	A	500,000	-0-
22	(dc) Professional development	GPR	A	400,000	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(dm) Grants for early alcohol & other				
2	drug abuse prevention &				
3	intervention prog.	GPR	A	2,720,000	2,720,000
4	(do) Grants for preschool to grade 5				
5	programs	GPR	A	6,670,000	6,670,000
6	(ds) Management restructuring				
7	programs	GPR	A	-0-	-0-
8	(ec) Aid to Milwaukee public schools	GPR	A	8,000,000	8,000,000
9	(ed) Youth service centers, truancy				
10	abatement and burglary				
11	suppression	GPR	A	585,000	-0-
12	(ef) Collaborative projects	GPR	A	300,000	-0-
13	(eg) Collaborative service programs	GPR	A	325,000	-0-
14	(eh) Head start supplement	GPR	A	4,950,000	4,950,000
15	(fg) Aid for cooperative educational				
16	service agencies	GPR	A	300,000	300,000
17	(fu) Milwaukee parental choice program	GPR	S	17,000,000	39,000,000
18	(fy) Youth alcohol and other drug abuse				
19	programs	GPR	A	2,000,000	1,800,000
20	(g) Aid for alcohol and other drug				
21	abuse programs	PR	C	1,234,500	1,296,200
22	(k) Funds transferred from other state				
23	agencies; local aids	PR-S	C	10,005,200	10,005,200
24	(m) Federal aids; local aid	PR-F	C	263,233,400	263,233,400

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(r) Driver education; local assistance	SEG	A	4,734,000	5,006,300
2	(s) School library aids	SEG	C	14,200,000	14,300,000
3	(t) School aids from the badger fund	SEG	C	-0-	-0-
4	(u) Aid for handicapped education				
5	transportation	SEG	A	-0-	-0-
<b>(2) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			2,709,725,200	3,539,218,900
	PROGRAM REVENUE			274,473,100	274,534,800
	FEDERAL			(263,233,400)	(263,233,400)
	OTHER			(1,234,500)	(1,296,200)
	SERVICE			(10,005,200)	(10,005,200)
	SEGREGATED FUNDS			18,934,000	19,306,300
	OTHER			(18,934,000)	(19,306,300)
	TOTAL-ALL SOURCES			3,003,132,300	3,833,060,000
6	(3) AID TO LIBRARIES, INDIVIDUALS AND ORGANIZATIONS				
7	(e) Aid to public library systems	GPR	A	11,772,200	11,772,200
8	(ea) Library service contracts	GPR	A	865,100	865,100
9	(eb) Youth village program	GPR	A	232,000	232,000
10	(ec) Wisconsin geography alliance	GPR	A	40,000	-0-
11	(fa) Very special arts	GPR	A	75,000	75,000
12	(fg) Special olympics	GPR	A	75,000	75,000
13	(fz) Minority group pupil scholarships	GPR	A	1,000,000	1,000,000
14	(mm) Federal funds; local assistance	PR-F	C	1,009,000	1,009,000
15	(ms) Federal funds; individuals and				
16	organizations	PR-F	C	34,937,900	39,274,400
<b>(3) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			14,059,300	14,019,300
	PROGRAM REVENUE			35,946,900	40,283,400

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
	FEDERAL			(35,946,900)	(40,283,400)
	TOTAL-ALL SOURCES			50,006,200	54,302,700
1	(4) PROPRIETARY SCHOOLS				
2	(g) Proprietary school operations	PR	A	-0-	253,300
3	(m) Federal aid	PR-F	C	-0-	295,200
	(4) PROGRAM TOTALS				
	PROGRAM REVENUE			-0-	548,500
	FEDERAL			(-0-)	(295,200)
	OTHER			(-0-)	(253,300)
	TOTAL-ALL SOURCES			-0-	548,500
	20.255 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			2,749,325,300	3,576,392,800
	PROGRAM REVENUE			337,750,300	342,697,300
	FEDERAL			(315,111,600)	(319,743,300)
	OTHER			(8,949,100)	(9,264,400)
	SERVICE			(13,689,600)	(13,689,600)
	SEGREGATED FUNDS			18,934,000	19,406,400
	OTHER			(18,934,000)	(19,406,400)
	TOTAL-ALL SOURCES			3,106,009,600	3,938,496,500
4	<b>20.265 Office of the state superintendent of public instruction</b>				
5	(1) ADMINISTRATION				
6	(a) General program operations	GPR	A	196,700	393,300
	20.265 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			196,700	393,300
	TOTAL-ALL SOURCES			196,700	393,300
7	<b>20.285 University of Wisconsin system</b>				
8	(1) UNIVERSITY EDUCATION, RESEARCH AND PUBLIC SERVICE				
9	(a) General program operations	GPR	A	690,022,500	670,847,700
10	(ab) Student aid	GPR	A	1,315,300	1,315,300
11	(am) Distinguished professorships	GPR	A	622,800	622,800

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(as) Industrial and economic				
2	development research	GPR	A	1,392,300	1,392,300
3	(b) Area health education centers	GPR	A	235,000	235,000
4	(c) Energy costs	GPR	A	40,456,700	41,681,100
5	(d) Principal repayment and interest	GPR	S	65,125,500	62,982,600
6	(da) Lease rental payments	GPR	S	-0-	-0-
7	(db) Self-amortizing facilities principal				
8	and interest	GPR	S	-0-	-0-
9	(em) Schools of business	GPR	A	1,360,000	1,360,000
10	(eo) Extension outreach	GPR	A	278,300	278,300
11	(fc) Department of family medicine and				
12	practice	GPR	A	6,345,100	6,345,100
13	(fd) State laboratory of hygiene; general				
14	program operations	GPR	A	5,767,200	5,470,400
15	(fh) State laboratory of hygiene;				
16	principal repayment and interest	GPR	S	-0-	-0-
17	(fm) Laboratories	GPR	A	4,183,200	4,183,200
18	(fs) Farm safety program grants	GPR	A	20,000	20,000
19	(fx) Alcohol and other drug abuse				
20	prevention and intervention	GPR	A	86,400	86,400
21	(g) Physical plant service departments	PR	C	-0-	-0-
22	(ga) Surplus auxiliary funds	PR	C	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(gm) Auxiliary enterprises building				
2	projects	PR	C	11,598,000	11,598,000
3	(gr) Center for urban land economics				
4	research	PR	A	175,000	175,000
5	(h) Auxiliary enterprises	PR	C	291,175,300	291,211,800
6	(ha) Stores	PR	C	5,553,600	5,553,600
7	(hm) Extension outreach	PR	C	167,700	167,700
8	(i) State laboratory of hygiene	PR	C	14,097,800	14,097,800
9	(ia) State laboratory of hygiene, drivers	PR	C	594,700	603,100
10	(ih) State laboratory of hygiene;				
11	principal repayment and interest	PR	S	-0-	-0-
12	(im) Degree credit instruction	PR	A	376,556,500	384,506,900
13	(iz) General operations receipts	PR	C	59,701,800	59,701,800
14	(j) Gifts and donations	PR	C	189,227,600	202,171,600
15	(ja) Gifts; student loans	PR	C	3,398,600	3,398,600
16	(jm) Distinguished professorships	PR	C	417,800	417,800
17	(jp) License plate scholarship programs	PR	C	-0-	-0-
18	(k) Funds transferred from other state				
19	agencies	PR-S	C	-0-	-0-
20	(ka) Sale of real property	PR	C	-0-	-0-
21	(kb) University of Wisconsin Hospitals				
22	and Clinics	PR	A	268,937,100	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(kc) Information technology				
2	development projects	PR-S	A	-0-	-0-
3	(kd) Principal repayment, interest and				
4	rebates	PR-S	S	15,194,200	19,041,000
5	(ke) Lease rental payments	PR-S	S	209,000	209,000
6	(L) Recycling market development;				
7	repayments	PR	C	-0-	-0-
8	(Lm) Laboratories	PR	A	4,405,400	4,405,400
9	(Ls) Schools of business	PR	A	592,300	592,300
10	(m) Federal aid	PR-F	C	299,390,400	321,705,400
11	(ma) Federal aid; loans and grants	PR-F	C	148,427,000	152,434,000
12	(n) Federal indirect cost				
13	reimbursement	PR-F	C	67,448,700	72,574,700
14	(s) Recycling market development				
15	board; operations	SEG	A	317,200	317,200
16	(t) Recycling market development				
17	board; assistance	SEG	B	7,980,800	8,343,000
18	(tb) Extension recycling education	SEG	A	820,000	857,800
19	(u) Trust fund income	SEG	C	15,503,300	15,503,300
20	(w) Trust fund operations	SEG	C	-0-	-0-
21	(x) Driver education teachers	SEG	C	61,000	61,000
<b>(1) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			817,210,300	796,820,200
	PROGRAM REVENUE			1,757,268,500	1,544,565,500
	FEDERAL			(515,266,100)	(546,714,100)
	OTHER			(1,226,599,200)	(978,601,400)

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1995-96	1996-97
	SERVICE			(15,403,200)	(19,250,000)
	SEGREGATED FUNDS			24,682,300	25,082,300
	OTHER			(24,682,300)	(25,082,300)
	TOTAL-ALL SOURCES			2,599,161,100	2,366,468,000
1	(3) UNIVERSITY SYSTEM ADMINISTRATION				
2	(a) General program operations	GPR	A	9,156,500	8,517,600
3	(iz) General operations receipts	PR	C	233,200	233,200
4	(ka) Information technology				
5	development projects; system				
6	administration	PR-S	A	-0-	-0-
7	(n) Federal indirect cost				
8	reimbursement	PR-F	C	1,469,300	1,675,000
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			9,156,500	8,517,600
	PROGRAM REVENUE			1,702,500	1,908,200
	FEDERAL			(1,469,300)	(1,675,000)
	OTHER			(233,200)	(233,200)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			10,859,000	10,425,800
9	(4) MINORITY AND DISADVANTAGED PROGRAMS				
10	(a) Minority and disadvantaged				
11	programs	GPR	A	7,046,600	7,046,600
12	(b) Advanced opportunity program	GPR	A	3,798,800	3,798,800
13	(dc) Minority teacher loans	GPR	A	100,000	-0-
14	(dd) Lawton minority undergraduate				
15	grants program	GPR	A	2,006,900	2,006,900
16	(de) Pilot minority student tuition				
17	award program	GPR	A	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			12,952,300	12,852,300
	TOTAL-ALL SOURCES			12,952,300	12,852,300
1	(5) UNIVERSITY OF WISCONSIN-MADISON INTERCOLLEGIATE ATHLETICS				
2	(a) General program operations	GPR	A	561,700	561,700
3	(h) Auxiliary enterprises	PR	A	19,989,500	20,131,700
4	(i) Nonincome sports	PR	C	250,100	250,100
5	(j) Gifts and grants	PR	C	3,108,400	3,108,400
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			561,700	561,700
	PROGRAM REVENUE			23,348,000	23,490,200
	OTHER			(23,348,000)	(23,490,200)
	TOTAL-ALL SOURCES			23,909,700	24,051,900
6	(6) UNIVERSITY OF WISCONSIN HOSPITALS AND CLINICS AUTHORITY				
7	(a) Services received from authority	GPR	A	-0-	-0-
8	(g) Services provided to authority	PR	C	-0-	-0-
	(6) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
	20.285 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			839,880,800	818,751,800
	PROGRAM REVENUE			1,782,319,000	1,569,963,900
	FEDERAL			(516,735,400)	(548,389,100)
	OTHER			(1,250,180,400)	(1,002,324,800)
	SERVICE			(15,403,200)	(19,250,000)
	SEGREGATED FUNDS			24,682,300	25,082,300
	OTHER			(24,682,300)	(25,082,300)
	TOTAL-ALL SOURCES			2,646,882,100	2,413,798,000
9	<b>20.292 Technical college system</b>				
10	(1) TECHNICAL COLLEGE SYSTEM				

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(a) General program operations	GPR	A	2,684,800	2,592,600
2	(am) Agricultural land reimbursement	GPR	S	-0-	-0-
3	(b) Displaced homemakers' program	GPR	A	851,700	851,700
4	(bm) Workplace literacy resource center	GPR	A	-0-	-0-
5	(c) Minority student participation and				
6	retention grants	GPR	A	617,000	617,000
7	(ce) Basic skills grants	GPR	A	100,000	100,000
8	(cm) Technical preparation aid	GPR	A	-0-	-0-
9	(d) State aid for technical colleges	GPR	A	110,199,200	110,199,200
10	(dc) Incentive grants	GPR	C	7,888,100	7,888,100
11	(dd) Farm training program tuition				
12	grants	GPR	A	150,000	150,000
13	(de) Services for handicapped students;				
14	local assistance	GPR	A	200,000	200,000
15	(dm) Aid for special collegiate transfer				
16	programs	GPR	A	1,124,300	1,124,300
17	(e) Technical college instructor				
18	occupational competency program	GPR	A	71,300	71,300
19	(em) Apprenticeship curriculum				
20	development	GPR	A	75,000	75,000
21	(f) Alcohol and other drug abuse				
22	prevention and intervention	GPR	A	525,000	525,000
23	(fm) Supplemental aid	GPR	A	1,500,000	1,500,000

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(g) Text materials	PR	A	123,000	123,000
2	(gm) Fire schools; state operations	PR	A	267,800	267,800
3	(gr) Fire schools; local assistance	PR	A	500,000	500,000
4	(gt) Telecommunications retraining	PR	C	-0-	-0-
5	(h) Gifts and grants	PR	C	20,600	20,600
6	(i) Conferences	PR	C	85,900	85,900
7	(j) Personnel certification	PR	A	199,900	199,900
8	(k) Gifts and grants	PR	C	30,200	30,200
9	(ka) Interagency projects; local				
10	assistance	PR-S	A	3,414,700	3,414,700
11	(kb) Interagency projects; state				
12	operations	PR-S	A	768,200	768,200
13	(kc) Information technology				
14	development projects	PR-S	A	-0-	-0-
15	(L) Services for district boards	PR	A	40,300	40,300
16	(m) Federal aid, state operations	PR-F	C	2,658,800	2,659,300
17	(n) Federal aid, local assistance	PR-F	C	26,074,300	26,074,300
18	(o) Federal aid, aids to individuals and				
19	organizations	PR-F	C	200,000	200,000
20	(pz) Indirect cost reimbursements	PR-F	C	36,000	36,000
21	(r) Emergency medical technician —				
22	basic training; state operations	SEG	A	180,400	180,400
23	(u) Driver education, local assistance	SEG	A	322,000	322,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(v) Chauffeur training grants	SEG	C	200,000	200,000
(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			125,986,400	125,894,200
	PROGRAM REVENUE			34,419,700	34,420,200
	FEDERAL			(28,969,100)	(28,969,600)
	OTHER			(1,267,700)	(1,267,700)
	SERVICE			(4,182,900)	(4,182,900)
	SEGREGATED FUNDS			702,400	702,400
	OTHER			(702,400)	(702,400)
	TOTAL-ALL SOURCES			161,108,500	161,016,800
2	(2) EDUCATIONAL APPROVAL BOARD				
3	(a) General program operations	GPR	A	-0-	-0-
4	(g) Proprietary school programs	PR	A	243,500	-0-
5	(m) Federal aid	PR-F	C	285,400	-0-
(2) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			-0-	-0-
	PROGRAM REVENUE			528,900	-0-
	FEDERAL			(285,400)	(-0-)
	OTHER			(243,500)	(-0-)
	TOTAL-ALL SOURCES			528,900	-0-
20.292 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			125,986,400	125,894,200
	PROGRAM REVENUE			34,948,600	34,420,200
	FEDERAL			(29,254,500)	(28,969,600)
	OTHER			(1,511,200)	(1,267,700)
	SERVICE			(4,182,900)	(4,182,900)
	SEGREGATED FUNDS			702,400	702,400
	OTHER			(702,400)	(702,400)
	TOTAL-ALL SOURCES			161,637,400	161,016,800
Education					
FUNCTIONAL AREA TOTALS					
	GENERAL PURPOSE REVENUES			3,796,107,400	4,600,612,600
	PROGRAM REVENUE			2,168,724,400	1,960,799,100
	FEDERAL			(865,219,800)	(901,201,900)
	OTHER			(1,268,935,400)	(1,021,156,200)
	SERVICE			(34,569,200)	(38,441,000)
	SEGREGATED FUNDS			44,955,400	45,643,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(44,955,400)	(45,643,000)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
SERVICE			(-0-)	(-0-)
LOCAL			(-0-)	(-0-)
TOTAL-ALL SOURCES			6,009,787,200	6,607,054,700

### Environmental Resources

**1     20.315 Boundary area commission, Minnesota-Wisconsin**

<b>2</b>	(1)	BOUNDARY AREA COOPERATION				
<b>3</b>	(a)	General program operations	GPR	A	68,300	68,400
<b>4</b>	(g)	Gifts or grants	PR	C	90,000	90,000
<b>5</b>	(ka)	Information technology				
<b>6</b>		development projects	PR-S	A	-0-	-0-
<b>7</b>	(q)	General program operations —				
<b>8</b>		conservation fund	SEG	A	81,600	81,600

2 0 . 3 1 5 D E P A R T M E N T T O T A L S

GENERAL PURPOSE REVENUES	68,300	68,400
PROGRAM REVENUE	90,000	90,000
OTHER	(90,000)	(90,000)
SERVICE	(-0-)	(-0-)
SEGREGATED FUNDS	81,600	81,600
OTHER	(81,600)	(81,600)
TOTAL-ALL SOURCES	239,900	240,000

**9     20.320 Clean water fund program**

<b>10</b>	(1)	CLEAN WATER FUND OPERATIONS				
<b>11</b>	(a)	Environmental aids — clean water				
<b>12</b>		fund	GPR	A	-0-	-0-
<b>13</b>	(c)	Principal repayment and				
<b>14</b>		interest — clean water fund	GPR	S	18,583,900	23,506,400
<b>15</b>	(r)	Clean water fund repayment of				
<b>16</b>		revenue obligations	SEG	S	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(s) Clean water fund financial				
2	assistance	SEG	S	-0-	-0-
3	(t) Principal repayment and				
4	interest — clean water fund bonds	SEG	C	4,000,000	4,000,000
5	(u) Principal repay. & interest - clean				
6	water fd. revenue obligation				
7	repayment	SEG	C	-0-	-0-
<b>20.320 DEPARTMENT TOTALS</b>					
	GENERAL PURPOSE REVENUES			18,583,900	23,506,400
	SEGREGATED FUNDS			4,000,000	4,000,000
	OTHER			(4,000,000)	(4,000,000)
	TOTAL-ALL SOURCES			22,583,900	27,506,400
8	<b>20.360 Lower Wisconsin state riverway board</b>				
9	(1) CONTROL OF LAND DEVELOPMENT AND USE IN THE LOWER WISCONSIN STATE RIVERWAY				
10	(a) General program operations	GPR	A	29,200	29,200
11	(g) Gifts and grants	PR	C	-0-	-0-
12	(ka) Information technology				
13	development projects	PR-S	A	-0-	-0-
14	(q) General program operations —				
15	conservation fund	SEG	A	77,400	77,400
<b>20.360 DEPARTMENT TOTALS</b>					
	GENERAL PURPOSE REVENUES			29,200	29,200
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			77,400	77,400
	OTHER			(77,400)	(77,400)
	TOTAL-ALL SOURCES			106,600	106,600

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	<b>20.370 Natural resources, department of</b>				
2	(1) RESOURCE MANAGEMENT				
3	(cq) Forestry — reforestation	SEG	C	100,000	100,000
4	(cr) Forestry — recording fees	SEG	C	69,300	80,000
5	(cs) Forestry — forest fire emergencies	SEG	C	-0-	-0-
6	(ea) Parks — general program				
7	operations	GPR	A	5,597,500	5,341,300
8	(eq) Parks and forests - operation and				
9	maintenance	SEG	S	-0-	-0-
10	(er) Parks and state forests - recycling				
11	activities	SEG	A	68,800	68,800
12	(fb) Endangered resources — general				
13	program operations	GPR	A	-0-	-0-
14	(fc) Endangered resources — Wisconsin				
15	stewardship program	GPR	A	-0-	-0-
16	(fd) Endangered resources — natural				
17	heritage inventory program	GPR	A	195,100	193,300
18	(fe) Endangered resources — general				
19	fund	GPR	S	500,000	500,000
20	(fs) Endangered resources — voluntary				
21	payments and fees	SEG	C	816,500	697,000
22	(gg) Ice age trail — gifts and grants	PR	C	-0-	-0-
23	(gh) State trails — gifts and grants	PR	C	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(gr) Endangered resources program —				
2	gifts and grants	SEG	C	-0-	-0-
3	(hq) Resource acquisition & develop. —				
4	Mississippi & St. Croix rivers				
5	management	SEG	C	62,500	62,500
6	(hr) Resource acquisition and				
7	development — pheasant				
8	restoration	SEG	C	340,000	340,000
9	(hs) Resource acquisition and				
10	development — fish and wildlife				
11	habitat projects	SEG	C	283,300	283,300
12	(ht) Resource acquisition and				
13	development - wild turkey				
14	restoration	SEG	C	135,000	150,000
15	(ib) Shoreline protection study	GPR	C	-0-	-0-
16	(is) Lake research; voluntary				
17	contributions	SEG	C	15,000	15,000
18	(it) Atlas revenues	SEG	C	-0-	-0-
19	(jr) Rental property and equipment —				
20	maintenance and replacement	SEG	C	-0-	-0-
21	(kb) Resource maintenance and				
22	development — state funds	GPR	C	1,349,200	1,278,200
23	(kp) Resource acquisition and				
24	development — boating access	SEG	C	200,000	200,000

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(kq) Resource acquisition and				
2	development — taxes and				
3	assessments	SEG	A	300,000	300,000
4	(kr) Resource acquisition and				
5	development — nonmotorized				
6	boating improvements	SEG	C	-0-	-0-
7	(ks) Resource acquisition and				
8	development — state funds	SEG	C	333,500	404,500
9	(kt) Resource acquisition and				
10	development — wetlands habitat				
11	improvement	SEG	C	256,600	256,700
12	(ku) Resource acquisition and				
13	development — Great Lakes trout				
14	and salmon	SEG	C	917,600	917,600
15	(kv) Resource acquisition and				
16	development — trout habitat				
17	improvement	SEG	C	954,800	954,800
18	(ky) Resource acquisition and				
19	development — federal funds	SEG-F	C	2,620,500	2,620,500
20	(kz) Resource acquisition &				
21	development — boating access to				
22	southeastern lakes	SEG	C	100,000	100,000
23	(Lq) Trapper education program	SEG	C	13,200	13,200
24	(Lr) Beaver control; fish and wildlife				
25	account	SEG	C	100,000	100,000

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(Ls) Control of wild animals	SEG	C	100,000	100,000
2	(Lu) Handling fees	SEG	C	-0-	380,000
3	(ma) General program operations —				
4	state funds	GPR	A	1,846,200	1,823,800
5	(mg) General program operations —				
6	endangered resources	PR	C	-0-	-0-
7	(mi) General program operations —				
8	private and public sources	PR	C	1,209,000	1,209,000
9	(mk) General program operations —				
10	service funds	PR-S	C	479,700	479,700
11	(mq) General program operations —				
12	state snowmobile trails and areas	SEG	A	153,800	153,800
13	(mr) General program operations —				
14	state park, forest and riverway				
15	roads	SEG	C	1,900,000	1,900,000
16	(ms) General program operations —				
17	state all-terrain vehicle projects	SEG	A	40,000	40,000
18	(mt) General program operations —				
19	environmental fund	SEG	A	277,100	277,100
20	(mu) General program operations —				
21	state funds	SEG	A	-0-	-0-
22	License administration	SEG	A	2,182,000	2,093,500
23	Fisheries management	SEG	A	12,802,000	12,826,100
24	Wildlife management	SEG	A	8,762,400	8,762,400

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	Forestry	SEG	A	25,972,800	25,972,800
2	Southern forests	SEG	A	2,921,900	2,921,900
3	Parks and recreation	SEG	A	5,453,100	5,618,800
4	Aeronautics and communications	SEG	A	900,400	900,400
5	Research	SEG	A	2,137,900	2,067,900
6	Property management	SEG	A	4,092,300	4,011,500
	NET APPROPRIATION			65,224,800	65,175,300
7	(my) General program operations —				
8	federal funds	SEG-F	C	-0-	-0-
9	Fisheries management	SEG-F	C	4,013,200	4,013,200
10	Wildlife management	SEG-F	C	2,520,500	2,520,500
11	Forestry	SEG-F	C	715,500	679,600
12	Southern forests	SEG-F	C	127,700	127,700
13	Parks and recreation	SEG-F	C	464,200	464,200
14	Endangered resources	SEG-F	C	308,000	308,000
15	Research	SEG-F	C	2,328,400	2,328,400
16	Property management	SEG-F	C	932,800	932,800
	NET APPROPRIATION			11,410,300	11,374,400
17	(mz) Forest fire emergencies — federal				
18	funds	SEG-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			9,488,000	9,136,600
	PROGRAM REVENUE			1,688,700	1,688,700
	OTHER			(1,209,000)	(1,209,000)
	SERVICE			(479,700)	(479,700)
	SEGREGATED FUNDS			86,792,600	87,064,500

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1995-96	1996-97
	FEDERAL			(14,030,800)	(13,994,900)
	OTHER			(72,761,800)	(73,069,600)
	TOTAL-ALL SOURCES			97,969,300	97,889,800
1	(2) ENVIRONMENTAL QUALITY				
2	(af) Water resources — remedial action	GPR	C	315,000	250,000
3	(ah) Water resources — Great Lakes				
4	protection fund	PR	C	229,000	229,000
5	(aq) Water resources management —				
6	lake and river management	SEG	A	1,394,500	1,352,700
7	(ar) Water resources - groundwater				
8	management	SEG	B	200,000	200,000
9	(bg) Air management — stationary				
10	sources	PR	A	7,739,200	7,804,000
11	(bj) Storm water management — fees	PR	A	128,300	128,300
12	(bL) Wastewater management — fees	PR	C	-0-	-0-
13	(bq) Air management — vapor recovery				
14	administration	SEG	A	80,000	80,000
15	(br) Air management — mobile sources	SEG	A	1,601,300	1,375,200
16	(cg) Air management — recovery of				
17	ozone-depleting refrigerants	PR	A	97,900	97,900
18	(ch) Air management — emission				
19	analysis	PR	C	-0-	-0-
20	(ci) Air management — permit review				
21	and enforcement	PR	A	1,395,200	1,417,200

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(cj) Air management — acid deposition				
2	activities	PR	A	354,000	-0-
3	(cL) Air waste management —				
4	incinerator operator certification	PR	C	-0-	-0-
5	(cq) Air manage. — motor vehicle				
6	emission inspec. and maint.				
7	program, state funds	SEG	A	57,900	57,900
8	(dg) Solid waste management — solid				
9	and hazardous waste disposal				
10	administration	PR	C	1,977,200	1,981,200
11	(dh) Solid waste				
12	management-remediated property	PR	C	-0-	147,500
13	(di) Solid waste management —				
14	operator certification	PR	C	-0-	-0-
15	(dj) Waste tire removal and recovery				
16	programs; program activities	PR	A	3,750,000	1,750,000
17	(dL) Waste tire removal and recovery				
18	programs; administration	PR	A	484,300	487,600
19	(dq) Solid waste management — waste				
20	management fund	SEG	C	-0-	-0-
21	(dt) Solid waste management — closure				
22	and long-term care	SEG	C	-0-	-0-
23	(dv) Solid waste management —				
24	environmental repair; spills;				
25	abandoned containers	SEG	C	2,449,500	2,431,500

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(dw) Solid waste management —				
2	environmental repair; petroleum				
3	spills; admin.	SEG	A	679,600	-0-
4	(dy) Solid waste mgt. — corrective				
5	action; proofs of financial				
6	responsibility	SEG	C	-0-	-0-
7	(dz) Solid waste mgt. — corr. action;				
8	moneys recovered from assess. &				
9	legal action	SEG	C	-0-	-0-
10	(eg) Solid waste facility siting board fee	PR	C	-0-	-0-
11	(eh) Solid waste management — source				
12	reduction review	PR	C	-0-	-0-
13	(ei) Air management — asbestos				
14	management	PR	C	351,800	351,800
15	(fj) Environmental quality —				
16	laboratory certification	PR	A	447,400	451,400
17	(fr) Cooperative remedial action;				
18	contributions	SEG	C	-0-	-0-
19	(fs) Cooperative remedial action;				
20	interest on contributions	SEG	S	-0-	-0-
21	(gh) Mining — mining regulation and				
22	administration	PR	A	73,500	60,900
23	(gi) Mining — nonmetallic mining				
24	regulation and administration	PR	C	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(gr) Solid waste management — mining				
2	programs	SEG	C	-0-	-0-
3	(hq) Recycling; administration	SEG	A	1,204,300	1,196,800
4	(ma) General program operations —				
5	state funds	GPR	A	-0-	-0-
6	Water resources management	GPR	A	5,397,600	5,237,100
7	Wastewater management	GPR	A	6,083,700	5,970,000
8	Solid and hazardous waste				
9	management	GPR	A	2,750,800	2,650,800
10	Water supply management	GPR	A	3,502,500	3,502,500
11	Technical services	GPR	A	1,065,900	985,900
	<b>NET APPROPRIATION</b>			<b>18,800,500</b>	<b>18,346,300</b>
12	(mi) General program operations —				
13	private and public sources	PR	C	60,600	60,600
14	(mk) General program operations —				
15	service funds	PR-S	C	614,100	582,300
16	(mm) General program operations —				
17	federal funds	PR-F	C	-0-	-0-
18	Water resources management	PR-F	C	1,773,100	1,707,800
19	Wastewater management	PR-F	C	1,101,100	1,101,500
20	Air management	PR-F	C	2,973,200	2,973,200
21	Solid and hazardous waste				
22	management	PR-F	C	3,045,300	3,017,700

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	Water supply management	PR-F	C	1,798,100	1,798,100
2	Technical services	PR-F	C	63,000	63,000
	NET APPROPRIATION			10,753,800	10,661,300
3	(mq) General program operations —				
4	environmental fund	SEG	A	-0-	-0-
5	Water resources management	SEG	A	453,200	453,200
6	Wastewater management	SEG	A	337,600	337,600
7	Solid and hazardous waste				
8	management	SEG	A	2,282,600	2,275,100
9	Water supply management	SEG	A	1,027,200	1,059,500
10	Technical services	SEG	A	99,800	99,800
	NET APPROPRIATION			4,200,400	4,225,200
11	(mr) General program operations —				
12	nonpoint source	SEG	A	408,100	410,700
13	(mt) General program operations —				
14	clean water fund program; state				
15	funds	SEG	A	423,200	427,300
16	(mu) Petroleum inspection fd. suppl. to				
17	env. fd.; env. repair and well comp.	SEG-S	A	1,049,400	1,049,400
18	(mw) Petroleum inspection fd.				
19	supplement to environ. fd.;				
20	groundwater management	SEG-S	A	759,800	759,800

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(mx) General program operations —				
2	clean water fund program; federal				
3	funds	SEG-F	C	611,400	486,400
4	(my) General program operations —				
5	environmental fund; federal funds	SEG-F	C	3,536,800	3,777,100
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			19,115,500	18,596,300
	PROGRAM REVENUE			28,456,300	26,211,000
	FEDERAL			(10,753,800)	(10,661,300)
	OTHER			(17,088,400)	(14,967,400)
	SERVICE			(614,100)	(582,300)
	SEGREGATED FUNDS			18,656,200	17,830,000
	FEDERAL			(4,148,200)	(4,263,500)
	OTHER			(12,698,800)	(11,757,300)
	SERVICE			(1,809,200)	(1,809,200)
	TOTAL-ALL SOURCES			66,228,000	62,637,300
6	(3) ENFORCEMENT				
7	(aq) Law enforcement — snowmobile				
8	enforcement and safety training	SEG	A	522,500	522,500
9	(ar) Law enforcement — boat				
10	enforcement and safety training	SEG	A	1,556,000	1,556,000
11	(as) Law enforcement — all-terrain				
12	vehicle enforcement	SEG	A	110,200	110,200
13	(aw) Law enforcement — car kill deer	SEG	A	192,500	210,000
14	(ay) Law enforcement — car kill deer;				
15	transportation fund	SEG	A	192,500	210,000
16	(bh) Water regulation & zoning — dam				
17	inspections & safety admin.;				
18	general fund	PR	A	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(bi) Water regulation and zoning — fees	PR	C	168,700	168,700
2	(br) Water reg. & zoning — dam safety				
3	& wetland mapping, conservation				
4	fund	SEG	A	481,900	481,900
5	(dg) Environmental impact —				
6	consultant services; printing and				
7	postage costs	PR	C	-0-	-0-
8	(dh) Environmental impact — power				
9	projects	PR	C	168,300	168,300
10	(di) Environmental consulting costs —				
11	federal power projects	PR	A	62,000	-0-
12	(ma) General program operations —				
13	state funds	GPR	A	6,071,100	5,790,600
14	(mi) General program operations —				
15	private and public sources	PR	C	-0-	-0-
16	(mk) General program operations —				
17	service funds	PR-S	C	829,700	829,700
18	(mm) General program operations —				
19	federal funds	PR-F	C	609,900	609,900
20	(mq) General program operations —				
21	environmental fund	SEG	A	764,600	754,600
22	(mu) General program operations —				
23	state funds	SEG	A	11,114,600	11,104,600

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(my) General program operations —				
2	federal funds	SEG-F	C	1,186,800	1,186,800
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			6,071,100	5,790,600
	PROGRAM REVENUE			1,838,600	1,776,600
	FEDERAL			(609,900)	(609,900)
	OTHER			(399,000)	(337,000)
	SERVICE			(829,700)	(829,700)
	SEGREGATED FUNDS			16,121,600	16,136,600
	FEDERAL			(1,186,800)	(1,186,800)
	OTHER			(14,934,800)	(14,949,800)
	TOTAL-ALL SOURCES			24,031,300	23,703,800
3	(5) CONSERVATION AIDS				
4	(aq) Resource aids - Canadian agencies				
5	migratory waterfowl aids	SEG	C	128,300	128,400
6	(ar) Resource aids - county				
7	conservation aids	SEG	C	150,000	150,000
8	(as) Recreation aids - fish, wildlife, and				
9	forestry recreation aids	SEG	C	230,000	230,000
10	(aw) Res. aids - nonprofit conserv.				
11	organiz.; MI-WI Boundary Area				
12	Commission	SEG	B	-0-	-0-
13	(ax) Resource aids - lake states wood				
14	utilization consortium	SEG	C	100,000	100,000
15	(bq) Resource aids - county forest loans;				
16	severance share payments	SEG	C	-0-	-0-
17	(br) Resource aids - forest croplands				
18	and managed forest land aids	SEG	A	1,250,000	1,250,000
19	(bs) Resource aids - county forest loans	SEG	A	622,400	622,400

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(bt) Resource aids - county forest				
2	project loans	SEG	C	400,000	400,000
3	(bu) Resource aids - county forest				
4	project loans; severance share				
5	payments	SEG	C	-0-	-0-
6	(bv) Res. aids - county forests, forest				
7	croplands and managed forest land				
8	aids	SEG	S	1,173,100	1,196,300
9	(bw) Resource aids - urban forestry and				
10	county forest administrator grants	SEG	A	632,900	632,900
11	(bx) Resource aids - national forest				
12	income aids	PR-F	C	782,200	782,200
13	(cq) Recreation aids - recreational				
14	boating projects; Milwaukee river				
15	study	SEG	C	4,947,000	4,947,000
16	(cr) Recreation aids - county				
17	snowmobile trail and area aids	SEG	C	1,200,200	1,200,200
18	(cs) Recreation aids - snowmobile trail				
19	areas	SEG	C	3,204,200	3,042,800
20	(ct) Recreation aids - all-terrain				
21	vehicle project aids; gas tax				
22	payment	SEG	C	366,400	389,800
23	(cu) Recreation aids - all-terrain				
24	vehicle project aids	SEG	C	170,700	164,900

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(cv) Recreation aids — motorcycle				
2	recreation aids; trails	SEG	A	197,500	197,500
3	(cw) Recreation aids - badger fund	SEG	C	-0-	-0-
4	(cy) Recreation and resource aids,				
5	federal funds	SEG-F	C	183,900	183,900
6	(da) Aids in lieu of taxes	GPR	S	1,450,000	1,570,000
7	(dq) Aids in lieu of taxes	SEG	S	825,000	800,000
8	(dx) Resource aids — payment in lieu of				
9	taxes; federal	PR-F	C	440,000	440,000
10	(ea) Enforcement aids — spearfishing				
11	enforcement	GPR	C	10,000	10,000
12	(eq) Enforcement aids — boating				
13	enforcement	SEG	A	1,100,000	1,100,000
14	(er) Enforcement aids — all-terrain				
15	vehicle enforcement	SEG	A	22,000	22,000
16	(es) Enforcement aids — snowmobiling				
17	enforcement	SEG	A	200,000	200,000
18	(ex) Enforcement aids — federal funds	SEG-F	C	-0-	-0-
19	(fa) Wildlife damage claims - general				
20	fund	GPR	A	-0-	-0-
21	(fq) Wildlife damage claims and				
22	abatement	SEG	C	1,408,400	1,408,400
23	(ga) Education programs — state funds	GPR	A	-0-	-0-
24	(gb) Education programs - program fees	PR	A	40,000	40,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(gq) Education programs —				
2	conservation fund	SEG	A	185,100	185,100
3	(gr) Education programs -				
4	environmental fund	SEG	A	165,200	165,200
5	(gx) Youth and education programs —				
6	federal funds	SEG-F	C	-0-	-0-
7	(hL) Water resources — Fox River				
8	management; fees	PR	C	-0-	-0-
9	(hu) Water resources - Fox River				
10	management	SEG	B	121,700	121,700
11	(hx) Water resources - Fox river				
12	management; federal moneys	SEG-F	C	-0-	-0-
13	(mk) General program operations —				
14	service funds	PR-S	C	-0-	-0-
15	(mu) Aids administration — general				
16	program operations, state funds	SEG	A	778,600	778,600
17	(mv) Aids administration — wildlife				
18	damage claims and abatement	SEG	A	55,500	55,500
19	(mw) Aids administration — snowmobile				
20	recreation	SEG	A	128,400	128,400
21	(my) Aids administration — general				
22	program operations, federal funds	SEG-F	C	139,100	96,200
(5) P R O G R A M T O T A L S					
	GENERAL PURPOSE REVENUES			1,460,000	1,580,000
	PROGRAM REVENUE			1,262,200	1,262,200
	FEDERAL			(1,222,200)	(1,222,200)
	OTHER			(40,000)	(40,000)

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1995-96	1996-97
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			20,085,600	19,897,200
	FEDERAL			(323,000)	(280,100)
	OTHER			(19,762,600)	(19,617,100)
	TOTAL-ALL SOURCES			22,807,800	22,739,400
1	(6) ENVIRONMENTAL AIDS				
2	(aa) Environmental aids - non-point				
3	source	GPR	B	1,893,400	6,363,600
4	(aq) Environmental aids — non-point				
5	source program	SEG	B	6,605,300	6,705,300
6	(ar) Environmental aids - lakes				
7	management grants	SEG	C	1,353,300	1,353,300
8	(as) Environmental aids - lakes				
9	managment planning grants	SEG	C	622,100	622,100
10	(at) Environmental aids — nonpoint				
11	source contracts	SEG	B	1,600,000	1,500,000
12	(ba) Environmental aids — dump				
13	closure cost share	GPR	C	1,250,800	1,247,700
14	(bj) Environmental aids — waste				
15	reduction and recycling grants and				
16	gifts	PR	C	-0-	-0-
17	(bq) Environmental aids - municipal				
18	and county recycling grants	SEG	S	29,200,000	29,200,000
19	(br) Environmental aids - waste				
20	reduction and recycling				
21	demonstration grants	SEG	C	1,000,000	1,000,000

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(bs) Environmental aids - household				
2	hazardous waste	SEG	A	150,000	150,000
3	(bt) Environmental aids - lake states				
4	wood utilization consortium	SEG	C	100,000	100,000
5	(ca) Environmental aids - scenic urban				
6	waterways	GPR	C	-0-	-0-
7	(cm) Environmental aids - federal funds	PR-F	C	75,000	75,000
8	(cq) Environmental aids - vapor				
9	recovery grants	SEG	C	-0-	-0-
10	(cr) Environmental aids - compensation				
11	for well contamination	SEG	C	300,000	300,000
12	(da) Environmental planning aids -				
13	local water quality planning	GPR	A	348,400	298,400
14	(dm) Environmental planning aids -				
15	federal funds	PR-F	C	260,600	260,600
16	(ma) Aids administration - general				
17	program operations, state funds	GPR	A	620,400	571,600
18	(mk) General program operations —				
19	service funds	PR-S	C	-0-	-0-
20	(mm) Aids administration - general				
21	program operations; funds	PR-F	C	160,800	85,100
22	(mq) Aids administration - non-point				
23	source program	SEG	A	67,400	67,400

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(mr) Aids administration - vapor				
2	recovery grants	SEG	A	124,800	-0-
3	(ms) Aids administration - recycling				
4	grants	SEG	A	149,500	149,500
5	(mu) Aids administration - clean water				
6	fund program; state funds	SEG	A	986,900	993,300
7	(mx) Aids administration - clean water				
8	fund program; federal funds	SEG-F	C	1,206,800	931,800
<b>(6) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			4,113,000	8,481,300
	PROGRAM REVENUE			496,400	420,700
	FEDERAL			(496,400)	(420,700)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			43,466,100	43,072,700
	FEDERAL			(1,206,800)	(931,800)
	OTHER			(42,259,300)	(42,140,900)
	TOTAL-ALL SOURCES			48,075,500	51,974,700
9	(7) DEBT SERVICE				
10	(aa) Resource acquisition and				
11	development - principal repayment				
12	and interest	GPR	S	13,962,500	15,791,500
13	(ac) Principal repayment and interest -				
14	recreational boating bonds	GPR	S	-0-	-0-
15	(aq) Resource acquisition and				
16	development - principal repayment				
17	and interest	SEG	S	228,300	229,200
18	(ar) Dam repair and removal - principal				
19	repayment and interest	SEG	S	260,900	380,200

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>	
1	(at) Recreation development - principal					
2	repayment and interest	SEG	S	-0-	-0-	
3	(ba) Debt service - remedial action	GPR	S	773,100	1,354,700	
4	(ca) Principal repayment and interest -					
5	nonpoint source grants	GPR	S	768,700	1,780,100	
6	(cb) Principal repayment and interest -					
7	pollution abatement bonds	GPR	S	81,793,800	78,877,900	
8	(cc) Principal repay. and int. - combined					
9	sewer overflow; pollution abat.					
10	bonds	GPR	S	18,787,700	17,783,700	
11	(cd) Principal repayment and interest -					
12	municipal clean drinking					
13	watergrants	GPR	S	967,700	968,900	
14	(ea) Administrative facilities - principal					
15	repayment and interest	GPR	S	498,200	572,000	
16	(eq) Administrative facilities - principal					
17	repayment and interest	SEG	S	570,100	729,500	
	(7) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			117,551,700	117,128,800	
	SEGREGATED FUNDS			1,059,300	1,338,900	
	OTHER			(1,059,300)	(1,338,900)	
	TOTAL-ALL SOURCES			118,611,000	118,467,700	
18	(8) ADMINISTRATIVE SERVICES					
19	(ba) Facilities - general fund	GPR	C	183,100	183,100	
20	(br) Facilities - conservation fund	SEG	C	376,800	376,800	

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(cq) Taxes and assessments —				
2	environmental fund	SEG	A	-0-	-0-
3	(dq) Snowmobile registration	SEG	A	-0-	-0-
4	(dr) Boat registration	SEG	A	-0-	-0-
5	(ds) All-terrain vehicle administration	SEG	A	-0-	-0-
6	(es) Boat titling — fees	SEG	B	-0-	-0-
7	(ez) Boat titling — administrative				
8	support; federal funds	SEG-F	C	-0-	-0-
9	(iq) Natural resources magazine	SEG	C	788,000	788,000
10	(ir) Promotional activities and				
11	publications	SEG	C	83,000	83,000
12	(is) Statewide recycling education	SEG	C	315,700	315,700
13	(iw) Statewide recycling administration	SEG	A	1,174,000	1,174,000
14	(ix) General program operations —				
15	pollution prevention	SEG	A	140,300	140,300
16	(Lu) Rental property — maintenance	SEG	C	-0-	-0-
17	(ma) General program operations —				
18	state funds	GPR	A	8,307,400	7,408,600
19	(mg) General program operations —				
20	stationary sources	PR	A	556,000	556,000
21	(mh) Information technology				
22	development projects	PR-S	A	-0-	-0-
23	(mi) General program operations —				
24	private and public sources	PR	C	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(mk) General program operations —				
2	service funds	PR-S	C	2,869,100	2,869,100
3	(mn) Indirect cost reimbursements	PR-F	C	4,102,700	3,541,800
4	(mq) General program operations —				
5	mobile sources	SEG	A	513,400	513,400
6	(mr) General program operations - clean				
7	water fund	SEG	A	100,000	200,000
8	(mu) General program operations —				
9	state funds	SEG	A	15,154,600	14,982,700
10	(mv) General program operations —				
11	environmental fund	SEG	A	1,640,400	1,615,300
12	(mz) Indirect cost reimbursements	SEG-F	C	933,000	901,000
13	(ni) Geographic information systems,				
14	general program operations - other				
15	funds	PR	C	-0-	-0-
16	(nk) Geographic information systems,				
17	general program operations —				
18	service fds.	PR-S	C	813,100	813,100
	<b>(8) PROGRAM TOTALS</b>				
	GENERAL PURPOSE REVENUES			8,490,500	7,591,700
	PROGRAM REVENUE			8,340,900	7,780,000
	FEDERAL			(4,102,700)	(3,541,800)
	OTHER			(556,000)	(556,000)
	SERVICE			(3,682,200)	(3,682,200)
	SEGREGATED FUNDS			21,219,200	21,090,200
	FEDERAL			(933,000)	(901,000)
	OTHER			(20,286,200)	(20,189,200)
	TOTAL-ALL SOURCES			38,050,600	36,461,900
19	(9) GENERAL PROVISIONS				

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(mg) Gifts and donations	PR	C	-0-	-0-
2	(mq) Gifts and donations	SEG	C	-0-	-0-
3	(mr) Equipment pool operations	SEG	C	-0-	-0-
4	(yx) Program balances	SEG	C	-0-	-0-
5	(yy) Revenues and appropriations	SEG	C	-0-	-0-
<b>(9) PROGRAM TOTALS</b>					
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
<b>20.370 DEPARTMENT TOTALS</b>					
	GENERAL PURPOSE REVENUES			166,289,800	168,305,300
	PROGRAM REVENUE			42,083,100	39,139,200
	FEDERAL			(17,185,000)	(16,455,900)
	OTHER			(19,292,400)	(17,109,400)
	SERVICE			(5,605,700)	(5,573,900)
	SEGREGATED FUNDS			207,400,600	206,430,100
	FEDERAL			(21,828,600)	(21,558,100)
	OTHER			(183,762,800)	(183,062,800)
	SERVICE			(1,809,200)	(1,809,200)
	TOTAL-ALL SOURCES			415,773,500	413,874,600
6	<b>20.380 Tourism</b>				
7	(1) TOURISM				
8	(a) General program operations	GPR	A	-0-	2,886,900
9	(b) Tourism marketing	GPR	A	-0-	7,741,000
10	(bm) Heritage tourism pilot project	GPR	B	-0-	131,700
11	(g) Gifts, grants and proceeds	PR	C	-0-	4,200
12	(k) Sale of materials or				
13	services-operations	PR-S	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(ka) Sales of materials or services-local				
2	assistance	PR-S	A	-0-	-0-
3	(kb) Sales of materials or				
4	services-individuals and				
5	organizations	PR-S	C	-0-	-0-
6	(kc) Marketing clearinghouse charges	PR-S	A	-0-	320,000
7	(kd) Information technology				
8	development projects	PR-S	A	-0-	-0-
9	(m) Federal aid-state operations	PR-F	C	-0-	-0-
10	(n) Federal aid-local assistance	PR-F	C	-0-	-0-
11	(o) Federal aid-individuals and				
12	organizations	PR-F	C	-0-	-0-
(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			-0-	10,759,600
	PROGRAM REVENUE			-0-	324,200
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(4,200)
	SERVICE			(-0-)	(320,000)
	TOTAL-ALL SOURCES			-0-	11,083,800
13	(2) KICKAPOO VALLEY RESERVE				
14	(dq) Kickapoo valley reserve; aids in lieu				
15	of taxes	GPR	S	-0-	-0-
16	(ip) Kickapoo valley governing board;				
17	program services	PR	C	-0-	-0-
18	(ir) Kickapoo valleyly governing board;				
19	gifts and grants	PR	C	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(q) Kickapoo valley governing board;				
2	general program operations	SEG	A	-0-	189,100
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SEGREGATED FUNDS			-0-	189,100
	OTHER			(-0-)	(189,100)
	TOTAL-ALL SOURCES			-0-	189,100
3	(3) ADMINISTRATIVE SERVICES				
4	(a) Administrative services-general				
5	program operations	GPR	A	-0-	712,800
6	(j) Administrative services-public and				
7	private sources	PR	C	-0-	-0-
8	(k) Administrative services-service				
9	funds	PR-S	C	-0-	-0-
10	(q) Administrative				
11	services-conservation fund	SEG	A	-0-	52,700
12	(y) Administrative services-federal				
13	funds	SEG-F	C	-0-	-0-
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	712,800
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			-0-	52,700
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(52,700)
	TOTAL-ALL SOURCES			-0-	765,500
14	(4) GENERAL PROVISIONS				
15	(g) General provisions-gifts and grants	PR	C	-0-	-0-

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
(4) PROGRAM TOTALS				
PROGRAM REVENUE			-0-	-0-
OTHER			(-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-
20.380 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			-0-	11,472,400
PROGRAM REVENUE			-0-	324,200
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(4,200)
SERVICE			(-0-)	(320,000)
SEGREGATED FUNDS			-0-	241,800
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(241,800)
TOTAL-ALL SOURCES			-0-	12,038,400

1	<b>20.395 Transportation, department of</b>				
2	(1) Aids				
3	(ar) Corrections of transportation aid				
4	payments	SEG	S	-0-	-0-
5	(as) Transportation aids to counties,				
6	state funds	SEG	A	68,809,500	73,473,900
7	(at) Transportation aids to				
8	municipalities, state funds	SEG	A	213,243,100	220,823,200
9	(bq) Small communities transit				
10	operating aids, state funds	SEG	A	53,139,900	4,374,000
11	(br) Milwaukee urban area rail transit				
12	system planning study, state funds	SEG	A	-0-	-0-
13	(bs) Medium-sized communities transit				
14	operating aids, state funds	SEG	A	3,502,500	14,383,600
15	(bt) Urban rail transit system grants	SEG	C	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(bu) Large communities transit				
2	operating aids, state funds	SEG	A	16,552,600	55,672,600
3	(bv) Transit aids, local funds	SEG-L	C	-0-	-0-
4	(bw) Employment transit aids, state				
5	funds	SEG	A	596,500	-0-
6	(bx) Transit aids, federal funds	SEG-F	C	13,800,000	6,600,000
7	(by) Employment transit aids, federal				
8	funds	SEG-F	C	-0-	-0-
9	(cq) Elderly and disabled capital aids,				
10	state funds	SEG	A	733,700	755,700
11	(cr) Elderly and disabled county aids,				
12	state funds	SEG	A	5,355,600	5,516,300
13	(cv) Elderly and disabled aids, local				
14	funds	SEG-L	C	458,400	463,900
15	(cx) Elderly and disabled aids, federal				
16	funds	SEG-F	C	1,100,000	1,100,000
17	(ds) Demand management and				
18	ride-sharing grants, state funds	SEG	A	300,000	300,000
19	(ex) Highway safety, local assistance,				
20	federal funds	SEG-F	C	1,700,000	1,700,000
21	(fq) Connecting highways aids, state				
22	funds	SEG	A	11,584,500	11,996,400
23	(fs) Flood damage aids, state funds	SEG	S	600,000	600,000
24	(ft) Lift bridge aids, state funds	SEG	B	1,350,000	1,500,000

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(fu) County forest road aids, state funds	SEG	A	541,500	541,500
2	(gq) Expressway policing aids, state				
3	funds	SEG	A	828,400	853,300
(1) P R O G R A M T O T A L S					
	SEGREGATED FUNDS			394,196,200	400,654,400
	FEDERAL			(16,600,000)	(9,400,000)
	OTHER			(377,137,800)	(390,790,500)
	LOCAL			(458,400)	(463,900)
	TOTAL-ALL SOURCES			394,196,200	400,654,400
4	(2) LOCAL TRANSPORTATION ASSISTANCE				
5	(aq) Accelerated local bridge				
6	improvement assistance, state				
7	funds	SEG	C	5,075,000	1,000,000
8	(av) Accelerated local bridge				
9	improvement assistance, local				
10	funds	SEG-L	C	1,691,700	333,300
11	(ax) Accelerated local bridge				
12	improvement assistance, federal				
13	funds	SEG-F	C	-0-	-0-
14	(bq) Rail service assistance, state funds	SEG	C	656,400	656,400
15	(br) Rail passenger service, state funds	SEG	B	572,500	572,500
16	(bu) Freight rail infrastructure				
17	improvements, state funds	SEG	C	5,579,800	5,579,800
18	(bv) Rail service assistance, local funds	SEG-L	C	500,000	500,000
19	(bw) Freight rail assistance loan				
20	repayments, local funds	SEG-L	C	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(bx) Rail service assistance, federal				
2	funds	SEG-F	C	50,000	50,000
3	(cq) Harbor assistance, state funds	SEG	C	580,700	580,700
4	(dq) Aeronautics assistance, state funds	SEG	C	12,863,900	12,863,900
5	(dv) Aeronautics assistance, local funds	SEG-L	C	6,985,200	6,985,200
6	(dx) Aeronautics assistance, federal				
7	funds	SEG-F	C	20,000,000	20,000,000
8	(eq) Highway and local bridge				
9	improvement assistance, state				
10	funds	SEG	C	8,188,200	9,170,000
11	(ev) Local bridge improvement				
12	assistance, local funds	SEG-L	C	8,182,300	8,427,700
13	(ex) Local bridge improvement				
14	assistance, federal funds	SEG-F	C	24,538,200	24,538,200
15	(fr) Local roads improvement program,				
16	state funds	SEG	C	11,336,400	11,676,500
17	(fv) Local transportation facility				
18	improvement assistance, local				
19	funds	SEG-L	C	25,483,400	25,823,500
20	(fx) Local transportation facility				
21	improvement assistance, federal				
22	funds	SEG-F	C	56,138,000	56,138,000
23	(gq) Railroad crossing improvement and				
24	protection maintenance, state funds	SEG	A	2,250,000	2,250,000

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(gr) Railroad crossing improvement and				
2	protection installation, state funds	SEG	A	450,000	450,000
3	(gs) Railroad crossing repair assistance,				
4	state funds	SEG	C	-0-	-0-
5	(gv) Railroad crossing improvement,				
6	local funds	SEG-L	C	-0-	-0-
7	(gx) Railroad crossing improvement,				
8	federal funds	SEG-F	C	1,849,300	1,849,300
9	(hq) Multimodal transportation studies,				
10	state funds	SEG	C	500,000	500,000
11	(hx) Multimodal transportation studies,				
12	federal funds	SEG-F	C	-0-	-0-
13	(iq) Transportation facilities economic				
14	assistance and development, state				
15	funds	SEG	C	3,605,000	3,713,200
16	(iv) Transportation facilities economic				
17	assistance and development, local				
18	funds	SEG-L	C	3,605,000	3,713,200
19	(iw) Transportation facility				
20	improvement loans, local funds	SEG-L	C	-0-	-0-
21	(ix) Transportation facilities economic				
22	assistance & development, federal				
23	funds	SEG-F	C	-0-	-0-
24	(jq) Surface transportation grants, state				
25	funds	SEG	C	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(jv) Surface transportation grants, local				
2	funds	SEG-L	C	680,000	680,000
3	(jx) Surface transportation grants,				
4	federal funds	SEG-F	C	2,720,000	2,720,000
5	(kv) Congestion mitigation and air				
6	quality improvement, local funds	SEG-L	C	1,502,400	1,502,400
7	(kx) Congestion mitigation and air				
8	quality improvement, federal funds	SEG-F	C	6,009,500	6,009,500
9	(mq) Local assistance administration,				
10	state funds	SEG	A	1,463,000	1,460,700
11	(mv) Local assistance administration,				
12	local funds	SEG-L	C	-0-	-0-
13	(mx) Local assistance administration,				
14	federal funds	SEG-F	C	300,000	300,000
		(2) PROGRAM TOTALS			
	SEGREGATED FUNDS			213,355,900	210,044,000
	FEDERAL			(111,605,000)	(111,605,000)
	OTHER			(53,120,900)	(50,473,700)
	LOCAL			(48,630,000)	(47,965,300)
	TOTAL-ALL SOURCES			213,355,900	210,044,000
15	(3) STATE HIGHWAY FACILITIES				
16	(aq) Environmental clean-up activities,				
17	state funds	SEG	C	2,000,000	2,000,000
18	(bq) Major highway development, state				
19	funds	SEG	C	10,000,000	10,000,000
20	(br) Major highway development,				
21	service funds	SEG-S	C	106,774,900	111,663,300

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(bv) Major highway development, local				
2	funds	SEG-L	C	-0-	-0-
3	(bx) Major highway development,				
4	federal funds	SEG-F	C	36,721,600	48,354,700
5	(cq) State highway rehabilitation, state				
6	funds	SEG	C	214,861,300	276,174,300
7	(cv) State highway rehabilitation, local				
8	funds	SEG-L	C	2,000,000	2,000,000
9	(cx) State highway rehabilitation,				
10	federal funds	SEG-F	C	185,994,900	174,361,800
11	(eq) Highway maintenance, repair and				
12	traffic operations, state funds	SEG	B	139,331,100	143,139,800
13	(ev) Highway maintenance, repair and				
14	traffic operations, local funds	SEG-L	C	250,000	250,000
15	(ex) Highway maintenance, repair and				
16	traffic operations, federal funds	SEG-F	C	-0-	-0-
17	(iq) Administration and planning, state				
18	funds	SEG	A	17,415,200	17,415,200
19	(ir) Disadvantaged business				
20	mobilization assistance, state funds	SEG	C	-0-	-0-
21	(iv) Administration and planning, local				
22	funds	SEG-L	C	-0-	-0-
23	(ix) Administration and planning,				
24	federal funds	SEG-F	C	3,282,700	3,282,700

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1995-96	1996-97
(3) PROGRAM TOTALS					
SEGREGATED FUNDS				718,631,700	788,641,800
FEDERAL				(225,999,200)	(225,999,200)
OTHER				(383,607,600)	(448,729,300)
SERVICE				(106,774,900)	(111,663,300)
LOCAL				(2,250,000)	(2,250,000)
TOTAL-ALL SOURCES				718,631,700	788,641,800
1	(4) GENERAL TRANSPORTATION OPERATIONS				
2	(aq) Departmental management and				
3	operations, state funds	SEG	A	38,129,100	35,878,900
4	(ar) Minor construction projects, state				
5	funds	SEG	C	708,600	574,600
6	(as) Information technology				
7	development projects	PR-S	A	-0-	-0-
8	(at) Capital building projects, service				
9	funds	SEG-S	C	4,674,000	4,674,000
10	(av) Departmental management and				
11	operations, local funds	SEG-L	C	369,000	369,000
12	(ax) Departmental management and				
13	operations, federal funds	SEG-F	C	6,825,000	6,825,000
14	(ch) Gifts and grants	PR	C	-0-	-0-
15	(dq) Demand management	SEG	A	250,500	250,500
16	(eq) Data processing services, service				
17	funds	SEG-S	C	15,109,600	15,109,600
18	(er) Fleet operations, service funds	SEG-S	C	11,413,900	11,413,900
19	(es) Other department services,				
20	operations, service funds	SEG-S	C	1,119,800	1,119,800

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(et) Equipment acquisition	SEG	A	-0-	-0-
	(4) P R O G R A M T O T A L S				
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			78,599,500	76,215,300
	FEDERAL			(6,825,000)	(6,825,000)
	OTHER			(39,088,200)	(36,704,000)
	SERVICE			(32,317,300)	(32,317,300)
	LOCAL			(369,000)	(369,000)
	TOTAL-ALL SOURCES			78,599,500	76,215,300
2	(5) MOTOR VEHICLE SERVICES AND ENFORCEMENT				
3	(cg) Vehicle registration, telephone				
4	renewal transactions, state funds	PR	C	-0-	-0-
5	(ch) Repaired salvage vehicle				
6	examinations, state funds	PR	C	-0-	-0-
7	(cq) Vehicle reg., inspection &				
8	maintenance & driver licensing,				
9	state funds	SEG	A	60,343,300	57,301,300
10	(cx) Vehicle registration and driver				
11	licensing, federal funds	SEG-F	C	200,000	200,000
12	(dk) Public safety radio management,				
13	service funds	PR-S	C	143,600	143,600
14	(dq) Vehicle inspection, traffic				
15	enforcement and radio				
16	management, state funds	SEG	A	37,711,700	38,092,700
17	(dx) Vehicle inspection and traffic				
18	enforcement, federal funds	SEG-F	C	2,029,300	2,029,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(hq) Motor veh. emission insp. and				
2	maint. program, contractor costs,				
3	state funds	SEG	A	8,021,700	8,021,700
4	(hx) Motor vehicle emission inspection				
5	and maintenance programs, federal				
6	funds	SEG-F	C	-0-	-0-
7	(iv) Municipal and county registration				
8	fee, local funds	SEG-L	C	-0-	-0-
(5) PROGRAM TOTALS					
	PROGRAM REVENUE			143,600	143,600
	OTHER			(-0-)	(-0-)
	SERVICE			(143,600)	(143,600)
	SEGREGATED FUNDS			108,306,000	105,645,000
	FEDERAL			(2,229,300)	(2,229,300)
	OTHER			(106,076,700)	(103,415,700)
	LOCAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			108,449,600	105,788,600
9	(6) DEBT SERVICES				
10	(aq) Principal repayment and interest,				
11	transportation facilities, state funds	SEG	S	8,643,300	7,241,500
12	(ar) Principal repayment and interest,				
13	buildings, state funds	SEG	S	686,800	645,100
14	(as) Transportation facilities and				
15	highway projects revenue				
16	obligation repayment	SEG	C	-0-	-0-
(6) PROGRAM TOTALS					
	SEGREGATED FUNDS			9,330,100	7,886,600
	OTHER			(9,330,100)	(7,886,600)
	TOTAL-ALL SOURCES			9,330,100	7,886,600
20.395 DEPARTMENT TOTALS					
	PROGRAM REVENUE			143,600	143,600

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1995-96	1996-97
	OTHER			(-0-)	(-0-)
	SERVICE			(143,600)	(143,600)
	SEGREGATED FUNDS			1,522,419,400	1,589,087,100
	FEDERAL			(363,258,500)	(356,058,500)
	OTHER			(968,361,300)	(1,037,999,800)
	SERVICE			(139,092,200)	(143,980,600)
	LOCAL			(51,707,400)	(51,048,200)
	TOTAL-ALL SOURCES			1,522,563,000	1,589,230,700
<b>1</b>	<b>20.399 Wisconsin conservation corps board</b>				
<b>2</b>	(1) CORPS ENROLLEE SUPPORT				
<b>3</b>	(b) General enrollee operations	GPR	B	2,041,100	-0-
<b>4</b>	(j) Corps enrollee compensation and				
<b>5</b>	support; sponsor contribution	PR	C	10,000	-0-
<b>6</b>	(k) Corps enrollee compensation and				
<b>7</b>	support; service funds	PR-S	C	587,600	-0-
<b>8</b>	(m) Corps enrollee compensation and				
<b>9</b>	support; federal funds	PR-F	C	-0-	-0-
<b>10</b>	(u) Corps enrollee operations;				
<b>11</b>	conservation fund	SEG	B	328,300	-0-
<b>12</b>	(v) General enrollee operations;				
<b>13</b>	transportation fund	SEG	B	281,100	-0-
<b>14</b>	(w) General enrollee operations;				
<b>15</b>	environmental fund	SEG	B	76,700	-0-
<b>16</b>	(x) General enrollee operations;				
<b>17</b>	waterfront projects; conservation				
<b>18</b>	fund	SEG	B	141,700	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			2,041,100	-0-
	PROGRAM REVENUE			597,600	-0-

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1995-96	1996-97
	FEDERAL			(-0-)	(-0-)
	OTHER			(10,000)	(-0-)
	SERVICE			(587,600)	(-0-)
	SEGREGATED FUNDS			827,800	-0-
	OTHER			(827,800)	(-0-)
	TOTAL-ALL SOURCES			3,466,500	-0-
1	(2) ADMINISTRATION				
2	(a) Administrative support; general				
3	program operations	GPR	A	206,300	-0-
4	(j) Administrative support; sponsor				
5	contribution	PR	C	-0-	-0-
6	(k) Conservation corps —				
7	administrative support; service				
8	funds	PR-S	C	36,400	-0-
9	(ka) Information technology				
10	development projects	PR-S	A	-0-	-0-
11	(m) Administrative support; federal				
12	funds	PR-F	C	-0-	-0-
13	(q) Administrative support;				
14	conservation fund	SEG	A	399,100	-0-
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			206,300	-0-
	PROGRAM REVENUE			36,400	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(36,400)	(-0-)
	SEGREGATED FUNDS			399,100	-0-
	OTHER			(399,100)	(-0-)
	TOTAL-ALL SOURCES			641,800	-0-
15	(3) GIFTS AND RELATED SUPPORT				

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1 (g) Gifts and related support	PR	C	-0-	-0-
(3) PROGRAM TOTALS				
PROGRAM REVENUE			-0-	-0-
OTHER			(-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-
20.399 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			2,247,400	-0-
PROGRAM REVENUE			634,000	-0-
FEDERAL			(-0-)	(-0-)
OTHER			(10,000)	(-0-)
SERVICE			(624,000)	(-0-)
SEGREGATED FUNDS			1,226,900	-0-
OTHER			(1,226,900)	(-0-)
TOTAL-ALL SOURCES			4,108,300	-0-
Environmental Resources				
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			187,218,600	203,381,700
PROGRAM REVENUE			42,950,700	39,697,000
FEDERAL			(17,185,000)	(16,455,900)
OTHER			(19,392,400)	(17,203,600)
SERVICE			(6,373,300)	(6,037,500)
SEGREGATED FUNDS			1,735,205,900	1,799,918,000
FEDERAL			(385,087,100)	(377,616,600)
OTHER			(1,157,510,000)	(1,225,463,400)
SERVICE			(140,901,400)	(145,789,800)
LOCAL			(51,707,400)	(51,048,200)
TOTAL-ALL SOURCES			1,965,375,200	2,042,996,700

## Human Relations and Resources

### 2 **20.410 Corrections, department of**

#### 3 (1) ADULT CORRECTIONAL SERVICES

4 (a) General program operations	GPR	A	227,396,800	231,485,500
5 (aa) Institutional repair and				
6 maintenance	GPR	A	2,553,600	2,734,700
7 (ab) Intergovernmental corrections				
8 agreements	GPR	A	8,361,100	8,966,000

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(ai) Intensive sanctions	GPR	A	16,930,900	17,875,800
2	(b) Field supervision	GPR	A	54,816,000	55,791,800
3	(bn) Reimbursing counties for probation				
4	and parole holds	GPR	A	3,164,000	3,653,000
5	(c) Reimbursement claims of counties				
6	containing state prisons	GPR	S	106,100	106,100
7	(cm) Home detention program	GPR	A	-0-	-0-
8	(cw) Mother-young child care program	GPR	A	200,000	200,000
9	(d) Purchased services for offenders	GPR	A	4,308,300	5,253,100
10	(dd) Special living arrangements	GPR	A	5,098,900	6,061,400
11	(e) Principal repayment and interest	GPR	S	38,426,600	41,469,800
12	(ec) Prison industries principal, interest				
13	and rebates	GPR	S	-0-	-0-
14	(ed) Correctional facilities rental	GPR	A	-0-	-0-
15	(ef) Lease rental payments	GPR	S	-0-	-0-
16	(f) Energy costs	GPR	A	7,869,600	8,358,900
17	(fm) Offender release information	GPR	B	-0-	-0-
18	(g) Loan fund for persons on probation,				
19	community supervision or parole	PR	A	6,000	6,000
20	(gb) Drug testing	PR	C	38,900	38,900
21	(ge) Administrative and minimum				
22	supervision	PR	A	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(gf) Probation, community supervision				
2	and parole	PR	A	2,000,000	4,000,000
3	(gg) Supervision of defendants and				
4	offenders	PR	A	23,300	23,300
5	(gi) General operations	PR	A	548,800	3,790,000
6	(gm) Sale of fuel and utility service	PR	A	-0-	-0-
7	(gr) Home detention services	PR	A	1,480,700	1,488,800
8	(gt) Telephone company commissions	PR	A	272,800	272,800
9	(h) Administration of restitution	PR	A	492,800	501,300
10	(hx) Extended jurisdiction services	PR-S	A	-0-	-0-
11	(i) Gifts and grants	PR	C	33,400	33,400
12	(j) State-owned housing maintenance	PR	A	5,800	5,800
13	(jp) Correctional officer training	PR	A	1,340,100	1,352,300
14	(kc) Correctional institution enterprises;				
15	inmate activities and employment	PR-S	C	524,800	525,700
16	(kf) Correctional farms	PR-S	A	1,888,200	1,984,800
17	(kk) Institutional operations and				
18	charges	PR-S	A	11,360,900	11,403,300
19	(km) Prison industries	PR-S	A	14,365,100	14,125,900
20	(ko) Prison industries principal				
21	repayment, interest and rebates	PR-S	S	84,700	81,100
22	(kw) Information technology				
23	development projects	PR-S	A	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(kx) Interagency and intra-agency				
2	programs	PR-S	C	1,070,800	885,700
3	(ky) Interagency and intra-agency aids	PR-S	C	1,442,100	1,442,100
4	(kz) Interagency and intra-agency local				
5	assistance	PR-S	C	-0-	-0-
6	(m) Federal project operations	PR-F	C	49,400	30,600
7	(n) Federal program operations	PR-F	C	-0-	-0-
	(1) P R O G R A M T O T A L S				
	GENERAL PURPOSE REVENUES			369,231,900	381,956,100
	PROGRAM REVENUE			37,028,600	41,991,800
	FEDERAL			(49,400)	(30,600)
	OTHER			(6,242,600)	(11,512,600)
	SERVICE			(30,736,600)	(30,448,600)
	TOTAL-ALL SOURCES			406,260,500	423,947,900
8	(2) PAROLE COMMISSION				
9	(a) General program operations	GPR	A	628,700	616,400
10	(kx) Interagency and intra-agency				
11	programs	PR-S	C	-0-	-0-
	(2) P R O G R A M T O T A L S				
	GENERAL PURPOSE REVENUES			628,700	616,400
	PROGRAM REVENUE			-0-	-0-
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			628,700	616,400
12	(3) JUVENILE CORRECTIONAL SERVICES				
13	(a) General program operations	GPR	A	-0-	1,091,800
14	(c) Reimbursement claims of counties				
15	containing secured correctional				
16	facilities	GPR	A	-0-	200,000

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(cd) Community youth and family aids	GPR	A	-0-	74,516,700
2	(cg) Serious juvenile offenders	GPR	A	-0-	25,605,500
3	(e) Principal repayment and interest	GPR	S	-0-	1,902,800
4	(f) Community intervention program	GPR	A	-0-	3,750,000
5	(hm) Juvenile correctional services	PR	A	-0-	63,203,000
6	(ho) Juvenile residential aftercare	PR	A	-0-	6,552,900
7	(hr) Juvenile corrective sanctions				
8	program	PR	A	-0-	3,146,900
9	(i) Gifts and grants	PR	C	-0-	5,300
10	(j) State-owned housing maintenance	PR	A	-0-	30,500
11	(jk) Youth diversion program	PR	B	-0-	450,000
12	(jr) Institutional operations and				
13	charges	PR	A	-0-	188,500
14	(kx) Interagency and intra-agency				
15	programs	PR-S	C	-0-	1,270,000
16	(ky) Interagency and intra-agency aids	PR-S	C	-0-	-0-
17	(kz) Interagency and intra-agency local				
18	assistance	PR-S	C	-0-	-0-
19	(m) Federal project operations	PR-F	C	-0-	-0-
20	(n) Federal program operations	PR-F	C	-0-	-0-
21	(o) Federal aid; foster care and				
22	treatment foster care	PR-F	C	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(oo) Federal aid; community youth and				
2	family aids	PR-F	C	-0-	2,449,200
3	(p) Federal aid; alcohol and other drug				
4	abuse	PR-F	C	-0-	300,000
5	(q) Girls school benevolent trust fund	SEG	C	-0-	-0-
<b>(3) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			-0-	107,066,800
	PROGRAM REVENUE			-0-	77,596,300
	FEDERAL			(-0-)	(2,749,200)
	OTHER			(-0-)	(73,577,100)
	SERVICE			(-0-)	(1,270,000)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	184,663,100
<b>20.410 DEPARTMENT TOTALS</b>					
	GENERAL PURPOSE REVENUES			369,860,600	489,639,300
	PROGRAM REVENUE			37,028,600	119,588,100
	FEDERAL			(49,400)	(2,779,800)
	OTHER			(6,242,600)	(85,089,700)
	SERVICE			(30,736,600)	(31,718,600)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			406,889,200	609,227,400
6	<b>20.425 Employment relations commission</b>				
7	(1) PROMOTION OF PEACE IN LABOR RELATIONS				
8	(a) General program operations	GPR	A	2,620,300	2,426,300
9	(g) Publications	PR	A	29,300	29,300
10	(h) Collective bargaining training	PR	C	-0-	-0-
11	(i) Fees	PR	A	116,600	310,600
12	(ka) Information technology				
13	development projects	PR-S	A	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
	20.425 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			2,620,300	2,426,300
	PROGRAM REVENUE			145,900	339,900
	OTHER			(145,900)	(339,900)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			2,766,200	2,766,200
1	<b>20.432 Board on aging and long-term care</b>				
2	(1) IDENTIFICATION OF THE NEEDS OF THE AGED AND DISABLED				
3	(a) General program operations	GPR	A	442,100	441,000
4	(i) Gifts and grants	PR	C	-0-	-0-
5	(k) Contracts with state agencies	PR-S	A	159,200	161,400
6	(kb) Insurance and other information,				
7	counseling and assistance	PR-S	A	159,700	163,000
8	(kc) Information technology				
9	development projects	PR-S	A	-0-	-0-
10	(m) Federal aid	PR-F	C	-0-	-0-
	20.432 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			442,100	441,000
	PROGRAM REVENUE			318,900	324,400
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(318,900)	(324,400)
	TOTAL-ALL SOURCES			761,000	765,400
11	<b>20.433 Child abuse and neglect prevention board</b>				
12	(1) PREVENTION OF CHILD ABUSE AND NEGLECT				
13	(b) Early childhood family education				
14	center grants	GPR	A	-0-	-0-
15	(c) Right from the start grants	GPR	A	230,000	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(d) Right from the start, general				
2	program ops and technical				
3	assistance	GPR	A	12,500	-0-
4	(g) General program operations	PR	A	310,700	325,800
5	(h) Grants to organizations	PR	C	1,250,000	1,480,000
6	(i) Gifts and grants	PR	C	-0-	-0-
7	(k) Interagency programs	PR-S	C	-0-	-0-
8	(m) Federal project operations	PR-F	C	50,000	50,000
9	(ma) Federal project aids	PR-F	C	75,000	75,000
10	(q) Children's trust fund grants	SEG	C	-0-	-0-
11	(r) Children's trust fund; general				
12	program operations and statewide				
13	projects	SEG	A	42,500	42,500
<b>2 0 . 4 3 3 D E P A R T M E N T T O T A L S</b>					
	GENERAL PURPOSE REVENUES			242,500	-0-
	PROGRAM REVENUE			1,685,700	1,930,800
	FEDERAL			(125,000)	(125,000)
	OTHER			(1,560,700)	(1,805,800)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			42,500	42,500
	OTHER			(42,500)	(42,500)
	TOTAL-ALL SOURCES			1,970,700	1,973,300
14	<b>20.434 Adolescent pregnancy prevention and pregnancy services board</b>				
15	(1) ADOLESCENT PREGNANCY PREVENTION AND PREGNANCY SERVICES				
16	(a) General program operations	GPR	A	95,500	105,500
17	(b) Grants to organizations	GPR	A	566,300	439,300

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(ka) Information technology				
2	development projects	PR-S	A	-0-	-0-
<b>20.434 DEPARTMENT TOTALS</b>					
	GENERAL PURPOSE REVENUES			661,800	544,800
	PROGRAM REVENUE			-0-	-0-
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			661,800	544,800
3	<b>20.435 Health and social services, department of</b>				
4	(1) HEALTH SERVICES PLANNING, REGULATION AND DELIVERY				
5	(a) General program operations	GPR	A	16,646,100	16,417,100
6	(am) Services, reimburse. & payment				
7	related to acquired				
8	immunodeficiency syndrome	GPR	A	2,918,200	3,078,700
9	(b) Medical assistance program				
10	benefits	GPR	B	905,952,700	942,446,200
11	(bm) Medical assistance administration	GPR	B	12,856,700	13,631,600
12	(br) Welfare reform studies	GPR	C	-0-	-0-
13	(bs) Relief block grants to tribal				
14	governing bodies	GPR	A	400,000	800,000
15	(bt) Relief block grants to counties with				
16	a population of 500,000 or more	GPR	A	-0-	-0-
17	(bu) Relief block grants to counties with				
18	a population of less than 500,000	GPR	A	-0-	-0-
19	(c) Relief of needy Indian persons	GPR	S	-0-	-0-
20	(cb) General relief aid	GPR	A	-0-	6,570,000

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(cc) Cancer treatment, training,				
2	follow-up, control and prevention	GPR	A	982,800	982,800
3	(cd) Domestic abuse grants	GPR	A	-0-	3,580,800
4	(ce) Services for homeless individuals	GPR	C	125,000	125,000
5	(cj) Health care device safety grants	GPR	A	-0-	-0-
6	(cm) Immunization	GPR	B	2,660,000	2,660,000
7	(cp) Public health aids	GPR	A	500,000	250,000
8	(d) Facility appeals mechanism	GPR	A	546,800	546,800
9	(de) Dental services	GPR	A	2,300,000	2,300,000
10	(dm) Nursing home monitoring and				
11	receivership supplement	GPR	S	-0-	-0-
12	(ds) Statewide poison control program	GPR	A	187,500	187,500
13	(e) Disease aids	GPR	B	5,697,200	6,681,500
14	(ed) Radon aids	GPR	A	30,000	30,000
15	(ef) Lead-poisoning or lead-exposure				
16	services	GPR	A	879,100	879,100
17	(eg) Pregnancy counseling	GPR	A	275,000	275,000
18	(ei) High-risk pregnancy grant				
19	program	GPR	C	-0-	-0-
20	(ek) Cooperative American Indian				
21	health projects	GPR	A	120,000	120,000

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(em) Supplemental food program for				
2	women, infants and children				
3	benefits	GPR	C	-0-	-0-
4	(ev) Pregnancy outreach	GPR	A	250,000	250,000
5	(f) Family planning	GPR	A	1,955,200	1,955,200
6	(g) Nursing facility resident protection	PR	A	-0-	-0-
7	(gm) Licensing, review and certifying				
8	activities	PR	A	4,562,100	4,752,000
9	(gn) Fees for review of assisted living				
10	facilities	PR	A	5,500	2,900
11	(gp) Health care; aids	PR	C	1,500,000	1,500,000
12	(hh) Domestic abuse assessment grants	PR	C	-0-	210,000
13	(hk) Domestic abuse awareness and				
14	prevention	PR	C	-0-	320,000
15	(i) Gifts and grants	PR	C	444,800	415,500
16	(im) Medical assistance; recovery of				
17	correct payments	PR	C	6,883,600	10,146,900
18	(in) Community options program; estate				
19	recovery administration	PR	A	-0-	69,000
20	(j) Fees for services and supplies	PR	A	1,563,500	1,589,500
21	(ja) Congenital disorders; diagnosis,				
22	special dietary treatment and				
23	counseling	PR	A	1,391,100	1,456,400
24	(jb) Congenital disorders; operations	PR	A	16,200	16,200

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(k) Nursing home monitoring and				
2	receivership operations	PR-S	C	-0-	-0-
3	(km) Internal services	PR-S	A	2,005,400	2,079,600
4	(kx) Interagency and intra-agency				
5	programs	PR-S	C	1,570,800	1,630,000
6	(ky) Interagency and intra-agency aids	PR-S	C	629,000	629,000
7	(kz) Interagency and intra-agency local				
8	assistance	PR-S	C	94,800	94,800
9	(m) Federal project operations	PR-F	C	8,944,600	9,354,400
10	(ma) Federal project aids	PR-F	C	3,614,100	3,614,100
11	(mc) Block grant operations	PR-F	C	5,658,400	5,613,200
12	(md) Block grant aids	PR-F	C	9,174,000	9,174,000
13	(n) Federal program operations	PR-F	C	16,934,300	17,097,800
14	(na) Federal program aids	PR-F	C	55,587,100	57,062,500
15	(o) Federal aid; medical assistance	PR-F	C	1,494,150,500	1,557,660,200
16	(p) Federal aid; medical assistance				
17	contracts administration	PR-F	C	33,684,200	26,389,600
18	(q) Groundwater and air quality				
19	standards	SEG	A	269,900	269,900
20	(rg) Emergency medical services;				
21	general program operations	SEG	A	316,800	316,800
22	(rm) Emergency medical services; aids	SEG	A	2,200,000	2,200,000
<b>(1) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			955,282,300	1,003,767,300
	PROGRAM REVENUE			1,648,414,000	1,710,877,600

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1995-96	1996-97
	FEDERAL			(1,627,747,200)	(1,685,965,800)
	OTHER			(16,366,800)	(20,478,400)
	SERVICE			(4,300,000)	(4,433,400)
	SEGREGATED FUNDS			2,786,700	2,786,700
	OTHER			(2,786,700)	(2,786,700)
	TOTAL-ALL SOURCES			2,606,483,000	2,717,431,600
1	(2) CARE AND TREATMENT FACILITIES				
2	(a) General program operations	GPR	A	32,653,200	32,621,700
3	(aa) Institutional repair and				
4	maintenance	GPR	A	392,200	419,000
5	(b) Wisconsin resource center	GPR	A	9,322,100	9,406,500
6	(bj) Conditional release treatment and				
7	services	GPR	B	1,873,000	2,373,000
8	(bm) Secure mental health units or				
9	facilities	GPR	A	1,634,400	2,420,100
10	(ee) Principal repayment and interest	GPR	S	6,285,600	6,683,000
11	(ef) Lease rental payments	GPR	S	-0-	-0-
12	(f) Energy costs	GPR	A	1,325,900	1,458,100
13	(gk) Institutional operations and				
14	charges	PR	A	156,710,000	160,580,200
15	(i) Gifts and grants	PR	C	123,400	123,400
16	(kx) Interagency and intra-agency				
17	programs	PR-S	C	2,040,700	2,071,800
18	(ky) Interagency and intra-agency aids	PR-S	C	-0-	-0-
19	(kz) Interagency and intra-agency local				
20	assistance	PR-S	C	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(m) Federal project operations	PR-F	C	-0-	-0-
	(2) P R O G R A M T O T A L S				
	GENERAL PURPOSE REVENUES			53,486,400	55,381,400
	PROGRAM REVENUE			158,874,100	162,775,400
	FEDERAL			(-0-)	(-0-)
	OTHER			(156,833,400)	(160,703,600)
	SERVICE			(2,040,700)	(2,071,800)
	TOTAL-ALL SOURCES			212,360,500	218,156,800
2	(3) YOUTH SERVICES				
3	(a) General program operations	GPR	A	1,000,400	723,700
4	(am) Juvenile correctional services	GPR	A	528,800	-0-
5	(at) Intensive aftercare pilot program	GPR	A	-0-	-0-
6	(bt) Early intervention services for				
7	infants and toddlers with				
8	disabilities	GPR	A	-0-	4,709,200
9	(c) Reimbursement claims of counties				
10	containing secured correctional				
11	facilities	GPR	A	200,000	-0-
12	(cd) Community youth and family aids	GPR	A	81,964,800	-0-
13	(cf) Foster, treatment foster and				
14	family-operated group home ins. &				
15	liability	GPR	A	-0-	60,000
16	(cg) Violent juvenile offenders	GPR	A	9,386,200	-0-
17	(co) Integrated services program for				
18	children with severe disabilities	GPR	A	-0-	133,300
19	(dd) State foster care and adoption				
20	services	GPR	A	-0-	11,827,700

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(dg) State adoption center	GPR	A	-0-	140,000
2	(e) Principal repayment and interest	GPR	S	1,625,400	-0-
3	(eg) Programs for adolescents and				
4	adolescent parents	GPR	A	-0-	1,482,100
5	(ej) Early intervention program	GPR	A	-0-	-0-
6	(f) Community intervention program	GPR	A	3,750,000	-0-
7	(g) Child support collections	PR	C	-0-	-0-
8	(hm) Juvenile correctional services	PR	A	51,179,500	-0-
9	(ho) Juvenile residential aftercare	PR	A	9,226,700	-0-
10	(hr) Juvenile corrective sanctions				
11	program	PR	A	3,125,300	-0-
12	(i) Gifts and grants	PR	C	5,300	-0-
13	(j) State-owned housing maintenance	PR	A	30,500	-0-
14	(ja) Child support state operations	PR	A	-0-	-0-
15	(jg) State child care program operations	PR	C	-0-	75,000
16	(jj) Searches for birth parents and				
17	adoption record information;				
18	foreign adopt	PR	A	-0-	55,100
19	(jk) Youth diversion program	PR	B	450,000	-0-
20	(jr) Institutional operations and				
21	charges	PR	A	107,100	-0-
22	(k) Youthful offender program	PR-S	C	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(kb) Severely emotionally disturbed				
2	children	PR	C	-0-	6,286,300
3	(kx) Interagency and intra-agency				
4	programs	PR-S	C	1,258,700	2,051,000
5	(ky) Interagency and intra-agency aids	PR-S	C	-0-	3,213,100
6	(kz) Interagency and intra-agency local				
7	assistance	PR-S	C	-0-	1,090,000
8	(m) Federal project operations	PR-F	C	-0-	987,900
9	(ma) Federal project aids	PR-F	C	-0-	5,795,900
10	(mb) Federal project local assistance	PR-F	C	-0-	-0-
11	(mc) Federal block grant operations	PR-F	C	-0-	-0-
12	(md) Federal block grant aids	PR-F	C	-0-	-0-
13	(n) Federal program operations	PR-F	C	-0-	3,732,300
14	(na) Federal program aids	PR-F	C	-0-	458,600
15	(nL) Federal program local assistance	PR-F	C	-0-	9,008,600
16	(o) Federal aid; foster care	PR-F	C	-0-	-0-
17	(oo) Federal aid; community youth and				
18	family aids	PR-F	C	2,449,200	-0-
19	(p) Federal aid; alcohol and other drug				
20	abuse	PR-F	C	300,000	-0-
21	(pd) Federal aid; state foster care and				
22	adoption services	PR-F	C	-0-	11,255,300
<b>(3) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			98,455,600	19,076,000
	PROGRAM REVENUE			68,132,300	44,009,100

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1995-96	1996-97
	FEDERAL			(2,749,200)	(31,238,600)
	OTHER			(64,124,400)	(6,416,400)
	SERVICE			(1,258,700)	(6,354,100)
	TOTAL-ALL SOURCES			166,587,900	63,085,100
1	(4) ECONOMIC SUPPORT				
2	(a) General program operations	GPR	A	23,961,500	-0-
3	(br) Welfare reform studies	GPR	C	398,900	-0-
4	(c) Child support collection - county				
5	administration	GPR	A	1,852,000	-0-
6	(cd) Child support state operations	GPR	A	412,200	-0-
7	(cn) Child care for recipients & former				
8	recip./aid to families/dependent				
9	child.	GPR	A	4,713,000	-0-
10	(cr) State supplement to employment				
11	opportunity demonstration projects	GPR	A	250,000	-0-
12	(d) Income maintenance payments to				
13	individuals and counties	GPR	S	142,730,000	-0-
14	(dc) Emergency assistance program	GPR	A	1,659,700	-0-
15	(de) Income maintenance county				
16	administration	GPR	A	28,130,900	-0-
17	(df) Employment and training programs	GPR	A	23,518,600	-0-
18	(dg) Services for learnfare pupils	GPR	A	1,289,300	-0-
19	(dk) New hope project	GPR	C	250,000	-0-
20	(dn) Food distribution grants	GPR	A	170,000	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(ds) Community-based hunger				
2	prevention program grants	GPR	A	250,000	-0-
3	(e) Relief of needy Indian persons	GPR	S	1,790,100	-0-
4	(eb) General relief aid	GPR	A	7,153,800	-0-
5	(g) Child support collections	PR	C	69,010,000	-0-
6	(i) Gifts and grants	PR	C	15,900	-0-
7	(j) Child support state operations -				
8	fees	PR	A	410,400	-0-
9	(jb) Fees for administrative services	PR	C	481,600	-0-
10	(kx) Interagency and intra-agency				
11	programs	PR-S	C	384,000	-0-
12	(ky) Interagency and intra-agency aids	PR-S	C	3,110,600	-0-
13	(kz) Interagency and intra-agency local				
14	assistance	PR-S	C	-0-	-0-
15	(L) Welfare fraud and error reduction;				
16	state operations	PR	A	920,200	-0-
17	(Lm) Welfare fraud and error reduction;				
18	local assistance	PR	C	1,469,800	-0-
19	(m) Federal project operations	PR-F	C	957,600	-0-
20	(ma) Federal project aids	PR-F	C	797,000	-0-
21	(mb) Federal project local assistance	PR-F	C	-0-	-0-
22	(mc) Federal block grant operations	PR-F	C	1,866,000	-0-
23	(md) Federal block grant aids	PR-F	C	56,811,800	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(n) Federal program operations	PR-F	C	37,490,500	-0-
2	(na) Federal program aids	PR-F	C	25,225,900	-0-
3	(nL) Federal program local assistance	PR-F	C	89,868,500	-0-
4	(p) Federal aid; income maintenance				
5	payments	PR-F	C	216,267,100	-0-
6	(pm) Employment programs;				
7	administration	PR-F	C	3,993,100	-0-
8	(ps) Employment programs; aids	PR-F	C	29,173,500	-0-
<b>(4) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			238,530,000	-0-
	PROGRAM REVENUE			538,253,500	-0-
	FEDERAL			(462,451,000)	(-0-)
	OTHER			(72,307,900)	(-0-)
	SERVICE			(3,494,600)	(-0-)
	TOTAL-ALL SOURCES			776,783,500	-0-
9	(5) VOCATIONAL REHABILITATION SERVICES				
10	(a) General program operations	GPR	A	5,756,700	-0-
11	(bm) Purchased services for clients	GPR	A	6,018,400	-0-
12	(d) Telecommunication aid for the				
13	hearing impaired	GPR	A	80,000	-0-
14	(e) Principal repayment and interest	GPR	S	21,800	-0-
15	(gg) Contractual services	PR	C	21,800	-0-
16	(gp) Contractual aids	PR	C	1,243,300	-0-
17	(h) Enterprises and services for blind				
18	and visually impaired	PR	C	309,200	-0-
19	(hd) Rehabilitation teaching aids	PR	A	22,700	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(hh) Interpreter services for hearing				
2	impaired	PR	A	40,000	-0-
3	(i) Gifts and grants	PR	C	10,100	-0-
4	(kx) Interagency and intra-agency				
5	programs	PR-S	C	159,400	-0-
6	(ky) Interagency and intra-agency aids	PR-S	C	60,000	-0-
7	(kz) Interagency and intra-agency local				
8	assistance	PR-S	C	-0-	-0-
9	(m) Federal project operations	PR-F	C	1,287,500	-0-
10	(ma) Federal project aids	PR-F	C	629,800	-0-
11	(n) Federal program operations	PR-F	C	30,765,200	-0-
12	(na) Federal program aids	PR-F	C	32,984,300	-0-
13	(nL) Federal program local assistance	PR-F	C	-0-	-0-
<b>(5) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			11,876,900	-0-
	PROGRAM REVENUE			67,533,300	-0-
	FEDERAL			(65,666,800)	(-0-)
	OTHER			(1,647,100)	(-0-)
	SERVICE			(219,400)	(-0-)
	TOTAL-ALL SOURCES			79,410,200	-0-
14	(6) COMMUNITY SERVICES; STATE OPERATIONS				
15	(a) General program operations	GPR	A	9,087,800	10,262,700
16	(cf) Foster, treatment foster and				
17	family-operated group home ins.				
18	and liability	GPR	A	60,000	-0-
19	(d) Council on physical disabilities	GPR	A	9,500	9,500

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(dg) State adoption center	GPR	A	140,000	-0-
2	(ed) Administrative expenses for state				
3	supplement to federal SSI program	GPR	S	2,125,900	-0-
4	(ee) Admin. exp. for state suppl to				
5	federal supplemental security				
6	income program	GPR	A	994,400	1,167,800
7	(ga) Community-based residential				
8	facility monitoring and receivership				
9	ops	PR	C	-0-	-0-
10	(gb) Alcohol and drug abuse initiatives	PR	C	903,100	508,800
11	(gd) Group home revolving loan fund	PR	A	100,000	100,000
12	(hs) Interpreter services for hearing				
13	impaired	PR	A	-0-	40,000
14	(hx) Services for drivers, receipts	PR	A	-0-	-0-
15	(i) Gifts and grants	PR	C	604,500	490,100
16	(jb) Fees for administrative services	PR	C	142,200	147,000
17	(jg) State child care program operations	PR	C	578,100	-0-
18	(jj) Searches for birth parents &				
19	adoption record information;				
20	foreign adoptions	PR	A	54,500	-0-
21	(jm) Licensing and support services	PR	A	1,314,900	1,547,100
22	(kx) Interagency and intra-agency				
23	programs	PR-S	C	138,100	982,500
24	(m) Federal project operations	PR-F	C	4,056,500	3,716,600

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(mc) Federal block grant operations	PR-F	C	9,271,100	9,552,000
2	(n) Federal program operations	PR-F	C	7,619,500	16,660,300
<b>(6) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			12,417,600	11,440,000
	PROGRAM REVENUE			24,782,500	33,744,400
	FEDERAL			(20,947,100)	(29,928,900)
	OTHER			(3,697,300)	(2,833,000)
	SERVICE			(138,100)	(982,500)
	TOTAL-ALL SOURCES			37,200,100	45,184,400
3	(7) COMMUNITY SERVICES; AIDS AND LOCAL ASSISTANCE				
4	(b) Community aids	GPR	A	212,609,200	212,609,200
5	(bc) Grants for community programs	GPR	A	3,249,300	3,247,300
6	(bd) Community options program and				
7	long-term support pilot projects	GPR	A	79,266,600	81,690,300
8	(be) Mental health treatment services	GPR	A	11,961,000	11,961,000
9	(bL) Community support program				
10	grants	GPR	A	186,900	186,900
11	(bm) Purchased services for clients	GPR	A	-0-	77,700
12	(bt) Early intervention services for				
13	infants and toddlers with				
14	disabilities	GPR	A	4,709,200	-0-
15	(c) Independent living centers	GPR	A	1,039,400	1,039,400
16	(cb) Domestic abuse grants	GPR	A	3,580,800	-0-
17	(ce) Services for homeless individuals	GPR	C	60,000	60,000
18	(cg) Guardianship grant program	GPR	A	125,000	125,000

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(co) Integrated service programs for				
2	children with severe disabilities	GPR	A	133,300	-0-
3	(cp) Capacity building for treatment				
4	programs	GPR	A	-0-	-0-
5	(cr) State supplement to employment				
6	opportunity demonstration projects	GPR	A	-0-	-0-
7	(d) Telecommunication aid for the				
8	hearing impaired	GPR	A	-0-	80,000
9	(da) Reimbursements to local units of				
10	government	GPR	S	192,900	192,900
11	(dd) State foster care and adoption				
12	services	GPR	A	10,345,900	-0-
13	(dh) Programs for senior citizens and				
14	elder abuse services	GPR	A	7,191,400	7,191,400
15	(dj) Benefit specialist program	GPR	A	1,356,500	1,356,500
16	(dL) Indian aids	GPR	A	271,600	271,600
17	(dm) Indian drug abuse prevention and				
18	education	GPR	A	500,000	500,000
19	(dn) Food distribution grants	GPR	A	-0-	170,000
20	(dr) Community-based hunger				
21	prevention program grants	GPR	A	-0-	250,000
22	(ed) State supplement to federal				
23	supplemental security income				
24	program	GPR	S	135,012,200	128,583,400

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(eg) Programs for adolescents and				
2	adolescent parents	GPR	A	1,482,100	-0-
3	(f) Community alcohol and other drug				
4	abuse prevention pilot program	GPR	A	250,000	250,000
5	(gg) Collection remittances to local units				
6	of government	PR	C	100,000	100,000
7	(hh) Domestic abuse assessment grants	PR	C	200,000	-0-
8	(hy) Services for drivers, local assistance	PR	A	150,000	150,000
9	(hz) Services for drivers, supplement to				
10	assistance	PR	A	1,000,000	1,000,000
11	(i) Gifts and grants; local assistance	PR	C	-0-	-0-
12	(ie) Child care start-up and expansion				
13	grant repayments	PR	C	-0-	-0-
14	(im) Community options program;				
15	recovery of costs of care	PR	C	-0-	351,000
16	(kb) Severely emotionally disturbed				
17	children	PR	C	5,986,900	-0-
18	(kc) Independent living center grants	PR-S	A	300,000	300,000
19	(kd) Rehabilitation teaching aids	PR-S	C	-0-	22,700
20	(ky) Interagency and intra-agency aids	PR-S	C	157,300	193,000
21	(kz) Interagency and intra-agency local				
22	assistance	PR-S	C	1,720,900	1,720,900
23	(ma) Federal project aids	PR-F	C	12,990,600	8,322,000
24	(mb) Federal project local assistance	PR-F	C	8,157,300	8,159,300

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(md) Federal block grant aids	PR-F	C	8,194,000	12,800,800
2	(me) Federal block grant local assistance	PR-F	C	-0-	-0-
3	(na) Federal program aids	PR-F	C	25,433,900	23,578,300
4	(nL) Federal program local assistance	PR-F	C	8,015,500	-0-
5	(o) Federal aid; community aids	PR-F	C	120,793,200	121,233,000
6	(pd) Federal aid; state foster care and				
7	adoption services	PR-F	C	9,804,500	-0-
<b>(7) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			473,523,300	449,842,600
	PROGRAM REVENUE			203,004,100	177,931,000
	FEDERAL			(193,389,000)	(174,093,400)
	OTHER			(7,436,900)	(1,601,000)
	SERVICE			(2,178,200)	(2,236,600)
	TOTAL-ALL SOURCES			676,527,400	627,773,600
8	(8) GENERAL ADMINISTRATION				
9	(a) General program operations	GPR	A	13,306,200	11,315,400
10	(g) Legal services collections	PR	C	12,200	12,200
11	(gg) Contractual services	PR	C	22,100	23,100
12	(i) Gifts and grants	PR	C	500	500
13	(k) Administrative and support				
14	services	PR-S	A	28,268,200	28,176,100
15	(ka) Information technology				
16	development projects	PR-S	A	-0-	-0-
17	(kx) Interagency and intra-agency				
18	programs	PR-S	C	388,700	389,500
19	(ky) Interagency and intra-agency aids	PR-S	C	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(kz) Interagency and intra-agency local				
2	assistance	PR-S	C	780,000	780,000
3	(m) Federal project operations	PR-F	C	7,000	7,000
4	(ma) Federal project aids	PR-F	C	-0-	-0-
5	(n) Federal program operations	PR-F	C	1,150,000	850,300
6	(pz) Indirect cost reimbursements	PR-F	C	1,345,600	1,107,300
<b>(8) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			13,306,200	11,315,400
	PROGRAM REVENUE			31,974,300	31,346,000
	FEDERAL			(2,502,600)	(1,964,600)
	OTHER			(34,800)	(35,800)
	SERVICE			(29,436,900)	(29,345,600)
	TOTAL-ALL SOURCES			45,280,500	42,661,400
<b>20.435 DEPARTMENT TOTALS</b>					
	GENERAL PURPOSE REVENUES			1,856,878,300	1,550,822,700
	PROGRAM REVENUE			2,740,968,100	2,160,683,500
	FEDERAL			(2,375,452,900)	(1,923,191,300)
	OTHER			(322,448,600)	(192,068,200)
	SERVICE			(43,066,600)	(45,424,000)
	SEGREGATED FUNDS			2,786,700	2,786,700
	OTHER			(2,786,700)	(2,786,700)
	TOTAL-ALL SOURCES			4,600,633,100	3,714,292,900
7	<b>20.440 Health and educational facilities authority</b>				
8	(1) CONSTRUCTION OF HEALTH AND EDUCATIONAL FACILITIES				
9	(a) General program operations	GPR	C	-0-	-0-
<b>(1) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
10	(2) RURAL HOSPITAL LOAN GUARANTEE				
11	(a) Rural assistance loan fund	GPR	C	-0-	-0-

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
TOTAL-ALL SOURCES			-0-	-0-
20.440 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
TOTAL-ALL SOURCES			-0-	-0-
<b>1 20.445 Industry, labor and human relations, department of</b>				
<b>2 (1) INDUSTRY, LABOR AND HUMAN RELATIONS</b>				
<b>3 (a) General program operations</b>	GPR	A	6,462,400	6,380,100
<b>4 (aa) Special death benefit</b>	GPR	S	444,000	444,000
<b>5 (b) Uninsured employers fund;</b>				
<b>6 supplement</b>	GPR	A	-0-	-0-
<b>7 (bc) Assistance for dislocated workers</b>	GPR	A	-0-	-0-
<b>8 (cm) Wisconsin service corps member</b>				
<b>9 compensation and support</b>	GPR	C	94,300	94,300
<b>10 (de) Private sewage system replacement</b>				
<b>11 and rehabilitation</b>	GPR	C	3,500,000	-0-
<b>12 (dm) Storage tank inventory</b>	GPR	A	-0-	-0-
<b>13 (e) Wisconsin job opportunity business</b>				
<b>14 subsidy program</b>	GPR	B	-0-	-0-
<b>15 (em) Youth apprenticeship training</b>				
<b>16 grants</b>	GPR	A	500,000	380,000
<b>17 (ep) Career counseling centers</b>	GPR	A	200,000	-0-
<b>18 (ev) Division of workforce excellence</b>	GPR	A	544,500	545,700

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(f) Death and disability benefit				
2	payments; public insurrections	GPR	S	-0-	-0-
3	(g) Gifts and grants	PR	C	18,000	-0-
4	(ga) Auxiliary services	PR	C	396,200	363,800
5	(gb) Local agreements	PR	C	6,783,600	6,636,900
6	(gc) Unemployment administration	PR	C	-0-	-0-
7	(gd) Unemployment interest and				
8	penalty payments	PR	C	246,000	246,000
9	(ge) Unemployment reserve fund				
10	research	PR	A	265,900	266,600
11	(gf) Employment security				
12	administration	PR	A	2,270,000	1,435,300
13	(h) Local energy resource system fees	PR	A	-0-	-0-
14	(ha) Worker's compensation operations	PR	A	8,702,200	8,088,000
15	(hb) Worker's compensation contracts	PR	C	211,000	211,000
16	(j) Safety and building operations	PR	A	13,822,200	-0-
17	(jc) National and community service				
18	board; gifts and grants	PR	C	-0-	-0-
19	(jm) Dislocated worker program grants	PR	C	-0-	-0-
20	(jr) Wisconsin service corps member				
21	compensation & support; sponsor				
22	contribution	PR	C	-0-	-0-
23	(k) Fees	PR	C	82,700	83,000

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(ka) Interagency agreements	PR-S	C	11,479,000	11,388,600
2	(kb) Data center operations	PR-S	C	-0-	-0-
3	(kc) Administrative services	PR-S	A	21,625,400	22,829,400
4	(kd) Information technology				
5	development projects	PR-S	A	-0-	-0-
6	(km) Wisconsin service corps member				
7	compensation and support; service				
8	funds	PR-S	C	-0-	-0-
9	(L) Fire dues distribution	PR	C	6,300,000	-0-
10	(La) Fire prevention and fire dues				
11	administration	PR	A	571,400	-0-
12	(m) Federal funds	PR-F	C	6,583,600	7,286,900
13	(ma) Federal aid — program				
14	administration	PR-F	C	5,428,200	5,570,500
15	(mb) Federal aid — employment and				
16	training local assistance	PR-F	C	2,500,000	4,377,300
17	(mc) Federal aid — employment and				
18	training aids	PR-F	C	33,292,800	33,292,800
19	(n) Unemployment administration;				
20	federal moneys	PR-F	C	70,618,500	71,373,500
21	(na) Employment security buildings and				
22	equipment	PR-F	C	514,000	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(o) National and community service				
2	board; federal aid for				
3	administration	PR-F	A	212,700	212,700
4	(pe) National and community service				
5	board; federal aid for grants	PR-F	C	1,500,000	1,500,000
6	(pz) Indirect cost reimbursements	PR-F	C	234,000	234,000
7	(q) Groundwater — standards;				
8	implementation	SEG	A	-0-	-0-
9	(r) Safety and buildings operations;				
10	petroleum inspection fund	SEG	A	-0-	-0-
11	(sm) Uninsured employers fund;				
12	payments	SEG	S	-0-	-0-
13	(sp) Uninsured employers fund;				
14	administration	SEG	A	349,400	351,200
15	(t) Work injury supplemental benefit				
16	fund	SEG	C	2,500,000	2,500,000
17	(ux) Employment transit aids, federal				
18	funds	SEG-F	C	-0-	-0-
19	(uy) Employment transit aids, federal				
20	oil overcharge funds	SEG-F	A	-0-	614,400
21	(v) Petroleum storage environmental				
22	remedial action; awards	SEG	B	84,031,700	-0-
23	(w) Petroleum storage environmental				
24	remedial action; administration	SEG	A	1,069,000	-0-

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1995-96	1996-97
(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				11,745,200	7,844,100
PROGRAM REVENUE				193,657,400	175,396,300
FEDERAL				(120,883,800)	(123,847,700)
OTHER				(39,669,200)	(17,330,600)
SERVICE				(33,104,400)	(34,218,000)
SEGREGATED FUNDS				95,526,800	3,456,000
FEDERAL				(-0-)	(614,400)
OTHER				(95,526,800)	(2,841,600)
TOTAL-ALL SOURCES				300,929,400	186,696,400
1	(2) REVIEW COMMISSION				
2	(a) General program operations, review				
3	commission	GPR	A	168,100	168,600
4	(ha) Worker's compensation operations	PR	A	523,400	524,900
5	(m) Federal moneys	PR-F	C	113,000	113,400
6	(n) Unemployment administration;				
7	federal moneys	PR-F	C	1,534,900	1,540,200
(2) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				168,100	168,600
PROGRAM REVENUE				2,171,300	2,178,500
FEDERAL				(1,647,900)	(1,653,600)
OTHER				(523,400)	(524,900)
TOTAL-ALL SOURCES				2,339,400	2,347,100
8	(3) ECONOMIC SUPPORT				
9	(a) General program operations	GPR	A	-0-	20,671,700
10	(br) Public assistance reform studies	GPR	C	-0-	400,200
11	(cn) Child care for recipients and former				
12	recipients of aid to families/dep chil	GPR	A	-0-	5,687,400
13	(cr) State supplement to employment				
14	opportunity demonstration projects	GPR	A	-0-	250,000

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(d) Income maintenance payments to				
2	individuals and counties	GPR	S	-0-	138,834,000
3	(dc) Emergency assistance program	GPR	A	-0-	1,659,700
4	(de) Income maintenance county				
5	administration	GPR	A	-0-	27,940,500
6	(df) Employment and training programs	GPR	A	-0-	23,899,300
7	(dg) Services for learnfare pupils	GPR	A	-0-	1,309,500
8	(dk) New hope project	GPR	C	-0-	250,000
9	(i) Gifts and grants	PR	C	-0-	15,900
10	(jb) Fees for administrative services	PR	C	-0-	481,600
11	(kx) Interagency and intra-agency				
12	programs	PR-S	C	-0-	868,600
13	(ky) Interagency and intra-agency aids	PR-S	C	-0-	3,110,600
14	(kz) Interagency and intra-agency local				
15	assistance	PR-S	C	-0-	-0-
16	(L) Welfare fraud and error				
17	reductions — state operations	PR	A	-0-	928,700
18	(Lm) Welfare fraud and error reduction;				
19	local assistance	PR	C	-0-	1,469,800
20	(m) Federal project operations	PR-F	C	-0-	-0-
21	(ma) Federal project aids	PR-F	C	-0-	-0-
22	(mb) Federal project local assistance	PR-F	C	-0-	-0-
23	(mc) Federal block grant operations	PR-F	C	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(md) Federal block grant aids	PR-F	C	-0-	-0-
2	(n) Federal program operations	PR-F	C	-0-	22,001,800
3	(na) Federal program aids	PR-F	C	-0-	26,398,000
4	(nL) Federal program local assistance	PR-F	C	-0-	51,014,100
5	(p) Federal aid; income maintenance				
6	payments	PR-F	C	-0-	210,330,400
7	(pm) Employment programs;				
8	administration	PR-F	C	-0-	4,069,300
9	(ps) Employment programs; aids	PR-F	C	-0-	28,786,900
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	220,902,300
	PROGRAM REVENUE			-0-	349,475,700
	FEDERAL			(-0-)	(342,600,500)
	OTHER			(-0-)	(2,896,000)
	SERVICE			(-0-)	(3,979,200)
	TOTAL-ALL SOURCES			-0-	570,378,000
10	(4) ADJUDICATION OF CLAIMS				
11	(a) Administration of mining damage				
12	claims	GPR	A	-0-	-0-
13	(b) Funding for mining damage claims	GPR	S	-0-	-0-
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
14	(5) VOCATIONAL REHABILITATION SERVICES				
15	(a) General program operations	GPR	A	-0-	4,587,500
16	(bm) Purchased services for clients	GPR	A	-0-	5,940,700
17	(e) Principal repayment and interest	GPR	S	-0-	20,900

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>	
1	(gg) Contractual services	PR	C	-0-	26,500	
2	(gp) Contractual services aids	PR	C	-0-	1,662,000	
3	(h) Enterprises and services for blind					
4	and visually impaired	PR	C	-0-	311,600	
5	(hd) Rehabilitation teaching aids	PR	A	-0-	22,700	
6	(he) Supervised business enterprise	PR	C	-0-	-0-	
7	(i) Gifts and grants	PR	C	-0-	10,100	
8	(kx) Interagency and intra-agency					
9	programs	PR-S	C	-0-	160,900	
10	(ky) Interagency and intra-agency aids	PR-S	C	-0-	60,000	
11	(kz) Interagency and intra-agency local					
12	assistance	PR-S	C	-0-	-0-	
13	(m) Federal project operations	PR-F	C	-0-	1,335,700	
14	(ma) Federal project aids	PR-F	C	-0-	660,600	
15	(n) Federal program operations	PR-F	C	-0-	19,161,500	
16	(na) Federal program aids	PR-F	C	-0-	28,742,200	
17	(nL) Federal program local assistance	PR-F	C	-0-	-0-	
	<b>(5) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			-0-	10,549,100	
	PROGRAM REVENUE			-0-	52,153,800	
	FEDERAL			(-0-)	(49,900,000)	
	OTHER			(-0-)	(2,032,900)	
	SERVICE			(-0-)	(220,900)	
	TOTAL-ALL SOURCES			-0-	62,702,900	
18	(6) WISCONSIN CONSERVATION CORPS					
19	(b) General enrollee operations	GPR	B	-0-	2,506,500	

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(c) Administrative support; general				
2	program operations	GPR	A	-0-	206,300
3	(j) General enrollee operations sponsor				
4	contribution	PR	C	-0-	10,000
5	(ja) Administrative support; sponsor				
6	contribution	PR	C	-0-	-0-
7	(jb) Gifts and related support	PR	C	-0-	-0-
8	(k) General enrollee operations; service				
9	funds	PR-S	C	-0-	587,600
10	(ka) Information technology				
11	development projects	PR-S	C	-0-	-0-
12	(kb) Administrative support; service				
13	funds	PR-S	C	-0-	36,400
14	(m) General enrollee operations; federal				
15	funds	PR-F	C	-0-	-0-
16	(n) Administrative support; federal				
17	funds	PR-F	C	-0-	-0-
18	(u) General enrollee operations;				
19	conservation fund	SEG	B	-0-	328,300
20	(v) General enrollee operations;				
21	transportation fund	SEG	B	-0-	281,100
22	(w) General enrollee operations;				
23	environmental fund	SEG	B	-0-	76,700

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(x) General enrollee operations;				
2	waterfront projects; conservation				
3	fund	SEG	B	-0-	141,700
4	(y) Administrative support;				
5	conservation fund	SEG	A	-0-	399,100
(6) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			-0-	2,712,800
	PROGRAM REVENUE			-0-	634,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(10,000)
	SERVICE			(-0-)	(624,000)
	SEGREGATED FUNDS			-0-	1,226,900
	OTHER			(-0-)	(1,226,900)
	TOTAL-ALL SOURCES			-0-	4,573,700
20.445 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			11,913,300	242,176,900
	PROGRAM REVENUE			195,828,700	579,838,300
	FEDERAL			(122,531,700)	(518,001,800)
	OTHER			(40,192,600)	(22,794,400)
	SERVICE			(33,104,400)	(39,042,100)
	SEGREGATED FUNDS			95,526,800	4,682,900
	FEDERAL			(-0-)	(614,400)
	OTHER			(95,526,800)	(4,068,500)
	TOTAL-ALL SOURCES			303,268,800	826,698,100
6	<b>20.455 Justice, department of</b>				
7	(1) LEGAL SERVICES				
8	(a) General program operations	GPR	A	12,898,100	10,876,100
9	(b) Special counsel	GPR	S	800,000	800,000
10	(d) Legal expenses	GPR	B	898,800	898,800
11	(g) District attorney computer network	PR	A	53,300	160,400
12	(gh) Investigations and prosecution	PR	A	-0-	-0-
13	(gm) Remediation of harmful effects	PR	C	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(gs) Delinquent obligation collection	PR	A	171,000	284,100
2	(hm) Restitution	PR	C	-0-	-0-
3	(k) Environment litigation project	PR-S	C	286,400	286,400
4	(km) Interagency and intra-agency				
5	assistance	PR-S	A	226,000	226,000
6	(kt) Telecommunications positions	PR	C	125,200	104,300
7	(m) Federal aid	PR-F	C	552,700	552,700
<b>(1) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			14,596,900	12,574,900
	PROGRAM REVENUE			1,414,600	1,613,900
	FEDERAL			(552,700)	(552,700)
	OTHER			(349,500)	(548,800)
	SERVICE			(512,400)	(512,400)
	TOTAL-ALL SOURCES			16,011,500	14,188,800
8	(2) LAW ENFORCEMENT SERVICES				
9	(a) General program operations	GPR	A	12,299,000	12,206,500
10	(am) Officer training reimbursement	GPR	S	141,400	141,400
11	(b) Investigations and operations	GPR	A	-0-	-0-
12	(c) Crime laboratory equipment	GPR	B	-0-	-0-
13	(d) County-tribal law enforcement				
14	programs	GPR	A	60,000	60,000
15	(dg) Weed and seed and law				
16	enforcement technology	GPR	A	500,000	500,000
17	(dq) Law enforcement community				
18	policing grants	GPR	B	-0-	-0-
19	(e) Drug enforcement	GPR	A	426,000	424,300

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(g) Gaming law enforcement; racing				
2	revenues	PR	A	78,400	79,100
3	(gc) Gaming law enforcement; Indian				
4	gaming	PR	A	98,000	98,900
5	(gm) Criminal history searches;				
6	fingerprint identification	PR	C	1,503,300	1,513,800
7	(gr) Handgun purchaser record check	PR	C	298,700	298,700
8	(h) Terminal charges	PR	A	2,242,700	2,256,100
9	(hm) County-tribal programs, surcharge				
10	receipts	PR	A	-0-	-0-
11	(hn) County-tribal programs, local				
12	assistance	PR	A	547,200	547,200
13	(ho) County-tribal programs, state				
14	operations	PR	A	45,100	45,100
15	(i) Penalty assessment surcharge,				
16	receipts	PR	A	-0-	-0-
17	(j) Law enforcement training fund,				
18	local assistance	PR	A	3,190,600	3,190,600
19	(ja) Law enforcement training fund,				
20	state operations	PR	A	2,525,500	2,525,500
21	(jb) Crime laboratory equipment and				
22	supplies	PR	B	376,300	376,300
23	(k) Interagency and intra-agency				
24	assistance; investigations	PR-S	C	1,662,800	1,663,400

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(kg) Interagency and intra-agency				
2	assistance; fingerprint				
3	identification	PR-S	A	868,200	868,200
4	(Lm) Deoxyribonucleic acid analysis	PR	C	364,000	364,000
5	(m) Federal aid, state operations	PR-F	C	97,300	97,300
6	(ma) Federal aid, drug enforcement	PR-F	C	1,098,000	1,092,900
7	(n) Federal aid, local assistance	PR-F	C	-0-	-0-
8	(q) Computers for transaction				
9	information for management of				
10	enforcement system	SEG	A	1,048,500	1,048,500
11	(r) Gaming law enforcement; lottery				
12	revenues	SEG	A	218,600	220,600
<b>(2) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			13,426,400	13,332,200
	PROGRAM REVENUE			14,996,100	15,017,100
	FEDERAL			(1,195,300)	(1,190,200)
	OTHER			(11,269,800)	(11,295,300)
	SERVICE			(2,531,000)	(2,531,600)
	SEGREGATED FUNDS			1,267,100	1,269,100
	OTHER			(1,267,100)	(1,269,100)
	TOTAL-ALL SOURCES			29,689,600	29,618,400
13	(3) ADMINISTRATIVE SERVICES				
14	(a) General program operations	GPR	A	3,646,100	3,423,700
15	(g) Gifts, grants and proceeds	PR	C	-0-	-0-
16	(k) Interagency and intra-agency				
17	assistance	PR-S	A	-0-	-0-
18	(ka) Information technology				
19	development projects	PR-S	A	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(m) Federal aid, state operations	PR-F	C	-0-	-0-
2	(pz) Indirect cost reimbursements	PR-F	C	73,400	73,400
(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			3,646,100	3,423,700
	PROGRAM REVENUE			73,400	73,400
	FEDERAL			(73,400)	(73,400)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			3,719,500	3,497,100
3	(5) VICTIMS AND WITNESSES				
4	(a) General program operations	GPR	A	798,200	803,200
5	(b) Awards for victims of crimes	GPR	A	1,324,200	1,324,200
6	(c) Reimbursement for victim and				
7	witness services	GPR	A	1,497,100	1,497,100
8	(g) Crime victim and witness				
9	assistance surcharge, general				
10	services	PR	A	1,761,200	1,761,200
11	(gc) Crime victim and witness				
12	surcharge, sexual assault victim				
13	services	PR	C	300,000	300,000
14	(h) Crime victim compensation services	PR	A	38,000	39,900
15	(i) Victim compensation, inmate				
16	payments	PR	C	-0-	-0-
17	(j) Victim payments, victim surcharge	PR	A	488,800	488,800
18	(k) Interagency and intra-agency				
19	assistance	PR-S	A	935,800	935,800
20	(m) Federal aid; victim compensation	PR-F	C	637,700	643,900

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(ma) Federal project aids	PR-F	C	-0-	-0-
2	(mh) Federal aid; victim assistance	PR-F	C	1,218,000	1,218,000
<b>(5) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			3,619,500	3,624,500
	PROGRAM REVENUE			5,379,500	5,387,600
	FEDERAL			(1,855,700)	(1,861,900)
	OTHER			(2,588,000)	(2,589,900)
	SERVICE			(935,800)	(935,800)
	TOTAL-ALL SOURCES			8,999,000	9,012,100
<b>20.455 DEPARTMENT TOTALS</b>					
	GENERAL PURPOSE REVENUES			35,288,900	32,955,300
	PROGRAM REVENUE			21,863,600	22,092,000
	FEDERAL			(3,677,100)	(3,678,200)
	OTHER			(14,207,300)	(14,434,000)
	SERVICE			(3,979,200)	(3,979,800)
	SEGREGATED FUNDS			1,267,100	1,269,100
	OTHER			(1,267,100)	(1,269,100)
	TOTAL-ALL SOURCES			58,419,600	56,316,400
3	<b>20.465 Military affairs, department of</b>				
4	(1) NATIONAL GUARD OPERATIONS				
5	(a) General program operations	GPR	A	4,290,900	4,013,000
6	(b) Repair and maintenance	GPR	A	574,800	644,800
7	(c) Public emergencies	GPR	S	48,500	48,500
8	(d) Principal repayment and interest	GPR	S	2,210,900	2,353,000
9	(e) State service flags	GPR	A	400	400
10	(f) Energy costs	GPR	A	1,456,600	1,490,400
11	(g) Military property	PR	A	232,400	232,400
12	(h) Intergovernmental services	PR	A	174,600	174,600
13	(k) Armory store operations	PR-S	A	200,000	200,000
14	(km) Agency services	PR-S	A	68,300	68,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(kn) Information technology				
2	development projects; national				
3	guard	PR-S	A	-0-	-0-
4	(Li) Gifts and grants	PR	C	-0-	-0-
5	(m) Federal aid	PR-F	C	10,875,100	10,671,400
6	(pz) Indirect cost reimbursements	PR-F	C	108,200	108,200
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			8,582,100	8,550,100
	PROGRAM REVENUE			11,658,600	11,454,900
	FEDERAL			(10,983,300)	(10,779,600)
	OTHER			(407,000)	(407,000)
	SERVICE			(268,300)	(268,300)
	TOTAL-ALL SOURCES			20,240,700	20,005,000
7	(2) GUARD MEMBERS' BENEFITS				
8	(a) National guard tuition grants	GPR	S	1,594,200	1,720,900
9	(a) National guard tuition grants	GPR	S	1,594,200	1,720,900
10	Applied receipts	GPR	S	300,000	-0-
	NET APPROPRIATION			1,294,200	1,720,900
11	(g) Sales of property	PR	C	300,000	-0-
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			1,294,200	1,720,900
	PROGRAM REVENUE			300,000	-0-
	OTHER			(300,000)	(-0-)
	TOTAL-ALL SOURCES			1,594,200	1,720,900
12	(3) EMERGENCY GOVERNMENT SERVICES				
13	(a) General program operations	GPR	A	519,300	519,300
14	(d) State emergency response board;				
15	general fund loan	GPR	C	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(e) Disaster recovery aid	GPR	S	773,000	773,000
2	(g) Program services	PR	A	993,000	991,200
3	(i) Emergency planning and reporting;				
4	administration	PR	A	652,200	652,200
5	(j) State emergency response board;				
6	gifts and grants	PR	C	-0-	-0-
7	(jm) State emergency response board;				
8	emergency planning grants	PR	C	662,700	834,700
9	(jt) Regional emergency response				
10	reimbursement	PR	C	-0-	-0-
11	(m) Federal aid, state operations	PR-F	C	1,086,000	1,086,000
12	(n) Federal aid, local assistance	PR-F	C	1,682,200	1,682,200
13	(o) Federal aid, individuals and				
14	organizations	PR-F	C	42,000	42,000
15	(q) Civil air patrol aids	SEG	A	19,000	19,000
16	(r) State emergency response board;				
17	petroleum inspection fund	SEG	A	637,700	465,700
18	(rg) Regional emergency response				
19	teams	SEG	C	1,400,000	1,400,000
20	(rk) Hazardous substance emergency				
21	response; admin	SEG	A	72,000	72,000
22	(rp) Emergency response equipment	SEG	A	720,000	720,000
23	(s) Emergency response training -				
24	transportation fund	SEG	B	75,300	75,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(t) Emergency response training -				
2	environmental fund	SEG	B	75,200	75,200
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			1,292,300	1,292,300
	PROGRAM REVENUE			5,118,100	5,288,300
	FEDERAL			(2,810,200)	(2,810,200)
	OTHER			(2,307,900)	(2,478,100)
	SEGREGATED FUNDS			2,999,200	2,827,200
	OTHER			(2,999,200)	(2,827,200)
	TOTAL-ALL SOURCES			9,409,600	9,407,800
	20.465 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			11,168,600	11,563,300
	PROGRAM REVENUE			17,076,700	16,743,200
	FEDERAL			(13,793,500)	(13,589,800)
	OTHER			(3,014,900)	(2,885,100)
	SERVICE			(268,300)	(268,300)
	SEGREGATED FUNDS			2,999,200	2,827,200
	OTHER			(2,999,200)	(2,827,200)
	TOTAL-ALL SOURCES			31,244,500	31,133,700
3	<b>20.475 District attorneys</b>				
4	(1) DISTRICT ATTORNEYS				
5	(d) Salaries and fringe benefits	GPR	A	28,172,400	28,172,400
6	(h) Gifts and grants	PR	C	921,200	921,200
7	(i) Other Employees	PR	A	148,400	153,600
8	(k) Interagency and intra-agency				
9	assistance	PR-S	C	-0-	-0-
10	(m) Federal aid	PR-F	C	-0-	-0-
	20.475 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			28,172,400	28,172,400
	PROGRAM REVENUE			1,069,600	1,074,800
	FEDERAL			(-0-)	(-0-)
	OTHER			(1,069,600)	(1,074,800)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			29,242,000	29,247,200

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	<b>20.485 Veterans affairs, department of</b>				
2	(1) HOME FOR VETERANS				
3	(b) General fund supplement to				
4	institutional operations	GPR	B	-0-	-0-
5	(d) Cemetery maintenance and				
6	beautification	GPR	A	24,900	24,900
7	(e) Lease rental payments	GPR	S	-0-	-0-
8	(f) Principal repayment and interest	GPR	S	1,032,600	1,058,400
9	(g) Home exchange	PR	A	212,700	213,700
10	(gd) Veterans home cemetery operations	PR	C	-0-	-0-
11	(gk) Institutional operations	PR	A	32,059,300	32,472,200
12	(gm) Sale of fuel and utility service	PR	A	40,700	40,700
13	(go) Self-amortizing housing facilities;				
14	principal repayment and interest	PR	S	-0-	-0-
15	(h) Gifts and bequests	PR	C	163,100	163,700
16	(hm) Gifts and grants	PR	C	-0-	-0-
17	(i) State-owned housing maintenance	PR	A	34,300	35,700
18	(j) Geriatric program receipts	PR	C	119,700	119,700
19	(m) Federal aid; care at veterans home	PR-F	C	-0-	-0-
20	(mj) Federal aid; geriatric unit	PR-F	C	-0-	-0-
21	(mn) Federal projects	PR-F	C	5,000	5,000
22	(t) Veterans home member accounts	SEG	C	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(u) Rentals; improvements; equipment;				
2	land acquisition	SEG	A	-0-	-0-
(1) P R O G R A M T O T A L S					
	GENERAL PURPOSE REVENUES			1,057,500	1,083,300
	PROGRAM REVENUE			32,634,800	33,050,700
	FEDERAL			(5,000)	(5,000)
	OTHER			(32,629,800)	(33,045,700)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			33,692,300	34,134,000
3	(2) LOANS AND AIDS TO VETERANS				
4	(b) Wisconsin veterans museum space				
5	rental	GPR	A	274,600	275,700
6	(c) Operation of veterans museum	GPR	A	-0-	211,800
7	(d) Veterans memorials at The				
8	Highground	GPR	C	-0-	-0-
9	(db) General fund supplement to				
10	veterans trust fund	GPR	A	-0-	-0-
11	(g) Consumer reporting agency fees	PR	C	-0-	-0-
12	(ka) Information technology				
13	development projects	PR-S	A	-0-	-0-
14	(m) Federal aid projects	PR-F	C	-0-	-0-
15	(mn) Federal projects; museum				
16	acquisitions and operations	PR-F	C	-0-	-0-
17	(rm) Veterans rehabilitation program	SEG	B	800,000	800,000
18	(s) Veterans memorial grants	SEG	C	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(sm) Payments related to the				
2	Highground	SEG	C	-0-	-0-
3	(tf) Veterans' tuition and fee				
4	reimbursement program	SEG	A	1,785,800	1,783,300
5	(tm) Facilities	SEG	C	-0-	-0-
6	(u) Administration of loans and aids to				
7	veterans	SEG	A	2,387,900	2,393,700
8	(v) Wisconsin veterans museum sales				
9	receipts	SEG	C	114,000	123,700
10	(vm) Veterans aids and treatment	SEG	A	1,459,500	1,469,500
11	(vo) Veterans of World War I	SEG	A	2,500	2,500
12	(vw) Payments to veterans organizations				
13	for claims service	SEG	A	75,000	75,000
14	(vx) County grants	SEG	A	137,600	138,400
15	(w) Home for needy veterans	SEG	C	10,000	10,000
16	(wd) Operation of Wisconsin veterans				
17	museum	SEG	A	432,100	216,800
18	(y) Veterans loans and expense	SEG	A	4,759,800	4,759,800
19	(ym) Veterans trust fund stabilization				
20	loans	SEG	C	-0-	-0-
21	(z) Gifts	SEG	C	-0-	-0-
22	(zm) Museum gifts and bequests	SEG	C	-0-	-0-
<b>(2) PROGRAM TOTALS</b>					
	<b>GENERAL PURPOSE REVENUES</b>			<b>274,600</b>	<b>487,500</b>
	<b>PROGRAM REVENUE</b>			<b>-0-</b>	<b>-0-</b>

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			11,964,200	11,772,700
	OTHER			(11,964,200)	(11,772,700)
	TOTAL-ALL SOURCES			12,238,800	12,260,200
1	(3) SELF-AMORTIZING MORTGAGE LOANS FOR VETERANS				
2	(b) Self insurance	GPR	S	-0-	-0-
3	(e) General program deficiency	GPR	S	-0-	-0-
4	(q) Foreclosure loss payments	SEG	C	801,000	801,000
5	(r) Funded reserves	SEG	C	50,000	50,000
6	(rm) Other reserves	SEG	C	-0-	-0-
7	(s) General program operations	SEG	A	3,554,800	3,561,400
8	(sm) County grants	SEG	A	206,400	207,600
9	(t) Debt service	SEG	C	51,164,900	54,533,100
10	(u) Loan funding and revenue				
11	obligation supplement	SEG	C	7,851,900	7,851,900
12	(v) Revenue obligation repayment	SEG	C	-0-	-0-
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	SEGREGATED FUNDS			63,629,000	67,005,000
	OTHER			(63,629,000)	(67,005,000)
	TOTAL-ALL SOURCES			63,629,000	67,005,000
13	(4) VETERANS MEMORIAL CEMETERIES				
14	(g) Cemetery operations	PR	A	25,400	351,500
15	(h) Gifts grants and bequests	PR	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(m) Federal aid; cemetery operations				
2	and burials	PR-F	C	-0-	-0-
3	(q) Cemetery administration and				
4	maintenance	SEG	A	132,700	104,400
5	(r) Cemetery energy costs	SEG	A	11,400	11,800
	(4) PROGRAM TOTALS				
	PROGRAM REVENUE			25,400	351,500
	FEDERAL			(-0-)	(-0-)
	OTHER			(25,400)	(351,500)
	SEGREGATED FUNDS			144,100	116,200
	OTHER			(144,100)	(116,200)
	TOTAL-ALL SOURCES			169,500	467,700
	20.485 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			1,332,100	1,570,800
	PROGRAM REVENUE			32,660,200	33,402,200
	FEDERAL			(5,000)	(5,000)
	OTHER			(32,655,200)	(33,397,200)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			75,737,300	78,893,900
	OTHER			(75,737,300)	(78,893,900)
	TOTAL-ALL SOURCES			109,729,600	113,866,900
6	<b>20.490 Wisconsin housing and economic development authority</b>				
7	(1) FACILITATION OF CONSTRUCTION				
8	(a) Capital reserve fund deficiency	GPR	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
9	(2) HOUSING REHABILITATION LOAN PROGRAM				
10	(a) General program operations	GPR	C	-0-	-0-
11	(q) Loan loss reserve fund	SEG	C	-0-	-0-
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	SEGREGATED FUNDS			-0-	-0-

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1995-96	1996-97
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
1	(4) DISADVANTAGED BUSINESS MOBILIZATION ASSISTANCE				
2	(g) Disadvantaged business				
3	mobilization loan guarantee	PR	C	-0-	-0-
	(4) PROGRAM TOTALS				
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
4	(5) WISCONSIN DEVELOPMENT LOAN GUARANTEES				
5	(a) Wisconsin development reserve				
6	fund	GPR	C	1,500,000	1,500,000
7	(q) Recycling fund transfer to				
8	Wisconsin development reserve				
9	fund	SEG	C	-0-	-0-
10	(r) Agrichemical management fund				
11	transfer to Wisconsin development				
12	reserve fd.	SEG	C	-0-	-0-
13	(s) Petroleum inspection fund transfer				
14	to WDRF	SEG	C	-0-	-0-
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			1,500,000	1,500,000
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			1,500,000	1,500,000
	20.490 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			1,500,000	1,500,000
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SEGREGATED FUNDS			-0-	-0-

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
OTHER			(-0-)	(-0-)
TOTAL-ALL SOURCES			1,500,000	1,500,000

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

2 (1) CONTRACTUAL SERVICES

3 (g) General program operations PR C -0- -0-

20.495 DEPARTMENT TOTALS				
PROGRAM REVENUE			-0-	-0-
OTHER			(-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-

Human Relations and Resources  
FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES			2,320,080,900	2,361,812,800
PROGRAM REVENUE			3,048,646,000	2,936,017,200
FEDERAL			(2,515,634,600)	(2,461,370,900)
OTHER			(421,537,400)	(353,889,100)
SERVICE			(111,474,000)	(120,757,200)
SEGREGATED FUNDS			178,359,600	90,502,300
FEDERAL			(-0-)	(614,400)
OTHER			(178,359,600)	(89,887,900)
SERVICE			(-0-)	(-0-)
LOCAL			(-0-)	(-0-)
TOTAL-ALL SOURCES			5,547,086,500	5,388,332,300

### General Executive Functions

4 **20.505 Administration, department of**

5 (1) SUPERVISION AND MANAGEMENT

6 (a) General program operations GPR A 11,533,200 10,892,600

7 (b) Midwest interstate low-level  
8 radioactive waste compact; loan  
9 from gen. fund GPR C -0- -0-

10 (d) Energy development and

11 demonstration fund GPR A -0- -0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(f) Badger state games assistance	GPR	A	50,000	50,000
2	(g) Midwest interstate low-level				
3	radioactive waste compact;				
4	membership & costs	PR	A	60,700	60,700
5	(ga) Gifts and grants; comm. for the				
6	study of admin. value and efficiency	PR	A	-0-	-0-
7	(im) Services to nonstate governmental				
8	units	PR	A	1,553,500	1,604,300
9	(is) Information technology processing				
10	services to nonstate entities	PR	C	-0-	-0-
11	(j) Gifts and donations	PR	C	-0-	-0-
12	(ja) Justice information systems	PR	A	235,500	235,500
13	(jm) Acid deposition activities	PR	A	54,600	-0-
14	(ka) Materials and services to state				
15	agencies	PR-S	A	3,463,800	3,616,100
16	(kb) Transportation services	PR-S	A	11,520,400	13,074,900
17	(kc) Capital planning and building				
18	construction services	PR-S	A	5,960,600	6,016,800
19	(kd) Printing, document sales, mail				
20	distribution and record services	PR-S	A	16,426,600	16,426,600
21	(ke) Telecommunications and data				
22	processing services	PR-S	A	31,272,100	32,066,200
23	(kj) Financial services	PR-S	A	8,373,900	8,425,300

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(kk) Processing of federal grant				
2	applications	PR-S	A	-0-	142,700
3	(kL) Information technology processing				
4	services to agencies	PR-S	C	29,431,200	29,431,200
5	(kn) Multi-agency information				
6	technology development projects	PR-S	A	-0-	-0-
7	(ko) Information technology				
8	development projects; justice				
9	information systems	PR-S	A	-0-	-0-
10	(kq) Credit card use charges	PR-S	C	-0-	-0-
11	(kr) Information technology				
12	development and management				
13	services	PR-S	A	-0-	-0-
14	(ma) Federal grants and contracts	PR-F	C	-0-	-0-
15	(mb) Federal energy grants and				
16	contracts	PR-F	C	713,900	713,900
17	(mc) Coastal zone management	PR-F	C	1,101,200	1,101,200
18	(md) Oil overcharge restitution funds	PR-F	C	6,864,800	6,864,800
19	(n) Federal aid; local assistance	PR-F	C	-0-	-0-
20	(pz) Indirect cost reimbursements	PR-F	C	66,700	66,700
21	(r) Information technology investment				
22	fund administration	SEG	A	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(v) General program operations —				
2	clean water fund program; state				
3	funds	SEG	A	703,500	706,200
4	(x) General program operations —				
5	clean water fund program; federal				
6	funds	SEG-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			11,583,200	10,942,600
	PROGRAM REVENUE			117,099,500	119,846,900
	FEDERAL			(8,746,600)	(8,746,600)
	OTHER			(1,904,300)	(1,900,500)
	SERVICE			(106,448,600)	(109,199,800)
	SEGREGATED FUNDS			703,500	706,200
	FEDERAL			(-0-)	(-0-)
	OTHER			(703,500)	(706,200)
	TOTAL-ALL SOURCES			129,386,200	131,495,700
7	(2) RISK MANAGEMENT				
8	(a) General fund supplement — risk				
9	management claims	GPR	S	-0-	-0-
10	(k) Risk management costs	PR-S	C	21,964,200	21,964,200
11	(ki) Risk management administration	PR-S	A	4,238,900	4,245,500
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	PROGRAM REVENUE			26,203,100	26,209,700
	SERVICE			(26,203,100)	(26,209,700)
	TOTAL-ALL SOURCES			26,203,100	26,209,700
12	(3) COMMITTEES AND INTERSTATE BODIES				
13	(a) General program operations	GPR	A	191,600	186,600
14	(b) Women's council operations	GPR	A	91,200	92,700

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(be) Midwestern higher education				
2	compact; membership and costs	GPR	A	58,000	58,000
3	(e) Mediation office operations	GPR	A	-0-	-0-
4	(g) Gifts and grants	PR	C	-0-	-0-
5	(h) Program fees	PR	A	6,100	6,100
6	(k) Committees on area promotion	PR-S	C	-0-	-0-
7	(m) Federal aid	PR-F	C	-0-	-0-
(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			340,800	337,300
	PROGRAM REVENUE			6,100	6,100
	FEDERAL			(-0-)	(-0-)
	OTHER			(6,100)	(6,100)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			346,900	343,400
8	(4) ATTACHED DIVISIONS, BOARDS, COUNCILS AND COMMISSIONS				
9	(a) Adjudication of tax appeals	GPR	A	505,400	507,900
10	(b) Adjudication of equalization				
11	appeals	GPR	S	-0-	-0-
12	(c) Claims board; general program				
13	operations	GPR	A	41,500	41,500
14	(d) Claims awards	GPR	S	25,000	25,000
15	(dq) Kickappoo valley reserve; aids in				
16	lieu of taxes	GPR	S	-0-	-0-
17	(ee) Educational technology board;				
18	administrative expenses	GPR	A	45,000	75,000

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(er) Educational technology board;				
2	grants	GPR	C	-0-	10,000,000
3	(f) Hearings and appeals operations	GPR	A	1,766,100	1,768,800
4	(gm) Gifts and grants	PR	C	-0-	-0-
5	(h) Program services	PR	A	26,000	26,000
6	(ie) Land information board; general				
7	program operations	PR	A	226,100	186,800
8	(ig) Land information board; technical				
9	assistance and education	PR	A	-0-	-0-
10	(im) Land information board; aids to				
11	counties	PR	C	1,799,000	1,799,000
12	(ip) Kickapoo valley governing board;				
13	prog services	PR	C	-0-	-0-
14	(ir) Kickapoo valley governing board;				
15	gifts and grants	PR	C	-0-	-0-
16	(is) Relay service	PR	A	4,050,000	4,050,000
17	(k) Waste facility siting board; general				
18	program operations	PR-S	A	103,900	103,900
19	(ka) State use board — general program				
20	operations	PR-S	A	120,300	120,300
21	(kb) Info tech development projects;				
22	attached divisions, boards and				
23	commissions	PR-S	A	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(ms) Kickapoo valley governing board;				
2	federal aid	PR-F	C	-0-	-0-
3	(q) Hearings and appeals operations;				
4	transportation fund	SEG	A	141,000	144,400
5	(qm) Kickapoo valley governing board -				
6	general program operations	SEG	A	104,600	-0-
7	(r) State capitol and executive				
8	residence board; gifts and grants	SEG	C	-0-	-0-
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			2,383,000	12,418,200
	PROGRAM REVENUE			6,325,300	6,286,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(6,101,100)	(6,061,800)
	SERVICE			(224,200)	(224,200)
	SEGREGATED FUNDS			245,600	144,400
	OTHER			(245,600)	(144,400)
	TOTAL-ALL SOURCES			8,953,900	18,848,600
9	(5) FACILITIES MANAGEMENT				
10	(g) Principal repayment, interest and				
11	rebates; parking	PR-S	S	1,062,200	1,398,900
12	(ka) Facility operations and				
13	maintenance	PR-S	A	27,317,900	27,738,900
14	(kb) Parking	PR	A	-0-	-0-
15	(kc) Principal repayment, interest and				
16	rebates	PR-S	C	8,440,900	8,212,400
17	(q) Energy efficiency	SEG	S	-0-	-0-
	(5) PROGRAM TOTALS				
	PROGRAM REVENUE			36,821,000	37,350,200
	OTHER			(-0-)	(-0-)
	SERVICE			(36,821,000)	(37,350,200)

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1995-96	1996-97
SEGREGATED FUNDS				-0-	-0-
OTHER				(-0-)	(-0-)
TOTAL-ALL SOURCES				36,821,000	37,350,200
1	(6) OFFICE OF JUSTICE ASSISTANCE				
2	(a) General program operations	GPR	A	263,100	265,900
3	(c) Law enforcement officer				
4	supplement grants	GPR	A	1,000,000	1,000,000
5	(g) Anti-drug enforcement program,				
6	penalty assessment - local	PR	C	1,931,300	1,980,400
7	(h) Anti-drug enforcement program,				
8	penalty assessment - state	PR	C	850,700	700,000
9	(k) Anti-drug enforcement program —				
10	administration	PR-S	C	101,800	101,800
11	(m) Federal aid, planning and				
12	administration, state operations	PR-F	C	140,500	142,000
13	(o) Federal aid, criminal justice				
14	improvement projects, state				
15	operations	PR-F	C	75,000	75,000
16	(p) Federal aid, criminal justice				
17	improvement projects, local				
18	assistance	PR-F	C	859,000	859,000
19	(pa) Federal aid, criminal justice				
20	improvement projects, aid to				
21	organizations	PR-F	C	275,000	275,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(pb) Federal aid, anti-drug enforcement				
2	program, aids and local assistance	PR-F	C	4,954,200	5,189,000
3	(pc) Federal aid, anti-drug enforcement				
4	program, state operations	PR-F	C	3,982,600	3,453,200
(6) P R O G R A M T O T A L S					
	GENERAL PURPOSE REVENUES			1,263,100	1,265,900
	PROGRAM REVENUE			13,170,100	12,775,400
	FEDERAL			(10,286,300)	(9,993,200)
	OTHER			(2,782,000)	(2,680,400)
	SERVICE			(101,800)	(101,800)
	TOTAL-ALL SOURCES			14,433,200	14,041,300
5	(7) HOUSING ASSISTANCE				
6	(a) General program operations	GPR	A	934,800	890,800
7	(b) Housing grants and loans	GPR	B	2,800,300	2,800,300
8	(c) Payments to designated agents	GPR	A	-0-	-0-
9	(d) Grants to local housing				
10	organizations	GPR	B	750,000	500,000
11	(dm) Transitional housing grants	GPR	A	375,000	375,000
12	(fm) Shelter for homeless and				
13	transitional housing	GPR	A	1,131,000	1,131,000
14	(g) Gifts and grants	PR	C	-0-	-0-
15	(gm) Funding for the homeless	PR	C	-0-	-0-
16	(h) Interest on real estate trust				
17	accounts	PR	C	-0-	-0-
18	(jf) Mobile home parks	PR-S	A	82,000	82,000

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(j) Regulation of mobile home dealers				
2	and salespersons	PR-S	A	37,000	37,000
3	(k) Sale of materials or services	PR-S	C	-0-	-0-
4	(kg) Housing program services	PR-S	C	6,692,300	6,692,300
5	(km) Weatherization assistance	PR-S	C	10,000,000	10,000,000
6	(m) Federal aid; state operations	PR-F	C	2,338,800	3,968,300
7	(n) Federal aid; local assistance	PR-F	C	1,777,000	1,777,000
8	(o) Federal aid; individuals and				
9	organizations	PR-F	C	20,056,200	72,269,300
	(7) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			5,991,100	5,697,100
	PROGRAM REVENUE			40,983,300	94,825,900
	FEDERAL			(24,172,000)	(78,014,600)
	OTHER			(-0-)	(-0-)
	SERVICE			(16,811,300)	(16,811,300)
	TOTAL-ALL SOURCES			46,974,400	100,523,000
10	(8) DISTRICT ATTORNEYS				
11	(a) General program operations	GPR	A	198,000	198,000
	(8) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			198,000	198,000
	TOTAL-ALL SOURCES			198,000	198,000
	20.505 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			21,759,200	30,859,100
	PROGRAM REVENUE			240,608,400	297,300,200
	FEDERAL			(43,204,900)	(96,754,400)
	OTHER			(10,793,500)	(10,648,800)
	SERVICE			(186,610,000)	(189,897,000)
	SEGREGATED FUNDS			949,100	850,600
	FEDERAL			(-0-)	(-0-)
	OTHER			(949,100)	(850,600)
	TOTAL-ALL SOURCES			263,316,700	329,009,900

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	<b>20.510 Elections board</b>				
2	(1) ADMINISTRATION OF ELECTION AND CAMPAIGN LAWS				
3	(a) General program operations;				
4	general purpose revenue	GPR	B	738,700	738,700
5	(g) Recount fees	PR	C	-0-	-0-
6	(h) Materials and services	PR	A	25,300	25,300
7	(ka) Information technology				
8	development projects	PR-S	A	-0-	-0-
9	(q) Wisconsin election campaign fund	SEG	C	100,000	559,900
	<b>20.510 DEPARTMENT TOTALS</b>				
	GENERAL PURPOSE REVENUES			738,700	738,700
	PROGRAM REVENUE			25,300	25,300
	OTHER			(25,300)	(25,300)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			100,000	559,900
	OTHER			(100,000)	(559,900)
	TOTAL-ALL SOURCES			864,000	1,323,900
10	<b>20.512 Employment relations, department of</b>				
11	(1) EMPLOYMENT RELATIONS				
12	(a) General program operations	GPR	A	5,359,500	5,204,900
13	(i) Services to nonstate governmental				
14	units	PR	A	141,400	141,400
15	(j) Gifts and donations	PR	C	-0-	-0-
16	(jm) Employe development and training				
17	services	PR	A	435,800	381,100
18	(ka) Publications	PR-S	A	187,100	187,100

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(kb) Information technology				
2	development projects	PR-S	A	-0-	-0-
3	(km) Collective bargaining grievance				
4	arbitrations	PR-S	A	60,000	60,000
5	(m) Federal grants and contracts	PR-F	C	-0-	-0-
6	(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			5,359,500	5,204,900
	PROGRAM REVENUE			824,300	769,600
	FEDERAL			(-0-)	(-0-)
	OTHER			(577,200)	(522,500)
	SERVICE			(247,100)	(247,100)
	TOTAL-ALL SOURCES			6,183,800	5,974,500
7	(2) AFFIRMATIVE ACTION COUNCIL				
8	(a) General program operations	GPR	A	8,200	8,200
9	(j) Gifts and donations	PR	C	-0-	-0-
10	(m) Federal grants and contracts	PR-F	C	-0-	-0-
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			8,200	8,200
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			8,200	8,200
	20.512 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			5,367,700	5,213,100
	PROGRAM REVENUE			824,300	769,600
	FEDERAL			(-0-)	(-0-)
	OTHER			(577,200)	(522,500)
	SERVICE			(247,100)	(247,100)
	TOTAL-ALL SOURCES			6,192,000	5,982,700
11	<b>20.515 Employee trust funds, department of</b>				
12	(1) EMPLOYE BENEFIT PLANS				

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(a) Annuity supplements and				
2	payments	GPR	S	373,000	330,800
3	(c) Contingencies	GPR	S	-0-	-0-
4	(ka) Information technology				
5	development projects	PR-S	A	-0-	-0-
6	(t) Automated operating system	SEG	C	1,866,600	1,291,500
7	(u) Employee-funded reimbursement				
8	account plan	SEG	C	-0-	-0-
9	(um) Benefit administration	SEG	B	5,000	5,000
10	(ut) Health insurance data collection				
11	and analysis contracts	SEG	A	257,000	-0-
12	(w) Administration	SEG	A	11,579,900	11,570,200

## 20.515 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	373,000	330,800
PROGRAM REVENUE	-0-	-0-
SERVICE	(-0-)	(-0-)
SEGREGATED FUNDS	13,708,500	12,866,700
OTHER	(13,708,500)	(12,866,700)
TOTAL-ALL SOURCES	14,081,500	13,197,500

13 **20.521 Ethics board**

14	(1) ETHICS AND LOBBYING REGULATION				
15	(a) General program operations;				
16	general purpose revenue	GPR	A	206,700	106,700
17	(g) General program operations;				
18	program revenue	PR	A	216,300	316,300
19	(h) Gifts and grants	PR	C	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(i) Materials and services	PR	A	15,000	15,000
2	(ka) Information technology				
3	development projects	PR-S	A	-0-	-0-
<b>20.521 DEPARTMENT TOTALS</b>					
	GENERAL PURPOSE REVENUES			206,700	106,700
	PROGRAM REVENUE			231,300	331,300
	OTHER			(231,300)	(331,300)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			438,000	438,000
4	<b>20.525 Office of the governor</b>				
5	(1) EXECUTIVE ADMINISTRATION				
6	(a) General program operations	GPR	S	2,118,400	2,006,700
7	(b) Contingent fund	GPR	S	21,700	21,700
8	(c) Membership in national				
9	associations	GPR	S	99,000	99,000
10	(d) Disability board	GPR	S	-0-	-0-
11	(i) Gifts and grants	PR	C	-0-	-0-
12	(ka) Information technology				
13	development projects	PR-S	A	-0-	-0-
14	(m) Federal aid	PR-F	C	-0-	-0-
<b>(1) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			2,239,100	2,127,400
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			2,239,100	2,127,400
15	(2) EXECUTIVE RESIDENCE				
16	(a) General program operations	GPR	S	159,000	151,300

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			159,000	151,300
TOTAL-ALL SOURCES			159,000	151,300
20.525 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			2,398,100	2,278,700
PROGRAM REVENUE			-0-	-0-
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(-0-)
SERVICE			(-0-)	(-0-)
TOTAL-ALL SOURCES			2,398,100	2,278,700
<b>1 20.536 Investment board</b>				
2 (1) INVESTMENT OF FUNDS				
3 (k) General program operations	PR-S	A	7,872,000	7,932,000
4 (ka) General program operations; clean				
5 water fund	PR-S	C	-0-	-0-
20.536 DEPARTMENT TOTALS				
PROGRAM REVENUE			7,872,000	7,932,000
SERVICE			(7,872,000)	(7,932,000)
TOTAL-ALL SOURCES			7,872,000	7,932,000
<b>6 20.540 Office of the lieutenant governor</b>				
7 (1) EXECUTIVE COORDINATION				
8 (a) General program operations	GPR	A	464,900	442,500
9 (g) Gifts, grants and proceeds	PR	C	-0-	-0-
10 (k) Grants from state agencies	PR-S	C	-0-	-0-
11 (ka) Information technology				
12 development projects	PR-S	A	-0-	-0-
13 (m) Federal aid	PR-F	C	-0-	-0-
20.540 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			464,900	442,500
PROGRAM REVENUE			-0-	-0-

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1995-96	1996-97	
	FEDERAL			(-0-)	(-0-)	
	OTHER			(-0-)	(-0-)	
	SERVICE			(-0-)	(-0-)	
	TOTAL-ALL SOURCES			464,900	442,500	
<b>1</b>	<b>20.547 Personnel commission</b>					
<b>2</b>	(1)	REVIEW OF PERSONNEL DECISIONS				
<b>3</b>	(a)	General program operations	GPR	A	718,000	718,000
<b>4</b>	(h)	Publications	PR	A	3,000	3,000
<b>5</b>	(ka)	Information technology				
<b>6</b>		development projects	PR-S	A	-0-	-0-
<b>7</b>	(m)	Federal aid	PR-F	C	-0-	-0-
	20.547 DEPARTMENT TOTALS					
		GENERAL PURPOSE REVENUES			718,000	718,000
		PROGRAM REVENUE			3,000	3,000
		FEDERAL			(-0-)	(-0-)
		OTHER			(3,000)	(3,000)
		SERVICE			(-0-)	(-0-)
		TOTAL-ALL SOURCES			721,000	721,000
<b>8</b>	<b>20.550 Public defender board</b>					
<b>9</b>	(1)	LEGAL ASSISTANCE				
<b>10</b>	(a)	Program administration	GPR	A	1,604,700	1,640,300
<b>11</b>	(b)	Appellate representation	GPR	A	3,254,600	3,271,200
<b>12</b>	(c)	Trial representation	GPR	A	31,139,600	31,183,000
<b>13</b>	(d)	Private bar and investigator				
<b>14</b>		reimbursement	GPR	B	23,032,200	16,327,200
<b>15</b>	(e)	Private bar and investigator				
<b>16</b>		payments; administration costs	GPR	A	398,400	399,800

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(f) Transcript and record payments	GPR	A	1,399,600	1,399,600
2	(fb) Payments from clients;				
3	administrative costs	PR	A	102,200	111,400
4	(g) Gifts and grants	PR	C	-0-	-0-
5	(h) Contractual agreements	PR-S	A	-0-	-0-
6	(i) Tuition payments	PR	C	-0-	-0-
7	(j) Conferences and training	PR	A	108,200	110,400
8	(L) Private bar and inv.				
9	reimbursement; payments for legal				
10	representation	PR	C	3,333,000	4,170,300
11	(m) Federal aid	PR-F	C	-0-	-0-
<b>2 0 . 5 5 0 D E P A R T M E N T T O T A L S</b>					
	GENERAL PURPOSE REVENUES			60,829,100	54,221,100
	PROGRAM REVENUE			3,543,400	4,392,100
	FEDERAL			(-0-)	(-0-)
	OTHER			(3,543,400)	(4,392,100)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			64,372,500	58,613,200
12	<b>20.566 Revenue, department of</b>				
13	(1) COLLECTION OF TAXES				
14	(a) General program operations	GPR	A	31,431,000	30,012,900
15	(g) Administration of county sales and				
16	use taxes	PR	A	1,878,300	1,879,100
17	(ga) Cigarette tax stamps	PR	A	165,600	165,600
18	(gb) Business tax registration	PR	A	756,700	1,247,600

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>	
1	(gc) Audits of occasional sales of motor					
2	vehicles	PR	A	401,400	557,800	
3	(gg) Administration of local taxes	PR	A	-0-	-0-	
4	(h) Debt collection	PR	A	144,600	144,700	
5	(ha) Administration of liquor tax	PR	A	139,600	139,700	
6	(hm) Collections under contracts	PR	S	351,800	351,800	
7	(hp) Admin. of endan. res. & domestic					
8	abuse awareness & prev. voluntary					
9	payments	PR	A	50,100	50,200	
10	(hq) Delinquent tax collection fees	PR	C	8,299,000	9,352,900	
11	(i) Gifts and grants	PR	C	-0-	-0-	
12	(m) Federal funds; state operations	PR-F	C	50,000	50,000	
13	(q) Recycling surcharge administration	SEG	A	306,800	306,800	
14	(s) Petroleum inspection fee collection	SEG	A	202,900	101,900	
15	(u) Motor fuel tax administration	SEG	A	1,012,000	962,600	
	(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			31,431,000	30,012,900	
	PROGRAM REVENUE			12,237,100	13,939,400	
	FEDERAL			(50,000)	(50,000)	
	OTHER			(12,187,100)	(13,889,400)	
	SEGREGATED FUNDS			1,521,700	1,371,300	
	OTHER			(1,521,700)	(1,371,300)	
	TOTAL-ALL SOURCES			45,189,800	45,323,600	
16	(2) STATE AND LOCAL FINANCE					
17	(a) General program operations	GPR	A	9,205,200	8,765,600	
18	(g) County assessment studies	PR	C	-0-	-0-	

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(gi) Municipal finance report				
2	compliance	PR	A	40,300	40,300
3	(h) Reassessments	PR	A	91,700	91,700
4	(hi) Wisconsin property assessment				
5	manual	PR	A	63,000	63,000
6	(i) Gifts and grants	PR	C	-0-	-0-
7	(m) Federal funds; state operations	PR-F	C	-0-	-0-
8	(q) Railroad and air carrier tax				
9	administration	SEG	A	75,900	76,000
10	(r) Lottery credit administration	SEG	A	191,100	191,300
(2) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			9,205,200	8,765,600
	PROGRAM REVENUE			195,000	195,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(195,000)	(195,000)
	SEGREGATED FUNDS			267,000	267,300
	OTHER			(267,000)	(267,300)
	TOTAL-ALL SOURCES			9,667,200	9,227,900
11	(3) ADMINISTRATIVE SERVICES AND SPACE RENTAL				
12	(a) General program operations	GPR	A	14,842,300	14,603,900
13	(c) Expert professional services	GPR	A	8,000	8,000
14	(g) Services	PR	A	56,600	56,600
15	(gm) Reciprocity agreement and				
16	publications	PR	A	199,900	199,900
17	(i) Gifts and grants	PR	C	-0-	-0-
18	(k) Internal services	PR-S	A	169,100	169,100

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(ka) Information technology				
2	development projects	PR-S	A	-0-	-0-
3	(m) Federal funds; state operations	PR-F	C	-0-	-0-
(3) P R O G R A M T O T A L S					
	GENERAL PURPOSE REVENUES			14,850,300	14,611,900
	PROGRAM REVENUE			425,600	425,600
	FEDERAL			(-0-)	(-0-)
	OTHER			(256,500)	(256,500)
	SERVICE			(169,100)	(169,100)
	TOTAL-ALL SOURCES			15,275,900	15,037,500
4	(4) CHILD AND SPOUSAL SUPPORT AND PATERNITY ESTABLISHMENT				
5	(a) General program operations	GPR	A	-0-	1,511,200
6	(c) Child support collection-county				
7	administration	GPR	A	-0-	1,840,100
8	(cd) Child support state operations	GPR	A	-0-	526,900
9	(g) Child support collections	PR	C	-0-	73,151,000
10	(i) Gifts and grants	PR	C	-0-	-0-
11	(ja) Child support state operations-fees	PR	A	-0-	462,600
12	(jb) Fees for administrative services	PR	C	-0-	-0-
13	(kx) Interagency and intra-agency				
14	programs	PR	C	-0-	-0-
15	(ky) Interagency and intra-agency aids	PR	C	-0-	-0-
16	(kz) Interagency and intra-agency local				
17	assistance	PR	C	-0-	-0-
18	(n) Federal program operations	PR-F	C	-0-	6,131,600
19	(nb) Federal program local assistance	PR-F	C	-0-	39,796,300

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1995-96	1996-97
(4) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				-0-	3,878,200
PROGRAM REVENUE				-0-	119,541,500
FEDERAL				(-0-)	(45,927,900)
OTHER				(-0-)	(73,613,600)
TOTAL-ALL SOURCES				-0-	123,419,700
1	(7)	INVESTMENT AND LOCAL IMPACT FUND			
2	(e)	Investment and local impact fund			
3		supplement	GPR	A	-0-      -0-
4	(g)	Investment and local impact fund			
5		administrative expenses	PR	A	36,200      41,400
6	(n)	Federal mining revenue			
			PR-F	C	-0-      -0-
7	(v)	Investment and local impact fund			
			SEG	C	-0-      -0-
(7) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				-0-	-0-
PROGRAM REVENUE				36,200	41,400
FEDERAL				(-0-)	(-0-)
OTHER				(36,200)	(41,400)
SEGREGATED FUNDS				-0-	-0-
OTHER				(-0-)	(-0-)
TOTAL-ALL SOURCES				36,200	41,400
8	(8)	LOTTERY			
9	(q)	General program operations			
			SEG	A	-0-      24,527,400
10	(r)	Retailer compensation			
			SEG	A	-0-      29,106,100
11	(s)	Prizes			
			SEG	A	-0-      -0-
12	(v)	On-line vendor fees			
			SEG	A	-0-      11,328,000
(8) PROGRAM TOTALS					
SEGREGATED FUNDS				-0-	64,961,500
OTHER				(-0-)	(64,961,500)
TOTAL-ALL SOURCES				-0-	64,961,500
20.566 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES				55,486,500	57,268,600

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
PROGRAM REVENUE			12,893,900	134,142,900
FEDERAL			(50,000)	(45,977,900)
OTHER			(12,674,800)	(87,995,900)
SERVICE			(169,100)	(169,100)
SEGREGATED FUNDS			1,788,700	66,600,100
OTHER			(1,788,700)	(66,600,100)
TOTAL-ALL SOURCES			70,169,100	258,011,600

**1 20.575 Secretary of state****2 (1) MANAGING AND OPERATING PROGRAM RESPONSIBILITIES**

<b>3</b>	(g) Program fees	PR	A	2,173,600	388,100
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<b>4</b>	(gb) Expedited service and telephone				
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<b>5</b>	application for reservation of name	PR	A	115,200	-0-
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<b>6</b>	(h) Search fees	PR	A	211,400	-0-
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<b>7</b>	(i) Uniform commercial code statewide				
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<b>8</b>	lien system	PR	A	456,500	-0-
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<b>9</b>	(ka) Agency collections	PR-S	A	100,000	20,000
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**20.575 DEPARTMENT TOTALS**

PROGRAM REVENUE			3,056,700	408,100
OTHER			(2,956,700)	(388,100)
SERVICE			(100,000)	(20,000)
TOTAL-ALL SOURCES			3,056,700	408,100

**10 20.585 Treasurer, state****11 (1) CUSTODIAN OF STATE FUNDS**

<b>12</b>	(a) General program operations	GPR	A	-0-	-0-
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<b>13</b>	(b) Insurance	GPR	A	-0-	-0-
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<b>14</b>	(e) Unclaimed property; contingency				
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<b>15</b>	appropriation	GPR	S	-0-	-0-
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<b>16</b>	(g) Processing services	PR	A	220,600	214,600
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	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(h) Training conferences	PR	C	-0-	-0-
2	(j) Unclaimed property; claims and				
3	adminstrative expenses	PR	C	555,000	1,038,500
4	(js) Investment services	PR	A	23,200	-0-
5	(jt) Cash management services	PR	A	40,800	96,100
6	(ka) Information technology				
7	development projects	PR-S	A	-0-	-0-
8	(kb) General program operations	PR-S	A	380,900	355,600
9	(km) Credit card use charges	PR-S	C	-0-	-0-
	(1) P R O G R A M T O T A L S				
	GENERAL PURPOSE REVENUES			-0-	-0-
	PROGRAM REVENUE			1,220,500	1,704,800
	OTHER			(839,600)	(1,349,200)
	SERVICE			(380,900)	(355,600)
	TOTAL-ALL SOURCES			1,220,500	1,704,800
10	(2) TRUST LANDS AND INVESTMENTS				
11	(hg) Trust lands and				
12	investments-general program				
13	operations	PR-S	A	723,800	726,000
14	(k) Trust lands and				
15	investments-interagency and				
16	intragency assistance	PR-S	A	-0-	-0-
17	(mg) Federal aid-flood control	PR-F	C	52,700	52,700
	(2) P R O G R A M T O T A L S				
	PROGRAM REVENUE			776,500	778,700
	FEDERAL			(52,700)	(52,700)
	SERVICE			(723,800)	(726,000)
	TOTAL-ALL SOURCES			776,500	778,700

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
20.585 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
PROGRAM REVENUE			1,997,000	2,483,500
FEDERAL			(52,700)	(52,700)
OTHER			(839,600)	(1,349,200)
SERVICE			(1,104,700)	(1,081,600)
TOTAL-ALL SOURCES			1,997,000	2,483,500

General Executive Functions FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			148,341,900	152,177,300
PROGRAM REVENUE			271,055,300	447,788,000
FEDERAL			(43,307,600)	(142,785,000)
OTHER			(31,644,800)	(105,656,200)
SERVICE			(196,102,900)	(199,346,800)
SEGREGATED FUNDS			16,546,300	80,877,300
FEDERAL			(-0-)	(-0-)
OTHER			(16,546,300)	(80,877,300)
SERVICE			(-0-)	(-0-)
LOCAL			(-0-)	(-0-)
TOTAL-ALL SOURCES			435,943,500	680,842,600

### Judicial

1	<b>20.625 Circuit courts</b>					
2	(1)	COURT OPERATIONS				
3	(a)	Circuit courts	GPR	S	42,269,700	41,921,300
4	(as)	Violent crime court costs	GPR	A	-0-	-0-
5	(b)	Permanent reserve judges	GPR	A	-0-	-0-
6	(c)	Court interpreter fees	GPR	A	107,100	116,400
7	(d)	Circuit court support payments	GPR	B	11,738,000	16,489,600
8	(e)	Guardian ad litum costs	GPR	A	4,738,500	4,738,500
9	(k)	Drug court costs; local assistance	PR	C	154,600	160,000
10	(m)	Federal aid	PR-F	C	-0-	-0-
(1) PROGRAM TOTALS						
		GENERAL PURPOSE REVENUES			58,853,300	63,265,800

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
	PROGRAM REVENUE			154,600	160,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(154,600)	(160,000)
	TOTAL-ALL SOURCES			59,007,900	63,425,800
1	(3) CHILD CUSTODY HEARINGS AND STUDIES IN OTHER STATES				
2	(a) General program operations	GPR	S	-0-	-0-
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
	20.625 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			58,853,300	63,265,800
	PROGRAM REVENUE			154,600	160,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(154,600)	(160,000)
	TOTAL-ALL SOURCES			59,007,900	63,425,800
3	<b>20.660 Court of appeals</b>				
4	(1) APPELLATE PROCEEDINGS				
5	(a) General program operations	GPR	S	5,859,200	5,859,200
6	(m) Federal aid	PR-F	C	-0-	-0-
	20.660 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			5,859,200	5,859,200
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			5,859,200	5,859,200
7	<b>20.665 Judicial commission</b>				
8	(1) JUDICIAL CONDUCT				
9	(a) General program operations	GPR	A	160,600	160,600
10	(cm) Contractual agreements	GPR	B	18,200	18,200
11	(ka) Information technology				
12	development projects	PR-S	A	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(mm) Federal aid	PR-F	C	-0-	-0-
<b>20.665 DEPARTMENT TOTALS</b>					
	GENERAL PURPOSE REVENUES			178,800	178,800
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			178,800	178,800
2	<b>20.680 Supreme court</b>				
3	(1) SUPREME COURT PROCEEDINGS				
4	(a) General program operations	GPR	S	3,037,200	3,037,200
5	(m) Federal aid	PR-F	C	-0-	-0-
<b>(1) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			3,037,200	3,037,200
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			3,037,200	3,037,200
6	(2) DIRECTOR OF STATE COURTS				
7	(a) General program operations	GPR	A	4,244,100	4,184,100
8	(b) Judicial planning and research	GPR	A	-0-	-0-
9	(g) Gifts and grants	PR	C	-0-	-0-
10	(h) Materials and services	PR	A	40,000	40,000
11	(i) Municipal judge training	PR	A	100,500	100,500
12	(j) Circuit court automation systems	PR	A	4,793,400	4,793,400
13	(k) Data processing services	PR-S	A	41,900	41,900
14	(ka) Information technology				
15	development projects	PR-S	A	-0-	-0-
16	(kc) Central services	PR-S	A	41,800	41,800

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(kd) Court operations information				
2	technology	PR-S	C	204,700	9,100
3	(m) Federal aid	PR-F	C	-0-	-0-
4	(qm) Mediation fund	SEG	C	636,400	636,400
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			4,244,100	4,184,100
	PROGRAM REVENUE			5,222,300	5,026,700
	FEDERAL			(-0-)	(-0-)
	OTHER			(4,933,900)	(4,933,900)
	SERVICE			(288,400)	(92,800)
	SEGREGATED FUNDS			636,400	636,400
	OTHER			(636,400)	(636,400)
	TOTAL-ALL SOURCES			10,102,800	9,847,200
5	(3) BAR EXAMINERS AND RESPONSIBILITY				
6	(g) Board of bar examiners	PR	C	404,000	404,000
7	(h) Board of attorneys professional				
8	responsibility	PR	C	1,252,900	1,252,900
	(3) PROGRAM TOTALS				
	PROGRAM REVENUE			1,656,900	1,656,900
	OTHER			(1,656,900)	(1,656,900)
	TOTAL-ALL SOURCES			1,656,900	1,656,900
9	(4) LAW LIBRARY				
10	(a) General program operations	GPR	A	899,800	899,800
11	(g) Library collections and services	PR	A	83,400	83,400
12	(h) Gifts and grants	PR	C	-0-	-0-
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			899,800	899,800
	PROGRAM REVENUE			83,400	83,400
	OTHER			(83,400)	(83,400)
	TOTAL-ALL SOURCES			983,200	983,200
	20.680 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			8,181,100	8,121,100



STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1995-96	1996-97
SERVICE				(-0-)	(-0-)
TOTAL-ALL SOURCES				35,152,400	33,063,600
1	(2) SPECIAL STUDY GROUPS				
2	(a) Retirement committees	GPR	A	157,800	166,700
3	(ab) Retirement actuarial studies	GPR	B	15,000	15,000
4	(b) Commission on uniform state laws	GPR	B	33,500	34,600
(2) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				206,300	216,300
TOTAL-ALL SOURCES				206,300	216,300
5	(3) SERVICE AGENCIES AND NATIONAL ASSOCIATIONS				
6	(a) Revisor of statutes bureau	GPR	B	547,800	573,800
7	(b) Legislative reference bureau	GPR	B	2,875,400	3,016,100
8	(c) Legislative audit bureau	GPR	B	3,255,400	3,447,800
9	(d) Legislative fiscal bureau	GPR	B	2,018,500	2,128,600
10	(e) Legislative council	GPR	B	2,260,100	2,372,400
11	(em) Legislative data processing	GPR	B	844,300	886,400
12	(f) Joint committee on legislative				
13	organization	GPR	B	-0-	-0-
14	(fa) Membership in national				
15	associations	GPR	S	213,900	222,500
16	(fb) National conference of state				
17	legislatures meeting	GPR	C	150,000	-0-
18	(g) Gifts and grants to service agencies	PR	C	-0-	-0-
19	(ka) Audit bureau reimbursable audits	PR-S	A	1,380,200	1,342,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1 (m) Federal aid	PR-F	C	-0-	-0-
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			12,165,400	12,647,600
PROGRAM REVENUE			1,380,200	1,342,000
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(-0-)
SERVICE			(1,380,200)	(1,342,000)
TOTAL-ALL SOURCES			13,545,600	13,989,600
20.765 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			47,524,100	45,927,500
PROGRAM REVENUE			1,380,200	1,342,000
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(-0-)
SERVICE			(1,380,200)	(1,342,000)
TOTAL-ALL SOURCES			48,904,300	47,269,500
Legislative FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			47,524,100	45,927,500
PROGRAM REVENUE			1,380,200	1,342,000
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(-0-)
SERVICE			(1,380,200)	(1,342,000)
SEGREGATED FUNDS			-0-	-0-
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(-0-)
SERVICE			(-0-)	(-0-)
LOCAL			(-0-)	(-0-)
TOTAL-ALL SOURCES			48,904,300	47,269,500

## General Appropriations

2	<b>20.835 Shared revenue and tax relief</b>				
3	(1) SHARED REVENUE PAYMENTS				
4	(b) Small municipalities shared				
5	revenue	GPR	S	14,000,000	10,000,000
6	(c) Expenditure restraint program				
7	account	GPR	S	48,000,000	48,000,000

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(d) Shared revenue account	GPR	S	930,459,800	930,459,800
2	(f) County mandate relief account	GPR	S	20,159,000	20,159,000
(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			1,012,618,800	1,008,618,800
	TOTAL-ALL SOURCES			1,012,618,800	1,008,618,800
3	(2) TAX RELIEF				
4	(b) Claim of right credit	GPR	S	-0-	-0-
5	(c) Homestead tax credit	GPR	S	104,600,000	96,300,000
6	(ci) Development zones investment				
7	credit	GPR	S	2,500	2,500
8	(cL) Development zones location credit	GPR	S	2,000	2,000
9	(cm) Development zones jobs credit	GPR	S	700,000	900,000
10	(cn) Development zones sales tax credit	GPR	S	60,000	70,000
11	(d) Farmers' drought property tax				
12	credit	GPR	S	-0-	-0-
13	(dm) Farmland preservation credit	GPR	S	29,200,000	26,200,000
14	(ep) Cigarette tax refunds	GPR	S	4,550,000	4,480,000
15	(f) Earned income tax credit	GPR	S	60,500,000	65,500,000
16	(q) Farmland tax relief credit	SEG	S	15,800,000	14,200,000
(2) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			199,614,500	193,454,500
	SEGREGATED FUNDS			15,800,000	14,200,000
	OTHER			(15,800,000)	(14,200,000)
	TOTAL-ALL SOURCES			215,414,500	207,654,500
17	(3) STATE PROPERTY TAX CREDITS				
18	(b) School levy tax credit	GPR	S	319,305,000	319,305,000

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(q) Lottery credit	SEG	S	150,731,600	141,772,300
2	(r) Lottery credit precertification	SEG	S	608,500	610,000
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			319,305,000	319,305,000
	SEGREGATED FUNDS			151,340,100	142,382,300
	OTHER			(151,340,100)	(142,382,300)
	TOTAL-ALL SOURCES			470,645,100	461,687,300
3	(4) COUNTY AND LOCAL TAXES				
4	(g) County taxes	PR	C	-0-	-0-
5	(gg) Local taxes	PR	C	-0-	-0-
	(4) PROGRAM TOTALS				
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
6	(5) PAYMENTS IN LIEU OF TAXES				
7	(a) Payments for municipal services	GPR	A	16,828,800	16,828,800
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			16,828,800	16,828,800
	TOTAL-ALL SOURCES			16,828,800	16,828,800
8	(6) COUNTY ASSESSMENT AIDS				
9	(a) County assessment aid	GPR	S	930,000	475,700
	(6) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			930,000	475,700
	TOTAL-ALL SOURCES			930,000	475,700
	20.835 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			1,549,297,100	1,538,682,800
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SEGREGATED FUNDS			167,140,100	156,582,300
	OTHER			(167,140,100)	(156,582,300)
	TOTAL-ALL SOURCES			1,716,437,200	1,695,265,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	<b>20.855 Miscellaneous appropriations</b>				
2	(1) CASH MANAGEMENT EXPENSES; INTEREST AND PRINCIPAL REPAYMENT				
3	(a) Obligation on operating notes	GPR	S	8,000,000	9,500,000
4	(b) Operating note expenses	GPR	S	110,000	110,000
5	(c) Interest payments to program				
6	revenue accounts	GPR	S	-0-	-0-
7	(d) Interest payments to segregated				
8	funds	GPR	S	-0-	-0-
9	(e) Interest on prorated local				
10	government payments	GPR	S	-0-	-0-
11	(q) Redemption of operating notes	SEG	S	-0-	-0-
12	(r) Interest payments to general fund	SEG	S	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			8,110,000	9,610,000
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			8,110,000	9,610,000
13	(3) RELOCATION EXPENSES				
14	(a) Capitol offices relocation	GPR	S	2,128,400	1,996,600
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			2,128,400	1,996,600
	TOTAL-ALL SOURCES			2,128,400	1,996,600
15	(4) TAX, ASSISTANCE AND TRANSFER PAYMENTS				
16	(a) Interest on overpayment of taxes	GPR	S	300,000	400,000
17	(am) Great Lakes protection fund				
18	contribution	GPR	C	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(b) Election campaign payments	GPR	S	340,000	144,000
2	(c) Minnesota income tax reciprocity	GPR	S	28,000,000	28,800,000
3	(ca) Minnesota income tax reciprocity				
4	bench mark	GPR	A	-0-	-0-
5	(e) Transfer to conservation fund; land				
6	acquisition reimbursement	GPR	S	228,300	229,200
7	(q) Terminal tax distribution	SEG	S	1,162,100	1,162,100
8	(s) Transfer to conservation fund;				
9	motorboat formula	SEG	S	8,442,600	9,075,400
10	(t) Transfer to conservation fund;				
11	snowmobile formula	SEG	S	2,944,900	3,146,900
12	(u) Transfer to conservation fund;				
13	all-terrain vehicle formula	SEG	S	366,400	403,100
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			28,868,300	29,573,200
	SEGREGATED FUNDS			12,916,000	13,787,500
	OTHER			(12,916,000)	(13,787,500)
	TOTAL-ALL SOURCES			41,784,300	43,360,700
14	(5) STATE HOUSING AUTHORITY RESERVE FUND				
15	(a) Enhancement of credit of authority				
16	debt	GPR	A	-0-	-0-
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
17	(6) MISCELLANEOUS RECEIPTS				
18	(g) Gifts and grants	PR	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(h) Vehicle and aircraft receipts	PR	A	-0-	-0-
2	(i) Miscellaneous program revenue	PR	A	-0-	-0-
3	(j) Custody accounts	PR	C	-0-	-0-
4	(k) Aids to individuals and				
5	organizations	PR-S	C	-0-	-0-
6	(ka) Local assistance	PR-S	C	-0-	-0-
7	(m) Federal aid	PR-F	C	-0-	-0-
8	(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-
	(6) PROGRAM TOTALS				
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
9	(7) DEBT COLLECTIONS				
10	(j) Delinquent support and				
11	maintenance payments	PR	C	-0-	-0-
	(7) PROGRAM TOTALS				
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
12	(9) STATE CAPITOL RENOVATION AND RESTORATION				
13	(a) South wing renovation and				
14	restoration	GPR	C	15,000,000	-0-
	(9) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			15,000,000	-0-
	TOTAL-ALL SOURCES			15,000,000	-0-
	20.855 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			54,106,700	41,179,800
	PROGRAM REVENUE			-0-	-0-

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1995-96	1996-97	
	FEDERAL			(-0-)	(-0-)	
	OTHER			(-0-)	(-0-)	
	SERVICE			(-0-)	(-0-)	
	SEGREGATED FUNDS			12,916,000	13,787,500	
	OTHER			(12,916,000)	(13,787,500)	
	TOTAL-ALL SOURCES			67,022,700	54,967,300	
<b>1</b>	<b>20.865 Program supplements</b>					
<b>2</b>	(1)	EMPLOYE COMPENSATION AND SUPPORT				
<b>3</b>	(a)	Judgments and legal expenses	GPR	S	50,000	50,000
<b>4</b>	(c)	Compensation and related				
<b>5</b>		adjustments	GPR	S	-0-	-0-
<b>6</b>	(ci)	Nonrepresented university system				
<b>7</b>		faculty and academic pay				
<b>8</b>		adjustments	GPR	S	-0-	-0-
<b>9</b>	(cj)	Pay adjustments for certain				
<b>10</b>		university employees	GPR	A	-0-	-0-
<b>11</b>	(d)	Employer fringe benefit costs	GPR	S	3,111,200	3,111,200
<b>12</b>	(em)	Financial services	GPR	A	191,600	193,100
<b>13</b>	(fm)	Risk management	GPR	A	-0-	-0-
<b>14</b>	(fn)	Physically handicapped				
<b>15</b>		supplements	GPR	A	6,900	6,900
<b>16</b>	(g)	Judgments and legal expenses;				
<b>17</b>		program revenues	PR	S	-0-	-0-
<b>18</b>	(i)	Compensation and related				
<b>19</b>		adjustments; program revenues	PR	S	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(ic) Nonrepresented university system				
2	faculty and academic pay				
3	adjustments	PR	S	-0-	-0-
4	(j) Employer fringe benefit costs;				
5	program revenues	PR	S	-0-	-0-
6	(js) Financial services; program				
7	revenues	PR	S	-0-	-0-
8	(kr) Risk management; program				
9	revenues	PR	S	-0-	-0-
10	(Ln) Physically handicapped				
11	supplements; program revenues	PR	S	-0-	-0-
12	(q) Judgments and legal expenses;				
13	segregated revenues	SEG	S	-0-	-0-
14	(s) Compensation and related				
15	adjustments; segregated revenues	SEG	S	-0-	-0-
16	(si) Nonrepresented university system				
17	faculty and academic pay				
18	adjustments	SEG	S	-0-	-0-
19	(t) Employer fringe benefit costs;				
20	segregated revenues	SEG	S	-0-	-0-
21	(ts) Financial services; segregated				
22	revenues	SEG	S	-0-	-0-
23	(ur) Risk management; segregated				
24	revenues	SEG	S	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(vn) Physically handicapped				
2	supplements; segregated revenues	SEG	S	-0-	-0-
	(1) P R O G R A M T O T A L S				
	GENERAL PURPOSE REVENUES			3,359,700	3,361,200
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			3,359,700	3,361,200
3	(2) STATE PROGRAMS AND FACILITIES				
4	(a) Space management and child care	GPR	A	1,671,600	1,671,600
5	(ag) State-owned office rent supplement	GPR	A	428,700	428,700
6	(d) State deposit fund	GPR	S	-0-	-0-
7	(e) Maintenance of capitol and				
8	executive residence	GPR	A	3,874,600	3,874,600
9	(eb) Executive residence furnishings				
10	replacement	GPR	C	-0-	25,000
11	(em) Groundwater survey and analysis	GPR	A	231,200	231,200
12	(g) Space management and child care;				
13	program revenues	PR	S	-0-	-0-
14	(gg) State-owned office rent				
15	supplement; program revenues	PR	S	-0-	-0-
16	(j) State deposit fund; program				
17	revenues	PR	S	-0-	-0-
18	(L) Data processing and				
19	telecommunications study; program				
20	revenues	PR-S	S	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(q) Space management and child care;				
2	segregated revenues	SEG	S	-0-	-0-
3	(qg) State-owned office rent				
4	supplement; segregated revenues	SEG	S	-0-	-0-
5	(t) State deposit fund; segregated				
6	revenues	SEG	S	-0-	-0-
(2) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			6,206,100	6,231,100
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			6,206,100	6,231,100
7	(3) TAXES AND SPECIAL CHARGES				
8	(a) Property taxes	GPR	S	-0-	-0-
9	(g) Property taxes; program revenues	PR	S	-0-	-0-
10	(i) Payments for municipal services;				
11	program revenues	PR	S	-0-	-0-
12	(q) Property taxes; segregated				
13	revenues	SEG	S	-0-	-0-
14	(s) Payments for municipal services;				
15	segregated revenues	SEG	S	-0-	-0-
(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			-0-	-0-
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(4) JOINT COMMITTEE ON FINANCE SUPPLEMENTAL APPROPRIATIONS				
2	(a) General purpose revenue funds				
3	general program supplementation	GPR	B	9,756,000	11,611,000
4	(g) Program revenue funds general				
5	program supplementation	PR	S	-0-	-0-
6	(u) Segregated funds general program				
7	supplementation	SEG	S	-0-	-0-
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			9,756,000	11,611,000
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			9,756,000	11,611,000
8	(8) SUPPLEMENTATION OF PROGRAM REVENUE AND PROGRAM REV.-SERVICE APPROPRIATIONS				
9	(g) Supplementation of program				
10	revenue and program rev.-service				
11	appropriations	PR	S	-0-	-0-
	(8) PROGRAM TOTALS				
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
	20.865 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			19,321,800	21,203,300
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			19,321,800	21,203,300
12	<b>20.866 Public debt</b>				
13	(1) BOND SECURITY AND REDEMPTION FUND				

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(u) Principal repayment and interest	SEG	S	-0-	-0-
	<b>20.866 DEPARTMENT TOTALS</b>				
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
<b>2</b>	<b>20.867 Building commission</b>				
3	(1) STATE OFFICE BUILDINGS				
4	(a) Principal repayment and interest;				
5	housing of state agencies	GPR	S	-0-	-0-
6	(b) Principal repayment and interest;				
7	capitol and executive residence	GPR	S	4,021,200	3,993,600
	<b>(1) PROGRAM TOTALS</b>				
	GENERAL PURPOSE REVENUES			4,021,200	3,993,600
	TOTAL-ALL SOURCES			4,021,200	3,993,600
8	(2) ALL STATE-OWNED FACILITIES				
9	(b) Asbestos removal	GPR	A	-0-	-0-
10	(c) Hazardous materials removal	GPR	A	-0-	-0-
11	(f) Facilities preventive maintenance	GPR	A	-0-	-0-
12	(ka) Information technology				
13	development projects	PR-S	A	-0-	-0-
14	(q) Building trust fund	SEG	C	-0-	-0-
15	(r) Planning and design	SEG	C	-0-	-0-
16	(s) State institution, park, forest and				
17	riverway roads	SEG	C	-0-	-0-
18	(u) Aids for buildings	SEG	C	-0-	-0-

	<b>STATUTE, AGENCY AND PURPOSE</b>	<b>SOURCE</b>	<b>TYPE</b>	<b>1995-96</b>	<b>1996-97</b>
1	(v) Building program funding				
2	contingency	SEG	C	-0-	-0-
3	(w) Building program funding	SEG	C	-0-	-0-
<b>(2) PROGRAM TOTALS</b>					
	GENERAL PURPOSE REVENUES			-0-	-0-
	PROGRAM REVENUE			-0-	-0-
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
4	(3) STATE BUILDING PROGRAM				
5	(a) Principal repayment and interest	GPR	S	20,003,700	31,424,000
6	(b) Principal repayment and interest	GPR	S	-0-	-0-
7	(c) Lease rental payments	GPR	S	-0-	-0-
8	(d) Interest rebates on obligation				
9	proceeds; general fund	GPR	S	-0-	-0-
10	(e) Principal repayment, interest and				
11	rebates; parking ramp	GPR	S	-0-	-0-
12	(g) Principal repayment, interest and				
13	rebates; program revenues	PR-S	S	-0-	-0-
14	(h) Principal repayment, interest and				
15	rebates	PR-S	S	-0-	-0-
16	(i) Principal repayment, interest and				
17	rebates; capital equipment	PR-S	S	-0-	-0-
18	(k) Interest rebates on obligation				
19	proceeds; program revenues	PR-S	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	(q) Principal repayment and interest;				
2	segregated revenues	SEG	S	-0-	-0-
3	(r) Interest rebates on obligation				
4	proceeds; conservation fund	SEG	S	-0-	-0-
5	(s) Interest rebates on obligation				
6	proceeds; transportation fund	SEG	S	-0-	-0-
7	(t) Interest rebates on obligation				
8	proceeds; veterans trust fund	SEG	S	-0-	-0-
9	(w) Bonding services	SEG	S	1,024,200	1,024,200
(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			20,003,700	31,424,000
	PROGRAM REVENUE			-0-	-0-
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			1,024,200	1,024,200
	OTHER			(1,024,200)	(1,024,200)
	TOTAL-ALL SOURCES			21,027,900	32,448,200
10	(4) CAPITAL IMPROVEMENT FUND INTEREST EARNINGS				
11	(q) Funding in lieu of borrowing	SEG	C	-0-	-0-
12	(r) Interest on veterans obligations	SEG	C	-0-	-0-
(4) PROGRAM TOTALS					
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
20.867 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			24,024,900	35,417,600
	PROGRAM REVENUE			-0-	-0-
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			1,024,200	1,024,200
	OTHER			(1,024,200)	(1,024,200)
	TOTAL-ALL SOURCES			25,049,100	36,441,800

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
1	<b>20.870 Information technology investment fund</b>				
2	(1) INFORMATION TECHNOLOGY DEVELOPMENT				
3	(q) Special projects; fee revenue	SEG	A	5,000,000	5,000,000
4	(r) Special projects; agency revenues	SEG	A	-0-	-0-
5	(s) Special projects; gifts and grants	SEG	A	-0-	-0-
	20.870 DEPARTMENT TOTALS				
	SEGREGATED FUNDS			5,000,000	5,000,000
	OTHER			(5,000,000)	(5,000,000)
	TOTAL-ALL SOURCES			5,000,000	5,000,000
6	<b>20.875 Budget stabilization fund</b>				
7	(1) TRANSFERS TO FUND				
8	(a) General fund transfer	GPR	A	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
9	(2) TRANSFERS FROM FUND				
10	(q) Budget stabilization fund transfer	SEG	A	-0-	-0-
	(2) PROGRAM TOTALS				
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
	20.875 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
	General Appropriations FUNCTIONAL AREA TOTALS				
	GENERAL PURPOSE REVENUES			1,646,750,500	1,636,483,500
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1995-96	1996-97
SERVICE			(-0-)	(-0-)
SEGREGATED FUNDS			186,080,300	176,394,000
FEDERAL			(-0-)	(-0-)
OTHER			(186,080,300)	(176,394,000)
SERVICE			(-0-)	(-0-)
LOCAL			(-0-)	(-0-)
TOTAL-ALL SOURCES			1,832,830,800	1,812,877,500
S T A T E T O T A L			16,231,601,400	17,021,694,900
GENERAL PURPOSE REVENUES			8,270,797,200	9,123,792,600
PROGRAM REVENUE			5,659,010,300	5,534,391,000
FEDERAL			(3,482,242,300)	(3,563,872,300)
OTHER			(1,823,148,700)	(1,600,004,500)
SERVICE			(353,619,300)	(370,514,200)
SEGREGATED FUNDS			2,301,793,900	2,363,511,300
FEDERAL			(385,087,100)	(378,231,000)
OTHER			(1,724,098,000)	(1,788,442,300)
SERVICE			(140,901,400)	(145,789,800)
LOCAL			(51,707,400)	(51,048,200)

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**SECTION 474.** 20.115 (1) (f) of the statutes is created to read:

20.115 (1) (f) *Food regulation lapse restoration.* A sum sufficient equal to the amount that lapsed to the general fund from the appropriation account under par. (gb) on June 30, 1995, to be transferred to the appropriation account under par. (gb).

**SECTION 475.** 20.115 (1) (f) of the statutes, as created by 1995 Wisconsin Act ... (this act), is repealed.

**SECTION 476.** 20.115 (1) (gb) of the statutes is amended to read:

20.115 (1) (gb) *Food regulation.* The amounts in the schedule for the regulation of food under chs. 93, 97 and 98. All moneys received under ss. 93.06 (1r) and (1w), 93.09, 93.11, 97.17, 97.175, 97.20, 97.21, 97.22, 97.24, 97.27, 97.29, 97.30 (3) (a), (b) and (c), 97.41, 98.145 and 98.146 for the regulation of food and all moneys transferred from the appropriation under par. (f) shall be credited to this appropriation, but any balance at the close of a biennium exceeding 20% of the previous fiscal year's expenditures under this appropriation shall lapse to the general fund.

**SECTION 476b**

1           **SECTION 476b.** 20.115 (1) (gb) of the statutes, as affected by 1995 Wisconsin Act  
2 .... (this act), section 476, is amended to read:

3           20.115 (1) (gb) *Food regulation.* The amounts in the schedule for the regulation  
4 of food under chs. 93, 97 and 98. All moneys received under ss. 93.06 (1r) and (1w),  
5 93.09, 93.11, 93.12, 97.17, 97.175, 97.20, 97.21, 97.22, 97.24, 97.27, 97.29, 97.30 (3)  
6 (a), (b) and (c), 97.41, 98.145 and 98.146 for the regulation of food and all moneys  
7 transferred from the appropriation under par. (f) shall be credited to this  
8 appropriation.

9           **SECTION 476c.** 20.115 (1) (gb) of the statutes, as affected by 1995 Wisconsin Act  
10 .... (this act), sections 476 and 476b, is amended to read:

11           20.115 (1) (gb) *Food regulation.* The amounts in the schedule for the regulation  
12 of food under chs. 93, 97 and 98. All moneys received under ss. 93.06 (1r) and (1w),  
13 93.09, 93.11, 93.12, 97.17, 97.175, 97.20, 97.21, 97.22, 97.24, 97.27, 97.29, 97.30 (3)  
14 (a), (b) and (c), 97.41, 98.145 and 98.146 for the regulation of food and all moneys  
15 transferred from the appropriation under par. (f) shall be credited to this  
16 appropriation.

17           **SECTION 476k.** 20.115 (1) (gm) of the statutes is amended to read:

18           20.115 (1) (gm) *Dairy trade regulation; dairy and farm product producer*  
19 *security.* The amounts in the schedule for the regulation of farm product  
20 procurement under s. 100.03, of dairy plant financial condition under s. 100.06 and  
21 of dairy trade practices under s. 100.201. All moneys received under ss. 100.03 (3) (a)  
22 3., 100.06 (9) and 100.201 (6) shall be credited to this appropriation, ~~but any balance~~  
23 ~~at the close of a fiscal biennium that exceeds 20% of the previous fiscal year's~~  
24 ~~expenditures under this appropriation shall lapse to the general fund.~~

25           **SECTION 477.** 20.115 (2) (c) of the statutes is repealed.

1           **SECTION 478.** 20.115 (2) (e) of the statutes is repealed.

2           **SECTION 479.** 20.115 (3) (g) of the statutes is amended to read:

3           20.115 (3) (g) *Related services.* The amounts in the schedule for the conduct of  
4 authorized marketing services, except services financed under ~~pars. (h) and (j)~~ par.  
5 (h). Except as provided in ~~pars. (h) and (j)~~ par. (h), all moneys received from  
6 authorized fees related to marketing services, including moneys received for  
7 inspection, grading and certification of fruits and vegetables under ss. 93.06 (1m),  
8 93.09 (10) and 100.03 (3) (a) 1. and 2., shall be credited to this appropriation account.

9           **SECTION 480.** 20.115 (3) (h) of the statutes is amended to read:

10           20.115 (3) (h) (title) *Grain inspection and certification; Milwaukee.* All moneys  
11 received for the inspection and certification of grain received in or shipped from the  
12 port of Milwaukee, the port of Superior or other locations in the southern portion of  
13 this state under s. 93.06 (1m), to carry out the purposes for which they are received.

14           **SECTION 481.** 20.115 (3) (j) of the statutes is repealed.

15           **SECTION 481h.** 20.115 (4) (b) of the statutes is amended to read:

16           20.115 (4) (b) *Aids to county and district fairs.* A sum sufficient to provide state  
17 aids to counties and agricultural societies, associations or boards and to incorporated  
18 dairy or livestock associations, not to exceed \$15,000 per fair as provided in s. 93.23.  
19 No moneys in excess of the difference between ~~\$368,500~~ \$585,000 and the amount  
20 of moneys available under par. (g) in each fiscal year may be expended from this  
21 appropriation, ~~except that in fiscal year 1994-95 no moneys in excess of the~~  
22 ~~difference between \$650,000 and the amount of moneys available under par. (g) may~~  
23 ~~be expended from this appropriation.~~ If the total due the several counties and  
24 agricultural societies under this paragraph exceeds \$368,500, or in fiscal year  
25 ~~1994-95 \$650,000~~ \$585,000, the department shall equitably prorate that amount.

**SECTION 482h**

1           **SECTION 482h.** 20.115 (7) (dm) of the statutes is amended to read:

2           20.115 (7) (dm) *Wind erosion control aids.* As a continuing appropriation, the  
3 amounts in the schedule for grants to counties for wind erosion control activities  
4 under s. 92.103. No moneys may be encumbered under this paragraph after June 30,  
5 ~~1995~~ 1997.

6           **SECTION 483.** 20.115 (7) (ig) of the statutes is renumbered 20.143 (1) (ij) and  
7 amended to read:

8           20.143 (1) (ij) *Plat review.* All moneys received from service fees for plat review,  
9 for plat review services under s. 70.27 and ch. 236.

10          **SECTION 484.** 20.115 (7) (km) of the statutes is amended to read:

11          20.115 (7) (km) *Animal waste management grants.* All moneys transferred  
12 from the appropriation accounts under s. 20.370 (4) ~~(cc) and (cq)~~ (6) (aa) and (aq) for  
13 animal waste management grants under s. 92.14 (5).

14          **SECTION 486.** 20.115 (8) (j) of the statutes is amended to read:

15          20.115 (8) (j) *Stray voltage program.* The amounts in the schedule for the  
16 administration of s. 93.41. All moneys received under s. 196.857 ~~(1)~~ (1m) (b) and (2g)  
17 shall be credited to this appropriation. ~~No moneys may be encumbered under this~~  
18 ~~paragraph after August 31, 1995.~~

19          **SECTION 487.** 20.115 (8) (jb) of the statutes is repealed.

20          **SECTION 488.** 20.115 (8) (k) of the statutes is amended to read:

21          20.115 (8) (k) *Computer system equipment, staff and services.* The amounts in  
22 the schedule for the costs of computer system equipment, staff and services. All  
23 moneys transferred for this purpose from pars. (ga), (gm), (h), (ha), (i), (j), (kp), (ks),  
24 (m) and (pz) and subs. (1) (g), (gb), (gh), (gm), (hm), (j), (jm), (m), (r) and (s), (2) (g),

1 (ha), (j), (k) and (m), (3) (g), (h), (i), ~~(j)~~, (ja), (L) and (m), (7) (g), (ga), (gm), (ig), (k) and  
2 (m) and (9) (m) shall be credited to this appropriation account.

3 **SECTION 489.** 20.115 (8) (k) of the statutes, as affected by 1995 Wisconsin Act  
4 .... (this act), is amended to read:

5 20.115 (8) (k) *Computer system equipment, staff and services.* The amounts in  
6 the schedule for the costs of computer system equipment, staff and services. All  
7 moneys transferred for this purpose from pars. (ga), (gm), (h), (ha), (i), (j), (kp), (ks),  
8 (m) and (pz) and subs. (1) (g), (gb), (gh), (gm), (hm), (j), (jm), (m), (r) and (s), (2) (g),  
9 (ha), (j), (k) and (m), (3) (g), (h), (i), (ja), (L) and (m), (7) (g), (ga), (gm), ~~(ig)~~, (k) and (m)  
10 and (9) (m) shall be credited to this appropriation account.

11 **SECTION 490.** 20.115 (8) (kt) of the statutes is created to read:

12 20.115 (8) (kt) *Information technology development projects.* The amounts in  
13 the schedule for the purpose of conducting information technology development  
14 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
15 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
16 account.

17 **SECTION 491.** 20.124 (intro.) and (1) (title) of the statutes are repealed.

18 **SECTION 492.** 20.124 (1) (a) of the statutes is renumbered 20.144 (1) (a).

19 **SECTION 493.** 20.124 (1) (g) of the statutes is repealed.

20 **SECTION 494.** 20.124 (1) (h) of the statutes is created to read:

21 20.124 (1) (h) *Gifts, grants, settlements and publications.* All moneys received  
22 from gifts, grants, bequests, forfeitures under s. 426.203, and settlements for the  
23 purposes for which made or received and all moneys received by the office as fees or  
24 other charges for photocopying, microfilm copying, generation of copies of documents  
25 from optical disk storage, sales of books and other services provided in carrying out

1 the functions of the office, for the purposes for which the moneys were received or  
2 collected.

3 **SECTION 495.** 20.124 (1) (h) of the statutes, as created by 1995 Wisconsin Act  
4 .... (this act), is renumbered 20.144 (1) (h) and amended to read:

5 20.144 (1) (h) *Gifts, grants, settlements and publications.* All moneys received  
6 from gifts, grants, bequests, forfeitures under s. 426.203, and settlements for the  
7 purposes for which made or received and all moneys received by the office  
8 department as fees or other charges for photocopying, microfilm copying, generation  
9 of copies of documents from optical disk storage, sales of books and other services  
10 provided in carrying out the functions of the office department, for the purposes for  
11 which the moneys were received or collected.

12 **SECTION 498.** 20.124 (1) (u) of the statutes is renumbered 20.144 (1) (u).

13 **SECTION 499.** 20.141 (title) of the statutes is renumbered 20.144 (2) (title) and  
14 amended to read:

15 20.144 (2) (title) ~~CREDIT OFFICE OF CREDIT UNIONS, OFFICE OF THE COMMISSIONER~~  
16 ~~OF~~

17 **SECTION 500.** 20.141 (intro.) and (1) (title) of the statutes are repealed.

18 **SECTION 501.** 20.141 (1) (g) of the statutes is renumbered 20.144 (2) (g) and  
19 amended to read:

20 20.144 (2) (g) *General program operations.* The amounts in the schedule for  
21 the general program operations of the office of credit unions and for supervision of  
22 credit unions under ch. 186. ~~Ninety percent of all~~ Except as provided in par. (ka), 88%  
23 of all moneys received by the office shall be credited to this appropriation, but any  
24 balance at the close of a fiscal year exceeding 10% of the previous fiscal year's  
25 expenditures under this appropriation shall lapse to the general fund.

1           **SECTION 504.** 20.141 (1) (m) of the statutes is renumbered 20.144 (2) (m).

2           **SECTION 505.** 20.143 (title) of the statutes is amended to read:

3           **20.143** (title) **Development Commerce, department of.**

4           **SECTION 507p.** 20.143 (1) (bs) of the statutes is created to read:

5           20.143 (1) (bs) *Mexico trade office.* The amounts in the schedule for contract  
6 costs for the trade office in Mexico.

7           **SECTION 507pm.** 20.143 (1) (bs) of the statutes, as created by 1995 Wisconsin  
8 Act .... (this act), is repealed.

9           **SECTION 508.** 20.143 (1) (c) of the statutes, as affected by 1993 Wisconsin Act  
10 232, is amended to read:

11           20.143 (1) (c) (title) *Wisconsin development fund, grants and loans and*  
12 *reimbursements.* Biennially, the amounts in the schedule for grants and loans under  
13 ss. 560.62, 560.625, 560.63 and 560.66; for loans under ss. s. 560.16 and 560.165; for  
14 grants and loans under 1989 Wisconsin Act 336, section 3015 (1m); and for the grant  
15 under 1993 Wisconsin Act 5, section 3; for reimbursements under s. 560.167; and for  
16 the grant under 1995 Wisconsin Act .... (this act), section 9116 (7gg).

17           **SECTION 508d.** 20.143 (1) (cb) of the statutes is created to read:

18           20.143 (1) (cb) *Wisconsin development fund; technology and pollution control*  
19 *and abatement grants and loans, assistance.* Biennially, the amounts in the schedule  
20 for technology and pollution control and abatement grants and loans under s. 560.65.  
21 No funds may be encumbered from this appropriation after June 30, 1997.

22           **SECTION 510.** 20.143 (1) (em) of the statutes is amended to read:

23           20.143 (1) (em) (title) *Hazardous pollution prevention ~~assessment grants;~~*  
24 *contract.* The amounts in the schedule for ~~hazardous pollution prevention~~  
25 ~~assessment grants~~ contracting under s. 560.19 (2).

1           **SECTION 511.** 20.143 (1) (fc) of the statutes is amended to read:

2           20.143 (1) (fc) *Health care provider loan assistance program; repayments.*  
3           Biennially As a continuing appropriation, the amounts in the schedule for loan  
4           repayments under s. 560.184.

5           **SECTION 512.** 20.143 (1) (ie) of the statutes is amended to read:

6           20.143 (1) (ie) *Wisconsin development fund, repayments.* All moneys received  
7           in repayment of grants or loans under s. 560.085 (4) (b), 1985 stats., s. 560.16, s.  
8           560.165, 1993 stats., subch. V of ch. 560 except s. 560.65, 1989 Wisconsin Act 336,  
9           section 3015 (1m), 1989 Wisconsin Act 336, section 3015 (2m) and 1989 Wisconsin  
10          Act 336, section 3015 (3gx), to be used for grants and loans under subch. V of ch. 560  
11          except s. 560.65, for loans under ss. s. 560.16 and 560.165, for reimbursements under  
12          s. 560.167 and to transfer \$100,000 in each of fiscal years 1995-96 and 1996-97 to  
13          the appropriation account under par. (km).

14          **SECTION 512bc.** 20.143 (1) (ie) of the statutes, as affected by 1995 Wisconsin  
15          Act .... (this act), is repealed and recreated to read:

16          20.143 (1) (ie) *Wisconsin development fund, repayments.* All moneys received  
17          in repayment of grants or loans under s. 560.085 (4) (b), 1985 stats., s. 560.16, s.  
18          560.165, 1993 stats., subch. V of ch. 560 except s. 560.65, 1989 Wisconsin Act 336,  
19          section 3015 (1m), 1989 Wisconsin Act 336, section 3015 (2m) and 1989 Wisconsin  
20          Act 336, section 3015 (3gx), to be used for grants and loans under subch. V of ch. 560  
21          except s. 560.65, for loans under s. 560.16 and for reimbursements under s. 560.167.

22          **SECTION 512mp.** 20.143 (1) (km) of the statutes is created to read:

23          20.143 (1) (km) *Minority business projects; transfer.* Biennially, the amounts  
24          in the schedule for grants and loans under ss. 560.82 and 560.83. All moneys

1 transferred from the appropriation account under par. (ie) shall be credited to this  
2 appropriation.

3 **SECTION 512mr.** 20.143 (1) (km) of the statutes, as created by 1995 Wisconsin  
4 Act .... (this act), is repealed.

5 **SECTION 514b.** 20.143 (1) (r) of the statutes, as affected by 1993 Wisconsin Act  
6 75, is repealed.

7 **SECTION 514e.** 20.143 (1) (s) of the statutes is created to read:

8 20.143 (1) (s) *Wisconsin development fund; technology and pollution control*  
9 *and abatement grants and loans, recycling fund.* Biennially, from the recycling fund,  
10 the amounts in the schedule for technology and pollution control and abatement  
11 grants and loans under s. 560.65. No funds may be encumbered from this  
12 appropriation after June 30, 1997.

13 **SECTION 514g.** 20.143 (1) (sm) of the statutes is created to read:

14 20.143 (1) (sm) *Wisconsin development fund; technology and pollution control*  
15 *and abatement grants and loans, environmental fund.* Biennially, from the  
16 environmental fund, the amounts in the schedule for technology and pollution  
17 control and abatement grants and loans under s. 560.65. No funds may be  
18 encumbered from this appropriation after June 30, 1997.

19 **SECTION 515b.** 20.143 (2) (title) of the statutes is renumbered 20.380 (1) (title).

20 **SECTION 515c.** 20.143 (2) (a) of the statutes is renumbered 20.380 (1) (a) and  
21 amended to read:

22 20.380 (1) (a) *General program operations.* The amounts in the schedule for  
23 general program operations under subch. II of ch. ~~560~~ 41 except for those functions  
24 under ss. ~~560.23~~ 41.11 (4) and ~~560.29~~ 41.17.

**SECTION 515d**

1           **SECTION 515d.** 20.143 (2) (b) of the statutes, as affected by 1993 Wisconsin Act  
2 16, is amended to read:

3           20.143 (2) (b) *Tourism marketing.* The amounts in the schedule for tourism  
4 marketing service expenses and the execution of the functions under ss. 560.23 (4)  
5 and 560.29. Of the amounts under this paragraph, not more than 50% shall be used  
6 to match funds allocated under s. 560.29 by private or public organizations for the  
7 joint effort marketing of tourism with the state. The department shall expend at  
8 least \$125,000 in each fiscal year from this appropriation to conduct or contract for  
9 marketing activities related to sporting activities and events.

10           **SECTION 515e.** 20.143 (2) (b) of the statutes, as affected by 1995 Wisconsin Act  
11 .... (this act), is renumbered 20.380 (1) (b) and amended to read:

12           20.380 (1) (b) *Tourism marketing.* The amounts in the schedule for tourism  
13 marketing service expenses and the execution of the functions under ss. ~~560.23~~ 41.11  
14 (4) and ~~560.29~~ 41.17. Of the amounts under this paragraph, not more than 50% shall  
15 be used to match funds allocated under s. ~~560.29~~ 41.17 by private or public  
16 organizations for the joint effort marketing of tourism with the state. The  
17 department shall expend at least \$125,000 in each fiscal year from this appropriation  
18 to conduct or contract for marketing activities related to sporting activities and  
19 events.

20           **SECTION 515f.** 20.143 (2) (bm) of the statutes is renumbered 20.380 (1) (bm) and  
21 amended to read:

22           20.380 (1) (bm) *Heritage tourism pilot program.* Biennially, the amounts in the  
23 schedule to establish and operate the heritage tourism pilot program under s. ~~560.31~~  
24 and to make the grants under 1993 Wisconsin Act 16, section 9115 (1j) 41.19.

25           **SECTION 515g.** 20.143 (2) (g) of the statutes is renumbered 20.380 (1) (g).

1           **SECTION 515h.** 20.143 (2) (k) of the statutes is renumbered 20.380 (1) (k).

2           **SECTION 515i.** 20.143 (2) (ka) of the statutes is renumbered 20.380(1) (ka).

3           **SECTION 515j.** 20.143 (2) (kb) of the statutes is renumbered 20.380 (1) (kb).

4           **SECTION 515k.** 20.143 (2) (m) of the statutes is renumbered 20.380 (1) (m).

5           **SECTION 515L.** 20.143 (2) (n) of the statutes is renumbered 20.380 (1) (n).

6           **SECTION 515m.** 20.143 (2) (o) of the statutes is renumbered 20.380 (1) (o).

7           **SECTION 516.** 20.143 (3) of the statutes is created to read:

8           20.143 **(3)** REGULATION OF INDUSTRY, SAFETY AND BUILDINGS. (a) *General program*  
9           *operations.* The amounts in the schedule for general program operations relating to  
10           the regulation of industry, buildings and safety under chs. 101, 107, 145 and 168 and  
11           ss. 32.19 to 32.27, 167.10, 167.11 and 167.27.

12           (g) *Gifts and grants.* All moneys received as gifts or grants to carry out the  
13           purposes for which made.

14           (ga) *Auxiliary services.* All moneys received from fees collected under s. 101.02  
15           (18) and (18m) for the delivery of services under s. 101.02 (18) and (18m).

16           (gb) *Local agreements.* All moneys received through contracts or financial  
17           agreements for provision of services to local units of government or local  
18           organizations, for the purpose of providing the services.

19           (ka) *Interagency agreements.* All moneys received through contracts or  
20           financial agreements for provision of services to other state agencies, except moneys  
21           appropriated under par. (kc) or (ks), for the purpose of providing the services.

22           (kc) *Administrative services.* The amounts in the schedule for administrative  
23           and support services for programs administered by the department. All moneys  
24           received by the department from the department, not directed to be deposited under

1 par. (ks), as payment for administrative and support services for programs  
2 administered by the department shall be credited to this appropriation.

3 (ks) *Data processing.* All moneys received from data processing services  
4 provided internally to be used to meet the costs associated with the services.

5 (m) *Federal funds.* All federal moneys received as authorized under s. 16.54,  
6 except as otherwise appropriated under this subsection, for the purposes of the  
7 programs administered by the department.

8 (ma) *Federal aid-program administration.* All moneys received from the  
9 federal government, as authorized by the governor under s. 16.54, to fund the state's  
10 administrative costs for general program operations relating to the regulation of  
11 industry, buildings and safety under chs. 101, 107, 145 and 168 and ss. 32.19 to 32.27,  
12 167.10, 167.11 and 167.27.

13 (pz) *Indirect cost reimbursements.* All moneys received from the federal  
14 government as reimbursement of indirect costs of grants and contracts for the  
15 purposes authorized in s. 16.54 (9) (b).

16 **SECTION 517.** 20.143 (4) (kc) of the statutes is created to read:

17 20.143 (4) (kc) *Information technology development projects.* The amounts in  
18 the schedule for the purpose of conducting information technology development  
19 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
20 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
21 account.

22 **SECTION 517p.** 20.143 (7) of the statutes is created to read:

23 20.143 (7) **INDUSTRY, SAFETY AND BUILDINGS CODE DEVELOPMENT.** (jz) *Code*  
24 *development operations.* From all moneys received under ch. 145 and ss. 101.177 (4)  
25 (a) 4., 101.178, 101.19, 101.63 (9), 101.654 (3), 101.73 (12), 101.82 (4), 101.973 (7),

1 168.12 (6) and 236.12 (7), the amounts in the schedule for the purpose of assisting  
2 the department of industry, labor and human relations in developing and  
3 promulgating codes and rules relating to the regulation of industry, safety and  
4 buildings under chs. 101, 145 and 168 and ss. 236.12 (2) (a), 236.13 (1) (d) and (2m)  
5 and 236.335 and for the purpose of allowing the department of development to  
6 develop and promulgate codes and rules relating to the regulation of industry, safety  
7 and buildings in anticipation of the transfer of industry, safety and buildings  
8 regulation to the department of development from the department of industry, labor  
9 and human relations under 1995 Wisconsin Act ... (this act). The unencumbered  
10 balance in this appropriation on June 30, 1996, shall be transferred to the  
11 appropriation under s. 20.445 (1) (j).

12 (rz) *Code development operations; petroleum inspection fund.* From the  
13 petroleum inspection fund, the amounts in the schedule for the development and  
14 promulgation of rules relating to the regulation of industry, safety and buildings  
15 under chs. 101, 145 and 168 and ss. 236.12 (2) (a), 236.13 (1) (d) and (2m) and 236.335  
16 in anticipation of the transfer of industry, safety and buildings regulation to the  
17 department of development from the department of industry, labor and human  
18 relations under 1995 Wisconsin Act ... (this act). The unencumbered balance in this  
19 appropriation on June 30, 1996, shall be transferred to the appropriation under s.  
20 20.445 (1) (r).

21 **SECTION 517r.** 20.143 (7) of the statutes, as created by 1995 Wisconsin Act ...  
22 (this act), is repealed.

23 **SECTION 518.** 20.144 (intro.) of the statutes is created to read:

24 **20.144 Financial institutions, department of.** (intro.) There is  
25 appropriated to the department of financial institutions for the following programs:

1           **SECTION 519.** 20.144 (1) (title) of the statutes is created to read:

2           20.144 (1) (title) SUPERVISION OF FINANCIAL INSTITUTIONS, SECURITIES REGULATION  
3 AND OTHER FUNCTIONS.

4           **SECTION 520b.** 20.144 (1) (g) of the statutes is created to read:

5           20.144 (1) (g) *General program operations.* The amounts in the schedule for  
6 the general program operations of the department of financial institutions. Except  
7 as provided in pars. (a), (h), (i), (ka) and (u), all moneys received by the department,  
8 other than by the office of credit unions, the division of banking and the division of  
9 savings and loan, and 88% of all moneys received by the department's division of  
10 banking and the department's division of savings and loan shall be credited to this  
11 appropriation, but any balance at the close of a fiscal year exceeding 10% of the  
12 previous fiscal year's expenditures under this appropriation shall lapse to the  
13 general fund.

14           **SECTION 521.** 20.145 (1) (g) of the statutes is amended to read:

15           20.145 (1) (g) *General program operations.* The amounts in the schedule for  
16 general operations and for funding the activities of the office of health care  
17 information under s. 153.05 (8). Ninety percent of all moneys received under ss.  
18 601.31, 601.32, 601.45 and 601.47 shall be credited to this appropriation.

19           **SECTION 523.** 20.145 (2) (v) of the statutes, as affected by 1995 Wisconsin Act  
20 10, is amended to read:

21           20.145 (2) (v) (title) ~~*Operations and benefits*~~ *Specified responsibilities,*  
22 *investment board payments and future medical expenses.* After deducting the  
23 amounts appropriated under pars. (q), (u) and (um), the ~~balance~~ balance of the  
24 moneys paid into the patients compensation fund under s. 655.27 (3) to carry out the  
25 responsibilities of the commissioner of insurance specified under s. 655.27, excluding

1 payment of expenses related to administering the fund, to make payments to the  
2 investment board under s. 20.536 and to pay future medical expenses under s.  
3 655.015.

4 **SECTION 524.** 20.145 (3) (v) (title) of the statutes is amended to read:

5 20.145 (3) (v) (title) *Operations and benefits Specified payments, fire dues and*  
6 *reinsurance.*

7 **SECTION 525.** 20.145 (4) (v) of the statutes is amended to read:

8 20.145 (4) (v) (title) *Operations and benefits Specified payments and losses.*

9 After deducting the amounts appropriated under par. (u), the balance of moneys in  
10 the state life fund ~~to carry out the purposes of that fund~~ for payments authorized  
11 under chs. 604 and 607, excluding payment of expenses related to administering the  
12 fund except for those administrative expenses specifically authorized in ch. 604 or  
13 607. Payments to the investment board pursuant to s. 20.536, payments to the  
14 general fund under s. 607.21 (4) and payments for medical examinations and  
15 inspection reports shall be charged directly to this subsection.

16 **SECTION 528.** 20.155 (1) (L) of the statutes is amended to read:

17 20.155 (1) (L) *Stray voltage program.* The amounts in the schedule for any  
18 activity of the public service commission under s. 196.857. All moneys received under  
19 s. 196.857 ~~(1) (1m) (a), (2k) and (2m)~~ for such activity shall be credited to this  
20 appropriation. ~~No moneys may be encumbered under this paragraph after August~~  
21 ~~31, 1995.~~

22 **SECTION 529.** 20.155 (1) (Lb) of the statutes is amended to read:

23 20.155 (1) (Lb) *Gifts for stray voltage program.* All moneys received from gifts  
24 and grants for the purpose of the stray voltage program. ~~No moneys may be~~  
25 ~~encumbered under this paragraph after August 31, 1995.~~

1           **SECTION 531.** 20.165 (1) (g) of the statutes is amended to read:

2           20.165 (1) (g) *General program operations.* The amounts in the schedule for  
3 the licensing, rule making and regulatory functions of the department, except for  
4 preparing, administering and grading examinations. Ninety percent of all moneys  
5 received under chs. 440 to 480, except s. 440.05 (1) (b), less \$10 of each renewal fee  
6 received under s. 452.12 (5), and all moneys transferred from the appropriation  
7 under par. (i) and all moneys received under s. 440.055 (2), shall be credited to this  
8 appropriation.

9           **SECTION 533.** 20.175 of the statutes is repealed.

10          **SECTION 535.** 20.185 (intro.) and (1) (title) and (g) of the statutes are repealed.

11          **SECTION 536b.** 20.185 (1) (h) of the statutes is amended to read:

12          20.185 (1) (h) *Investor education fund.* The amounts in the schedule for  
13 educating residents of this state about securities and franchise investments as  
14 provided in ss. 551.605 (2) and 553.605 (2). All moneys received from administrative  
15 assessments under ss. 551.605 (1) and 553.605 (1) shall be credited to this  
16 appropriation. If the unencumbered balance in this appropriation account exceeds  
17 \$100,000 immediately before the end of any fiscal year, the excess shall lapse to the  
18 general fund at the end of that fiscal year.

19          **SECTION 536c.** 20.185 (1) (h) of the statutes, as affected by 1995 Wisconsin Act  
20 .... (this act), is renumbered 20.144 (1) (i).

21          **SECTION 538m.** 20.190 (1) (c) of the statutes is created to read:

22          20.190 (1) (c) *Housing facilities principal repayment, interest and rebates.* A  
23 sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest  
24 costs incurred in financing housing facilities at the state fair park in West Allis and  
25 to make the payments determined by the building commission under s. 13.488 (1) (m)

1 that are attributable to the proceeds of obligations incurred in financing these  
2 facilities.

3 **SECTION 539.** 20.190 (1) (h) of the statutes is amended to read:

4 20.190 (1) (h) *State fair operations.* The amounts in the schedule for general  
5 program operations and for the grant program under s. 42.12. All moneys received  
6 for or on account of the state fair, state fair park or other events and all moneys  
7 received from ~~the~~ any lease of the Olympic ice training center under s. 42.11 (3) shall  
8 be credited to this appropriation. The unencumbered balance of this appropriation  
9 on June 30 of each year shall be transferred to the appropriation under par. (i).

10 **SECTION 540.** 20.190 (1) (i) of the statutes is amended to read:

11 20.190 (1) (i) *State fair capital expenses.* The surplus of receipts transferred  
12 from par. (h), to be used for the acquisition of land, the payment of construction costs,  
13 including architectural and engineering services, furnishings and equipment,  
14 maintenance of state-owned housing and temporary financing necessary to provide  
15 facilities for exposition purposes. The state fair park board may use moneys in this  
16 appropriation to reimburse s. 20.866 (1) (u) for payment of principal and interest  
17 costs incurred in financing state fair park facilities.

18 **SECTION 543.** 20.197 (1) (g) (intro.) of the statutes is amended to read:

19 20.197 (1) (g) (title) *General program operations; racing, charitable and crane*  
20 *games.* (intro.) The amounts in the schedule for general program operations under  
21 ~~chs. 561 to 569~~ ch. 562. All moneys received by the gaming commission under ss.  
22 562.02 (2) (f), 562.04 (1) (b) 4. and (2) (d), 562.05 (2), 562.065 (3) (d) ~~and (e) 2.~~ and (4)  
23 and 562.09 (2) (e), ~~under ch. 563, except s. 563.80, and under s. 564.02 (2),~~ less the  
24 amounts appropriated under s. 20.455 (2) (g), shall be credited to this appropriation  
25 account. The unencumbered balance in this appropriation on June 30 of each fiscal

1 year which exceeds 10% of that fiscal year's expenditures under this appropriation,  
2 but not more than the total amount received during that fiscal year under s. 562.065  
3 (3) (d) ~~and (e) 2.~~ and (4), shall be transferred as follows:

4 **SECTION 543m.** 20.197 (1) (g) (intro.) of the statutes, as affected by 1995  
5 Wisconsin Act .... (this act), is amended to read:

6 20.197 (1) (g) *General program operations; racing.* (intro.) The amounts in the  
7 schedule for general program operations under ch. 562. All moneys received by the  
8 gaming ~~commission~~ board under ss. 562.02 (2) (f), 562.04 (1) (b) 4. and (2) (d), 562.05  
9 (2), 562.065 (3) (d) and (4) and 562.09 (2) (e), less the amounts appropriated under  
10 s. 20.455 (2) (g), shall be credited to this appropriation account. The unencumbered  
11 balance in this appropriation on June 30 of each fiscal year which exceeds 10% of that  
12 fiscal year's expenditures under this appropriation, but not more than the total  
13 amount received during that fiscal year under s. 562.065 (3) (d) and (4), shall be  
14 transferred as follows:

15 **SECTION 544.** 20.197 (1) (h) of the statutes is amended to read:

16 20.197 (1) (h) *General program operations; Indian gaming regulation.* The  
17 amounts in the schedule for general program operations under chs. 561 to 569. All  
18 Indian gaming receipts, as defined in s. 569.01 (1m), less the amounts appropriated  
19 under s. 20.455 (2) (gc), shall be credited to this appropriation account.

20 **SECTION 544m.** 20.197 (1) (h) of the statutes, as affected by 1995 Wisconsin Act  
21 .... (this act), is amended to read:

22 20.197 (1) (h) *General program operations; Indian gaming regulation.* The  
23 amounts in the schedule for general program operations under ~~chs. 561 to ch.~~ ch. 569.  
24 All Indian gaming receipts, as defined in s. 569.01 (1m), less the amounts  
25 appropriated under s. 20.455 (2) (gc), shall be credited to this appropriation account.

1           **SECTION 545.** 20.197 (1) (j) of the statutes is created to read:

2           20.197 (1) (j) *General program operations; charitable and crane games.* The  
3 amounts in the schedule for general program operations under chs. 563 and 564. All  
4 moneys received by the gaming commission under ch. 563, except s. 563.80, and  
5 under s. 564.02 (2) shall be credited to this appropriation account.

6           **SECTION 545m.** 20.197 (1) (j) of the statutes, as created by 1995 Wisconsin Act  
7 .... (this act), is amended to read:

8           20.197 (1) (j) *General program operations; charitable and crane games.* The  
9 amounts in the schedule for general program operations under chs. 563 and 564. All  
10 moneys received by the gaming ~~commission~~ board under ch. 563, except s. 563.80,  
11 and under s. 564.02 (2) shall be credited to this appropriation account.

12           **SECTION 546b.** 20.197 (1) (q) of the statutes is amended to read:

13           20.197 (1) (q) *General program operations; lottery.* From the lottery fund, the  
14 amounts in the schedule for general program operations under ~~chs. 561 to 569~~ ch.  
15 565.

16           **SECTION 546d.** 20.197 (2) (title) of the statutes is repealed.

17           **SECTION 546h.** 20.197 (2) (r) of the statutes is renumbered 20.566 (8) (r).

18           **SECTION 546p.** 20.197 (2) (s) of the statutes is renumbered 20.566 (8) (s).

19           **SECTION 546t.** 20.197 (2) (v) of the statutes is renumbered 20.566 (8) (v).

20           **SECTION 546x.** 20.197 (3) (h) of the statutes is repealed.

21           **SECTION 548m.** 20.215 (1) (a) of the statutes is amended to read:

22           20.215 (1) (a) *General program operations.* The amounts in the schedule for  
23 general program operations. No moneys may be encumbered under this paragraph  
24 after June 30, 1997, unless the joint committee on finance has approved the funding  
25 report of the arts board under 1995 Wisconsin Act .... (this act), section 9105 (3g) (a).

1           **SECTION 548p.** 20.215 (1) (b) of the statutes is amended to read:

2           20.215 (1) (b) *State aid for the arts.* The amounts in the schedule for  
3 grants-in-aid or contract payments to groups, individuals, organizations and  
4 institutions by the arts board under s. 44.53 (1) (f) and (2) (a) and for grants and loans  
5 related to arts incubators under s. 44.60. No moneys may be encumbered under this  
6 paragraph after June 30, 1997, unless the joint committee on finance has approved  
7 the funding report of the arts board under 1995 Wisconsin Act .... (this act), section  
8 9105 (3g) (a).

9           **SECTION 548r.** 20.215 (1) (c) of the statutes is amended to read:

10           20.215 (1) (c) *Portraits of governors.* The amounts in the schedule to pay for  
11 costs associated with the selection and purchase of portraits of governors under s.  
12 44.53 (1) (g). No moneys may be encumbered under this paragraph after June 30,  
13 1997, unless the joint committee on finance has approved the funding report of the  
14 arts board under 1995 Wisconsin Act .... (this act), section 9105 (3g) (a).

15           **SECTION 548t.** 20.215 (1) (d) of the statutes is amended to read:

16           20.215 (1) (d) *Challenge grant program.* The amounts in the schedule for  
17 challenge grants under ss. 44.53 (1) (i) and 44.565. No moneys may be encumbered  
18 under this paragraph after June 30, 1997, unless the joint committee on finance has  
19 approved the funding report of the arts board under 1995 Wisconsin Act .... (this act),  
20 section 9105 (3g) (a).

21           **SECTION 549.** 20.215 (1) (f) of the statutes is created to read:

22           20.215 (1) (f) *Wisconsin regranting program.* The amounts in the schedule for  
23 grants under s. 44.62. No moneys may be encumbered under this paragraph after  
24 June 30, 1997, unless the joint committee on finance has approved the funding report  
25 of the arts board under 1995 Wisconsin Act .... (this act), section 9105 (3g) (a).

**SECTION 549c**

1           **SECTION 549c.** 20.215 (1) (g) of the statutes is amended to read:

2           20.215 (1) (g) *Gifts and grants; state operations.* All moneys received as gifts  
3 and grants for expenses other than aids, to be used for the purposes for which made.  
4 No moneys may be encumbered under this paragraph after June 30, 1997, unless the  
5 joint committee on finance has approved the funding report of the arts board under  
6 1995 Wisconsin Act .... (this act), section 9105 (3g) (a).

7           **SECTION 549e.** 20.215 (1) (h) of the statutes is amended to read:

8           20.215 (1) (h) *Gifts and grants; aids to individuals and organizations.* All  
9 moneys received as gifts and grants for the purpose of providing aids to individuals  
10 and organizations, to be used for the purposes for which made. No moneys may be  
11 encumbered under this paragraph after June 30, 1997, unless the joint committee  
12 on finance has approved the funding report of the arts board under 1995 Wisconsin  
13 Act .... (this act), section 9105 (3g) (a).

14           **SECTION 549g.** 20.215 (1) (k) of the statutes is amended to read:

15           20.215 (1) (k) *Funds received from other state agencies.* All moneys received  
16 from other state agencies, less moneys transferred to s. 20.215 (1) (ka), for the fine  
17 arts in state buildings program under s. 44.57. No moneys may be encumbered under  
18 this paragraph after June 30, 1997, unless the joint committee on finance has  
19 approved the funding report of the arts board under 1995 Wisconsin Act .... (this act),  
20 section 9105 (3g) (a).

21           **SECTION 549j.** 20.215 (1) (ka) of the statutes is amended to read:

22           20.215 (1) (ka) *Percent-for-art administration.* The amounts in the schedule  
23 for the percent-for-art administration of the percent-for-art program under s. 44.57  
24 (2). All moneys transferred from the appropriation under s. 20.215 (1) (k) shall be  
25 credited to this appropriation. No moneys may be encumbered under this paragraph

1 after June 30, 1997, unless the joint committee on finance has approved the funding  
2 report of the arts board under 1995 Wisconsin Act .... (this act), section 9105 (3g) (a).

3 **SECTION 550.** 20.215 (1) (kb) of the statutes is created to read:

4 20.215 (1) (kb) *Information technology development projects.* The amounts in  
5 the schedule for the purpose of conducting information technology development  
6 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
7 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
8 account. No moneys may be encumbered under this paragraph after June 30, 1997,  
9 unless the joint committee on finance has approved the funding report of the arts  
10 board under 1995 Wisconsin Act .... (this act), section 9105 (3g) (a).

11 **SECTION 550g.** 20.215 (1) (m) of the statutes is amended to read:

12 20.215 (1) (m) *Federal grants; state operations.* All moneys received from the  
13 federal government for expenses other than aids, to be used for the purposes for  
14 which made. No moneys may be encumbered under this paragraph after June 30,  
15 1997, unless the joint committee on finance has approved the funding report of the  
16 arts board under 1995 Wisconsin Act .... (this act), section 9105 (3g) (a).

17 **SECTION 550j.** 20.215 (1) (o) of the statutes is amended to read:

18 20.215 (1) (o) *Federal grants; aids to individuals and organizations.* All  
19 moneys received from the federal government for the purpose of providing aids to  
20 individuals and organizations, to be used for the purposes for which made. No  
21 moneys may be encumbered under this paragraph after June 30, 1997, unless the  
22 joint committee on finance has approved the funding report of the arts board under  
23 1995 Wisconsin Act .... (this act), section 9105 (3g) (a).

24 **SECTION 555.** 20.225 (1) (g) of the statutes is amended to read:

1           20.225 (1) (g) (title) *Gifts, grants, contracts and leases*. All moneys received  
2 from gifts, grants, contracts and the lease of excess capacity to carry out the purposes  
3 for which received.

4           **SECTION 556.** 20.225 (1) (k) of the statutes is created to read:

5           20.225 (1) (k) *Funds received from other state agencies*. All moneys received  
6 from other state agencies to carry out the purposes for which received.

7           **SECTION 557.** 20.225 (1) (ka) of the statutes is created to read:

8           20.225 (1) (ka) *Information technology development projects*. The amounts in  
9 the schedule for the purpose of conducting information technology development  
10 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
11 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
12 account.

13           **SECTION 558.** 20.235 (title) of the statutes is amended to read:

14           **20.235 (title) Higher Department of education; higher educational aids**  
15 **board.**

16           **SECTION 558m.** 20.235 (1) (cr) of the statutes is amended to read:

17           20.235 (1) (cr) *Minority teacher loans*. ~~A sum sufficient not exceeding \$50,000~~  
18 The amounts in the schedule for the minority teacher loan program under s. 39.40.

19           **SECTION 558n.** 20.235 (1) (fe) of the statutes is amended to read:

20           20.235 (1) (fe) (title) *Wisconsin higher education grants; University of*  
21 *Wisconsin System students*. Biennially, the amounts in the schedule for the  
22 Wisconsin higher education grant program under s. 39.435 for University of  
23 Wisconsin System students, except for grants awarded under s. 39.435 (2) or (5).

24           **SECTION 558p.** 20.235 (1) (ff) of the statutes is created to read:

1           20.235 (1) (ff) *Wisconsin higher education grants; technical college students.*  
2           Biennially, the amounts in the schedule for the Wisconsin higher education grant  
3           program under s. 39.435 for technical college students, except for grants awarded  
4           under s. 39.435 (2) or (5).

5           **SECTION 558q.** 20.235 (1) (fg) of the statutes is amended to read:

6           20.235 (1) (fg) (title) *Minority undergraduate retention grants program;*  
7           *private.* Biennially, the amounts in the schedule for the minority undergraduate  
8           retention grant program for private institutions under s. 39.44.

9           **SECTION 558r.** 20.235 (1) (fh) of the statutes is repealed.

10          **SECTION 558s.** 20.235 (1) (fj) of the statutes is created to read:

11          20.235 (1) (fj) *Handicapped student grants.* Biennially, the amounts in the  
12          schedule for handicapped student grants under s. 39.435 (5).

13          **SECTION 559m.** 20.235 (1) (gm) of the statutes is created to read:

14          20.235 (1) (gm) *Indian student assistance; contributions.* All moneys received  
15          from contributions under s. 39.38 (2), to be used for grants under s. 39.38.

16          **SECTION 560.** 20.235 (2) (aa) of the statutes is repealed.

17          **SECTION 561.** 20.235 (2) (ka) of the statutes is created to read:

18          20.235 (2) (ka) *Information technology development projects.* The amounts in  
19          the schedule for the purpose of conducting information technology development  
20          projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
21          account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
22          account.

23          **SECTION 562.** 20.235 (2) (n) of the statutes is repealed.

24          **SECTION 563.** 20.235 (2) (qb) of the statutes is renumbered 20.255 (1) (u).

25          **SECTION 563m.** 20.245 (1) (e) of the statutes is created to read:

**SECTION 563m**

1           20.245 (1) (e) *Principal repayment, interest and rebates.* A sum sufficient to  
2 reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred  
3 in financing the acquisition and installation of systems and equipment necessary to  
4 prepare historic records for transfer to new storage facilities and to make the  
5 payments determined by the building commission under s. 13.488 (1) (m) that are  
6 attributable to the proceeds of obligations incurred in financing this acquisition and  
7 installation.

8           **SECTION 564.** 20.245 (1) (g) of the statutes is amended to read:

9           20.245 (1) (g) *Admissions, sales and other receipts.* ~~The amounts in the~~  
10 ~~schedule for general program operations related to research services.~~ All moneys  
11 received from admissions, sales, fines, and use of the main library, and other moneys  
12 received by the society for research services, except moneys that are otherwise  
13 specifically appropriated by law, ~~shall be credited to this appropriation for general~~  
14 program operations related to research services.

15           **SECTION 564g.** 20.245 (4) (d) of the statutes is created to read:

16           20.245 (4) (d) *Wisconsin sesquicentennial commission; general program*  
17 *operations.* The amounts in the schedule for the general program operations of the  
18 Wisconsin sesquicentennial commission under s. 44.25, to be expended upon  
19 approval of the director of the historical society.

20           **SECTION 564r.** 20.245 (4) (h) of the statutes is amended to read:

21           20.245 (4) (h) *Gifts and grants.* All moneys received by the historical society  
22 and the Wisconsin sesquicentennial commission from gifts and, grants or bequests,  
23 except moneys that are otherwise specifically appropriated, for purposes related to  
24 executive and administrative services of the society and for the purposes for which

1 made to and received by the commission, to be expended upon approval of the  
2 director of the historical society.

3 **SECTION 564s.** 20.245 (4) (i) of the statutes is created to read:

4 20.245 (4) (i) *Wisconsin sesquicentennial commission; license revenue.* All  
5 moneys received by the Wisconsin sesquicentennial commission from license fees, to  
6 be used for the general program operations of the commission under s. 44.25 upon  
7 approval of the director of the historical society.

8 **SECTION 565.** 20.245 (4) (ka) of the statutes is created to read:

9 20.245 (4) (ka) *Information technology development projects.* The amounts in  
10 the schedule for the purpose of conducting information technology development  
11 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
12 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
13 account.

14 **SECTION 566.** 20.250 (1) (a) of the statutes is amended to read:

15 20.250 (1) (a) *General program operations.* The amounts in the schedule for  
16 medical education, teaching and research as provided under s. 39.155. From this  
17 appropriation, an amount of \$10,091 in the 1989-90 fiscal year and annually  
18 thereafter shall be disbursed under s. 39.155 for each Wisconsin resident enrolled as  
19 a student in pursuit of a doctor of medicine (M.D.) degree who is paying full tuition.  
20 The number of Wisconsin residents enrolled ~~in the class entering at~~ the college in  
21 1986-87 and each academic year thereafter to be funded under this appropriation  
22 shall be determined by multiplying the total number of students enrolled ~~in that~~  
23 class at the college by 0.56, but may not exceed ~~104~~ 416.

24 **SECTION 567.** 20.255 (title) of the statutes is amended to read:

25 **20.255** (title) **Public instruction Education, department of.**

1           **SECTION 568.** 20.255 (1) (a) of the statutes is amended to read:

2           20.255 (1) (a) *General program operations.* The amounts in the schedule for  
3 the improvement of curriculum, instruction and educational resources for local  
4 educational agencies ~~and~~, the improvement of library services and the  
5 administration of higher educational aids. The amounts include the matching of  
6 federal funds available under applicable federal acts or programs. At least \$5,000  
7 of the amounts in the schedule in each fiscal year shall be allocated for support of the  
8 governor's council on business and education partnerships.

9           **SECTION 569.** 20.255 (1) (cp) of the statutes is repealed.

10          **SECTION 569m.** 20.255 (1) (dw) of the statutes is created to read:

11          20.255 (1) (dw) *Pupil assessment.* The amounts in the schedule for the costs  
12 of the examinations administered under s. 118.30.

13          **SECTION 570m.** 20.255 (1) (e) of the statutes is renumbered 20.255 (3) (e).

14          **SECTION 571.** 20.255 (1) (eb) of the statutes is renumbered 20.255 (3) (eb).

15          **SECTION 572.** 20.255 (1) (ec) of the statutes is renumbered 20.255 (3) (ec).

16          **SECTION 573.** 20.255 (1) (fa) of the statutes is renumbered 20.255 (3) (fa).

17          **SECTION 574.** 20.255 (1) (fg) of the statutes is renumbered 20.255 (3) (fg).

18          **SECTION 575.** 20.255 (1) (fz) of the statutes is renumbered 20.255 (3) (fz).

19          **SECTION 575m.** 20.255 (1) (hg) of the statutes is amended to read:

20          20.255 (1) (hg) *Personnel certification, teacher supply, information and*  
21 *analysis and teacher improvement.* The amounts in the schedule to fund certification  
22 administrative costs under s. 115.28 (7) (d) and 118.19 (10), teacher supply,  
23 information and analysis costs under s. 115.29 (5) and teacher improvement under  
24 s. 115.41. All Ninety percent of all moneys received from the certification of school

1 and public library personnel under s. 115.28 (7) (d), and all moneys received under  
2 s. 115.41, shall be credited to this appropriation.

3 **SECTION 576.** 20.255 (1) (kt) of the statutes is created to read:

4 20.255 (1) (kt) *Information technology development projects.* The amounts in  
5 the schedule for the purpose of conducting information technology development  
6 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
7 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
8 account.

9 **SECTION 577.** 20.255 (1) (mm) of the statutes is renumbered 20.255 (3) (mm).

10 **SECTION 578.** 20.255 (1) (ms) of the statutes is renumbered 20.255 (3) (ms).

11 **SECTION 579.** 20.255 (1) (r) of the statutes is repealed.

12 **SECTION 580.** 20.255 (2) (ac) of the statutes, as affected by 1993 Wisconsin Act  
13 437, is amended to read:

14 20.255 (2) (ac) *General equalization aids.* ~~A sum sufficient~~ The amounts in the  
15 schedule for the payment of educational aids under ss. 121.08, 121.09 and 121.105  
16 and subch. VI of ch. 121 ~~equal to the amount necessary to ensure that the total~~  
17 ~~amount appropriated under this paragraph and par. (bm) equals the amount~~  
18 ~~determined by the joint committee on finance under s. 121.15 (3).~~

19 **SECTION 580m.** 20.255 (2) (ac) of the statutes, as affected by 1995 Wisconsin  
20 Act .... (this act), is repealed and recreated to read:

21 20.255 (2) (ac) *General equalization aids.* A sum sufficient for the payment of  
22 educational aids under ss. 121.08, 121.09 and 121.105 and subch. VI of ch. 121 equal  
23 to the amount determined by the joint committee on finance under s. 121.15 (3m) (c).

24 **SECTION 582.** 20.255 (2) (be) of the statutes is repealed.

25 **SECTION 583.** 20.255 (2) (bm) of the statutes is amended to read:

1           20.255 (2) (bm) *Minimum state aid and general equalization aids.* The  
2 amounts in the schedule for minimum state aid under s. 121.10 and educational aids  
3 under s. 121.08. The amount distributed from this appropriation for educational aids  
4 under s. 121.08 in any fiscal year shall equal the total amount of aid reductions under  
5 s. 121.10 (6) in that fiscal year. No moneys may be encumbered under this paragraph  
6 after June 30, 1996.

7           **SECTION 586g.** 20.255 (2) (cs) of the statutes is repealed.

8           **SECTION 586r.** 20.255 (2) (cu) of the statutes is created to read:

9           20.255 (2) (cu) *Achievement guarantee contracts.* The amounts in the schedule  
10 for aid to school districts and the program evaluation under s. 118.43. No funds may  
11 be encumbered from this appropriation after June 30, 2001.

12           **SECTION 587g.** 20.255 (2) (d) of the statutes is amended to read:

13           20.255 (2) (d) *Youth initiatives program.* The amounts in the schedule for  
14 grants for standardized assessment and programs for instruction in basic skills and  
15 work experience under the youth initiatives program. No funds may be encumbered  
16 from this appropriation after June 30, 1996.

17           **SECTION 587r.** 20.255 (2) (dc) of the statutes is amended to read:

18           20.255 (2) (dc) *Professional development.* The amounts in the schedule for  
19 professional development activities under s. 119.84. No funds may be encumbered  
20 from this appropriation after June 30, 1996.

21           **SECTION 587t.** 20.255 (2) (dt) of the statutes is repealed.

22           **SECTION 588.** 20.255 (2) (ed) of the statutes is amended to read:

23           20.255 (2) (ed) *Youth service centers, truancy abatement and burglary*  
24 *suppression.* The amounts in the schedule for youth service centers, truancy

1 abatement and burglary suppression under 1993 Wisconsin Act 16, section 9145 (1t)  
2 (b). No moneys may be encumbered under this paragraph after June 30, 1995 1996.

3 **SECTION 588g.** 20.255 (2) (ef) of the statutes is amended to read:

4 20.255 (2) (ef) *Collaborative projects.* The amounts in the schedule for grants  
5 to school districts for collaborative projects under s. 115.28 (35). No funds may be  
6 encumbered from this appropriation after June 30, 1996.

7 **SECTION 588r.** 20.255 (2) (eg) of the statutes is amended to read:

8 20.255 (2) (eg) *Collaborative service programs.* The amounts in the schedule  
9 for grants for collaborative service programs under s. 115.40. No funds may be  
10 encumbered from this appropriation after June 30, 1996.

11 **SECTION 589.** 20.255 (2) (em) of the statutes is repealed.

12 **SECTION 591.** 20.255 (2) (ez) of the statutes is repealed.

13 **SECTION 591m.** 20.255 (2) (fg) of the statutes is amended to read:

14 20.255 (2) (fg) *Aid for cooperative educational service agencies.* The amounts  
15 in the schedule for a payment not to exceed \$25,000 annually to each cooperative  
16 educational service agency, for the current operational expenses of these agencies  
17 and to match any federal funds received by these agencies for vocational education  
18 administration. ~~The remainder of the amounts in the schedule shall be distributed~~  
19 ~~by the department to cooperative educational service agencies for human growth and~~  
20 ~~development programs under ss. 116.01 and 116.08 (3m).~~

21 **SECTION 592.** 20.255 (2) (fh) of the statutes is repealed.

22 **SECTION 592g.** 20.255 (2) (fi) of the statutes is repealed.

23 **SECTION 592r.** 20.255 (2) (fj) of the statutes is repealed.

24 **SECTION 593.** 20.255 (2) (fm) of the statutes is repealed.

25 **SECTION 593m.** 20.255 (2) (ft) of the statutes is repealed.

1           **SECTION 594.** 20.255 (2) (r) of the statutes is amended to read:

2           20.255 (2) (r) *Driver education; local assistance.* From the transportation fund,  
3 the amounts in the schedule to be distributed to school districts which operate driver  
4 education courses in accordance with s. 121.41 (1). The distribution shall be made  
5 to school districts upon such reports in such form and containing such information  
6 as the ~~state superintendent~~ department of education requires.

7           **SECTION 596.** 20.255 (3) (title) of the statutes is created to read:

8           20.255 (3) (title) AIDS TO LIBRARIES, INDIVIDUALS AND ORGANIZATIONS.

9           **SECTION 597.** 20.255 (3) (ea) of the statutes is created to read:

10          20.255 (3) (ea) *Library service contracts.* The amounts in the schedule for  
11 library service contracts under s. 43.03 (6) and (7).

12          **SECTION 599.** 20.255 (4) (title) of the statutes is created to read:

13          20.255 (4) (title) PROPRIETARY SCHOOLS.

14          **SECTION 600.** 20.265 of the statutes is created to read:

15          **20.265 Office of the state superintendent of public instruction. (1)**  
16 ADMINISTRATION. (a) *General program operations.* The amounts in the schedule for  
17 the general program operations of the office of the state superintendent of public  
18 instruction.

19          **SECTION 600m.** 20.285 (1) (b) of the statutes is created to read:

20          20.285 (1) (b) *Area health education center.* The amounts in the schedule for  
21 the area health education center at the University of Wisconsin-Madison under s.  
22 36.25 (37).

23          **SECTION 601.** 20.285 (1) (db) of the statutes is amended to read:

24          20.285 (1) (db) *Self-amortizing facilities principal and interest.* A sum  
25 sufficient to reimburse s. 20.866 (1) (u) for any amounts advanced to meet principal

1 and interest costs on self-amortizing university facilities whenever the combined  
2 balances of all accounts of activities, of any campus, included in par. (h) and sub. (6)  
3 (g) are insufficient, as determined by the department of administration, to make  
4 transfers to pars. ~~(gb)~~ (kd) and ~~(ge)~~ (ke) as required by par. (h) and sub. (6) (g).  
5 Amounts advanced under the authority of this paragraph shall be repaid to the  
6 general fund in instalments to be determined jointly by the department of  
7 administration and the campus concerned. Annually, an amount equal to 80% of the  
8 principal and interest costs for maintenance of university of Wisconsin-Madison  
9 intercollegiate athletic facilities shall be paid from the appropriation under this  
10 paragraph.

11 **SECTION 601m.** 20.285 (1) (fa) of the statutes is repealed.

12 **SECTION 602.** 20.285 (1) (fm) of the statutes is amended to read:

13 20.285 (1) (fm) *Laboratories.* The amounts in the schedule for laboratory  
14 modernization. ~~No money may be expended from this appropriation after June 30,~~  
15 ~~1996.~~

16 **SECTION 603m.** 20.285 (1) (gb) of the statutes is renumbered 20.285 (1) (kd) and  
17 amended to read:

18 20.285 (1) (kd) *Principal repayment, interest and rebates.* From the revenues  
19 credited under par. (h) and sub. (6) (g), a sum sufficient to reimburse s. 20.866 (1) (u)  
20 for the payment of principal and interest costs incurred in financing the acquisition,  
21 construction, development, enlargement or improvement of self-amortizing  
22 university facilities and to make the payments determined by the building  
23 commission under s. 13.488 (1) (m) that are attributable to the proceeds of  
24 obligations incurred in financing such facilities. Annually, an amount equal to 20%  
25 of the principal and interest costs for maintenance of university of

1 Wisconsin-Madison intercollegiate athletic facilities shall be paid from the  
2 appropriation under this paragraph.

3 **SECTION 604m.** 20.285 (1) (gc) of the statutes is renumbered 20.285 (1) (ke) and  
4 amended to read:

5 20.285 (1) (ke) *Lease rental payments.* From the revenues credited under par.  
6 (h) and sub. (6) (g), a sum sufficient to pay the rentals required to be made on  
7 self-amortizing facilities under leases entered into under s. 36.06, 1969 stats., and  
8 s. 37.02, 1969 stats.

9 **SECTION 605g.** 20.285 (1) (h) of the statutes is amended to read:

10 20.285 (1) (h) *Auxiliary enterprises.* ~~The amounts in the schedule for the~~  
11 ~~operation, maintenance and capital expenditures of activities specified in this~~  
12 ~~paragraph, including the transfer of funds to nonprofit building corporations to be~~  
13 ~~used by the corporations for the retirement of existing indebtedness and such other~~  
14 ~~payments as may be required under existing loan agreements, and for optional~~  
15 ~~rental payments in addition to the mandatory rental payments under the leases and~~  
16 ~~subleases, in connection with the providing of facilities for such activities. Except~~  
17 ~~as provided under par. (gm) and sub. subs. (5) (i) and (6) (g), all moneys received by~~  
18 ~~the university of Wisconsin system for or on account of any housing facility, commons,~~  
19 ~~dining halls, cafeteria, student union, athletic activities, stationery stand or~~  
20 ~~bookstore, parking facilities or car fleet, or such other auxiliary enterprise activities~~  
21 ~~as the board designates and including such fee revenues as allocated by the board~~  
22 ~~and including such moneys received under leases entered into previously with~~  
23 ~~nonprofit building corporations as the board designates to be receipts under this~~  
24 ~~paragraph shall be credited to this appropriation, to be used for the operation,~~  
25 ~~maintenance and capital expenditures of activities specified in this paragraph,~~

1 including the transfer of funds to pars. (kd) and (ke) and to nonprofit building  
2 corporations to be used by the corporations for the retirement of existing  
3 indebtedness and such other payments as may be required under existing loan  
4 agreements, and for optional rental payments in addition to the mandatory rental  
5 payments under the leases and subleases in connection with the providing of  
6 facilities for such activities. A separate account shall be maintained for each campus,  
7 the center system and extension.

8 **SECTION 605r.** 20.285 (1) (iz) of the statutes is amended to read:

9 20.285 (1) (iz) *General operations receipts.* ~~The amounts in the schedule for~~  
10 ~~general operations.~~ All moneys received for or on account of the university of  
11 Wisconsin system, unless otherwise specifically appropriated shall be credited to  
12 this appropriation, to be used for general operations.

13 **SECTION 606.** 20.285 (1) (kb) of the statutes is amended to read:

14 20.285 (1) (kb) (title) *University of Wisconsin hospital and clinics* Hospitals and  
15 Clinics. The amounts in the schedule for operating expenses of the university of  
16 ~~Wisconsin hospital and clinics~~ University of Wisconsin Hospitals and Clinics and  
17 related services, including the initial costs of establishment and operation of the  
18 University of Wisconsin Hospitals and Clinics Authority and the University of  
19 Wisconsin Hospitals and Clinics Board. All fees and other moneys received for or on  
20 account of the operation of the ~~university of Wisconsin hospital and clinics~~ University  
21 of Wisconsin Hospitals and Clinics for the treatment of patients, the operations of the  
22 hospital cafeteria, outpatient housing, parking service and other services shall be  
23 credited to this appropriation.

24 **SECTION 607.** 20.285 (1) (kb) of the statutes, as affected by 1995 Wisconsin Act

25 .... (this act), is repealed.

1           **SECTION 608.** 20.285 (1) (kc) of the statutes is created to read:

2           20.285 (1) (kc) *Information technology development projects.* The amounts in  
3 the schedule for the purpose of conducting information technology development  
4 projects approved under s. 16.971 (5), excluding projects for university system  
5 administration and University of Wisconsin-Madison intercollegiate athletics. All  
6 moneys transferred from the appropriation account under s. 20.870 (1) (q), (r) or (s)  
7 shall be credited to this appropriation account.

8           **SECTION 608s.** 20.285 (1) (L) of the statutes, as affected by 1995 Wisconsin Act  
9 .... (this act), is renumbered 20.143 (1) (L).

10          **SECTION 609.** 20.285 (1) (Lm) of the statutes is amended to read:

11          20.285 (1) (Lm) *Laboratories.* From moneys received as academic student fees,  
12 the amounts in the schedule for laboratory modernization. ~~No money may be~~  
13 ~~expended from or credited to this appropriation after June 30, 1996.~~

14          **SECTION 609g.** 20.285 (1) (s) of the statutes, as affected by 1995 Wisconsin Act  
15 .... (this act), is renumbered 20.143 (1) (s).

16          **SECTION 609j.** 20.285 (1) (t) of the statutes, as affected by 1995 Wisconsin Act  
17 .... (this act), is renumbered 20.143 (1) (tm).

18          **SECTION 609k.** 20.285 (1) (tb) of the statutes is amended to read:

19          20.285 (1) (tb) *Extension recycling education.* From the recycling fund, the  
20 amounts in the schedule for university of Wisconsin-extension educational and  
21 technical assistance programs in recycling and recycling market development.

22          **SECTION 610.** 20.285 (2) (a) 3. of the statutes is amended to read:

23          20.285 (2) (a) 3. ~~Prior to July 1, 1996, the~~ The board of regents may transfer  
24 moneys from the appropriation under sub. (1) (Lm) to the appropriation under sub.  
25 (1) (fm).

**SECTION 611g**

1           **SECTION 611g.** 20.285 (2) (b) of the statutes is amended to read:

2           20.285 (2) (b) *Contingent fund.* Notwithstanding s. 20.920 (1) (b), the board of  
3 regents may use balances in university of Wisconsin system program revenue  
4 appropriations as contingent funds for the payment of miscellaneous expenses and  
5 student financial aid if immediate payment is deemed necessary ~~but not to exceed~~  
6 ~~\$4,000,000 in total.~~ Other than payments for student financial aid, the daily balance  
7 of these funds may not exceed \$3,000,000 and total disbursements from these funds  
8 may not exceed \$100,000,000 in any fiscal year.

9           **SECTION 611m.** 20.285 (3) (iz) of the statutes is amended to read:

10           20.285 (3) (iz) *General operations receipts.* ~~The amounts in the schedule for~~  
11 ~~general operations of the university system administration.~~ All moneys received for  
12 or on account of the university system administration ~~shall be credited to this~~  
13 ~~appropriation,~~ to be used for general operations of the university system  
14 administration.

15           **SECTION 612.** 20.285 (3) (ka) of the statutes is created to read:

16           20.285 (3) (ka) *Information technology development projects; system*  
17 *administration.* The amounts in the schedule for the purpose of conducting  
18 information technology development projects approved under s. 16.971 (5) for  
19 university system administration. All moneys transferred from the appropriation  
20 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
21 account.

22           **SECTION 612m.** 20.285 (4) (dc) of the statutes is repealed.

23           **SECTION 612p.** 20.285 (5) (g) of the statutes is repealed.

24           **SECTION 613.** 20.285 (5) (i) of the statutes is amended to read:

1           20.285 (5) (i) *Nonincome sports.* ~~From~~ All moneys received from the sale of  
2 parking provided for all events at athletic facilities at the university of  
3 Wisconsin-Madison, \$431,900 annually less related expenses appropriated under  
4 sub. (1) (h), to be used for the sports administered by the division of intercollegiate  
5 athletics at the university of Wisconsin-Madison other than men's basketball,  
6 football and hockey and for debt service on any sports-related facility. Of the amount  
7 appropriated under this paragraph, the board shall allocate at least \$50,000  
8 annually to support scholarships for women athletes.

9           **SECTION 614.** 20.285 (5) (iw) of the statutes is repealed.

10          **SECTION 615m.** 20.285 (6) of the statutes is created to read:

11          20.285 (6) UNIVERSITY OF WISCONSIN HOSPITALS AND CLINICS AUTHORITY. (a)  
12 *Services received from authority.* The amounts in the schedule to pay for services  
13 received from the University of Wisconsin Hospitals and Clinics Authority.

14          (g) *Services provided to authority.* All moneys received from the University of  
15 Wisconsin Hospitals and Clinics Authority under any agreements entered into under  
16 s. 233.03 (10) or 233.04 (7), (7g), (7m) or (7p) for services provided to the authority  
17 and for leases and rentals to the authority. Moneys may be transferred from this  
18 appropriation account to the appropriation account under sub. (1) (kd) or (ke).

19          **SECTION 615r.** 20.292 (1) (am) of the statutes is created to read:

20          20.292 (1) (am) *Agricultural land reimbursement.* A sum sufficient to make the  
21 payments under s. 38.04 (27).

22          **SECTION 616.** 20.292 (1) (gm) of the statutes is amended to read:

23          20.292 (1) (gm) *Fire schools; state operations.* The amounts in the schedule for  
24 supervising and conducting schools for instruction in fire protection and prevention

1 under s. 38.04 (9). All moneys transferred from s. ~~20.445 (1)~~ 20.143 (3) (L) to this  
2 appropriation shall be credited to this appropriation.

3 **SECTION 617.** 20.292 (1) (gr) of the statutes is amended to read:

4 20.292 (1) (gr) *Fire schools; local assistance.* The amounts in the schedule for  
5 district fire fighter training programs under s. 38.12 (9). All moneys transferred  
6 from s. ~~20.445 (1)~~ 20.143 (3) (L) to this appropriation shall be credited to this  
7 appropriation. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on  
8 June 30 of each year shall revert to the appropriation under s. ~~20.445 (1)~~ 20.143 (3)  
9 (L).

10 **SECTION 618.** 20.292 (1) (kc) of the statutes is created to read:

11 20.292 (1) (kc) *Information technology development projects.* The amounts in  
12 the schedule for the purpose of conducting information technology development  
13 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
14 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
15 account.

16 **SECTION 619.** 20.292 (1) (s) of the statutes is repealed.

17 **SECTION 620.** 20.292 (2) (title) of the statutes is repealed.

18 **SECTION 621.** 20.292 (2) (a) of the statutes is repealed.

19 **SECTION 622.** 20.292 (2) (g) of the statutes is renumbered 20.255 (4) (g).

20 **SECTION 623.** 20.292 (2) (m) of the statutes is renumbered 20.255 (4) (m).

21 **SECTION 624.** 20.315 (1) (ka) of the statutes is created to read:

22 20.315 (1) (ka) *Information technology development projects.* The amounts in  
23 the schedule for the purpose of conducting information technology development  
24 projects approved under s. 16.971 (5). All moneys transferred from the appropriation

1 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
2 account.

3 **SECTION 625b.** 20.320 (1) (d) of the statutes is repealed.

4 **SECTION 626.** 20.360 (1) (ka) of the statutes is created to read:

5 20.360 (1) (ka) *Information technology development projects.* The amounts in  
6 the schedule for the purpose of conducting information technology development  
7 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
8 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
9 account.

10 **SECTION 627.** 20.370 (1) (cr) of the statutes is created to read:

11 20.370 (1) (cr) *Forestry -- recording fees.* All moneys received under ss. 77.82  
12 (2) (intro.), (4) and (4m) (bn) and 77.88 (2) (d) for the payment of fees to the registers  
13 of deeds under s. 77.91 (5).

14 **SECTION 628.** 20.370 (1) (cs) of the statutes is created to read:

15 20.370 (1) (cs) *Forestry -- forest fire emergencies.* Except as provided in s. 26.11  
16 (7), all moneys received from other states for forest fire fighting activities provided  
17 by the department to be used for forest fire fighting activities.

18 **SECTION 629m.** 20.370 (1) (ea) of the statutes is amended to read:

19 20.370 (1) (ea) *Parks — general program operations.* From the general fund,  
20 the amounts in the schedule equivalent to the portion of the appropriation under par.  
21 (~~mu~~) allocated for the operation of the state parks and state recreation areas under  
22 s. 23.091 and ch. 27.

23 **SECTION 629p.** 20.370 (1) (eq) of the statutes is created to read:

24 20.370 (1) (eq) *Parks and forests — operation and maintenance.* From the  
25 heritage state parks and forests trust fund, a sum sufficient for grants under s.

1 27.016 and for the operation and maintenance of the state parks, of the southern  
2 state forests, as defined in s. 27.016 (1) (c), and of state recreation areas as provided  
3 in s. 27.016 (7).

4 **SECTION 633.** 20.370 (1) (ht) of the statutes is created to read:

5 20.370 (1) (ht) *Resource acquisition and development — wild turkey*  
6 *restoration.* All moneys received from the sale of wild turkey hunting stamps under  
7 s. 29.103 for developing, managing, preserving, restoring and maintaining the wild  
8 turkey population in the state.

9 **SECTION 634.** 20.370 (1) (it) of the statutes is created to read:

10 20.370 (1) (it) *Atlas revenues.* All moneys received from the sale of atlases of  
11 the lands that are under the jurisdiction of the department to be used for expenses  
12 associated with maintenance of facilities and the production of maps and other  
13 customer services.

14 **SECTION 635.** 20.370 (1) (jq) of the statutes is renumbered 20.370 (7) (ar) and  
15 amended to read:

16 20.370 (7) (ar) *Dam repair and removal — principal repayment and interest.*  
17 ~~A From the conservation fund, a~~ sum sufficient to reimburse s. 20.866 (1) (u) for the  
18 payment of principal and interest costs incurred in financing the aid program for  
19 dams under s. 20.866 (2) (tL) and, beginning on July 1, 1995, the payment of principal  
20 and interest costs incurred in financing the aid program for dams under s. 20.866 (2)  
21 (tx).

22 **SECTION 637.** 20.370 (1) (kc) of the statutes is renumbered 20.370 (7) (aa) and  
23 amended to read:

24 20.370 (7) (aa) *Resource acquisition and development — principal repayment*  
25 *and interest.* ~~From the general fund, a~~ A sum sufficient to reimburse s. 20.866 (1) (u)

**SECTION 637**

1 for the payment of principal and interest costs incurred in financing the placement  
2 of structures and fill under s. 30.203, in financing the acquisition, construction,  
3 development, enlargement or improvement of state recreation facilities under s.  
4 20.866 (2) (tp) and (tr), in financing state aids for land acquisition and development  
5 of local parks under s. 20.866 (2) (tq), in financing land acquisition activities under  
6 s. 20.866 (2) (ts) and (tt), ~~in financing the aid program for dams under s. 20.866 (2)~~  
7 ~~(tx)~~, in financing ice age trail development under s. 20.866 (2) (tw) and in funding the  
8 stewardship program under s. 20.866 (2) (tz), but not including payments made  
9 under sub. (4) ~~(jb)~~ (7) (ac) and not including, beginning on July 1, 1995, payment of  
10 principal and interest for costs incurred in financing the aid program for dams under  
11 s. 20.866 (2) (tx).

12 **SECTION 638.** 20.370 (1) (kq) of the statutes is amended to read:

13 20.370 (1) (kq) *Resource acquisition and development — taxes and assessments.*  
14 The amounts in the schedule to pay taxes and assessments that are or may become  
15 a lien on property acquired ~~prior to date of conveyance to the state~~ under the control  
16 of the department.

17 **SECTION 640.** 20.370 (1) (kv) of the statutes is amended to read:

18 20.370 (1) (kv) *Resource acquisition and development — trout habitat*  
19 *improvement.* All moneys received under s. 29.149 for improving and maintaining  
20 trout habitat in inland trout waters, for conducting trout surveys in inland trout  
21 waters and for administering that section.

22 **SECTION 641.** 20.370 (1) (kw) of the statutes is renumbered 20.370 (7) (aq) and  
23 amended to read:

24 20.370 (7) (aq) *Resource acquisition and development — principal repayment*  
25 *and interest.* ~~A~~ From the conservation fund, a sum sufficient to reimburse s. 20.866

1 (1) (u) for the payment of principal and interest costs incurred in financing land  
2 acquisition activities under s. 20.866 (2) (ty).

3 **SECTION 642.** 20.370 (1) (kx) of the statutes is renumbered 20.370 (7) (at) and  
4 amended to read:

5 20.370 (7) (at) *Recreation development — principal repayment and interest.*

6 ~~A From the conservation fund, a sum sufficient to reimburse s. 20.866 (1) (u) for the~~  
7 payment of principal and interest costs incurred in acquiring, constructing,  
8 developing, enlarging or improving state recreation facilities and state fish  
9 hatcheries under s. 20.866 (2) (tu).

10 **SECTION 644.** 20.370 (1) (Lu) of the statutes is created to read:

11 20.370 (1) (Lu) *Handling fees.* All moneys received under s. 29.09 (9r) for the  
12 handling of approvals by the department under s. 29.09 (9r).

13 **SECTION 647.** 20.370 (1) (mz) of the statutes is created to read:

14 20.370 (1) (mz) *Forest fire emergencies -- federal funds.* Except as provided in  
15 s. 26.11 (7), all moneys received as federal aid for forest fire fighting activities  
16 provided by the department to be used for forest fire fighting activities.

17 **SECTION 648.** 20.370 (2) (ar) of the statutes is created to read:

18 20.370 (2) (ar) *Water resources — groundwater management.* Biennially, from  
19 the environmental fund, the amounts in the schedule for groundwater management.

20 **SECTION 648h.** 20.370 (2) (bg) of the statutes is amended to read:

21 20.370 (2) (bg) *Air management — stationary sources.* The amounts in the  
22 schedule for purposes related to stationary sources of air contaminants as specified  
23 in s. 144.399 (2) (b) and to transfer the amounts appropriated under s. 20.143 (1) (kc)  
24 to the appropriation account under s. 20.143 (1) (kc). All moneys received from fees  
25 imposed under s. 144.399 (2) (a), except moneys appropriated under sub. (8) (mg),

**SECTION 648h**

1 and all moneys received from fees imposed under s. 144.399 (7) shall be credited to  
2 this appropriation.

3 **SECTION 648z.** 20.370 (2) (dj) of the statutes is amended to read:

4 20.370 (2) (dj) *Waste tire removal and recovery programs; program activities.*  
5 ~~From the moneys received as fees collected under s. 342.14 (1m), all moneys not~~  
6 ~~appropriated under par. (dL)~~ The amounts in the schedule for the waste tire removal  
7 and recovery programs under ss. 144.449 and 159.17. All moneys received as fees  
8 collected under s. 342.14 (1m) that are not appropriated under par. (dL) shall be  
9 credited to this appropriation account.

10 **SECTION 649.** 20.370 (2) (dj) of the statutes, as affected by 1995 Wisconsin Act  
11 .... (this act), is repealed.

12 **SECTION 650.** 20.370 (2) (dL) of the statutes is repealed.

13 **SECTION 652w.** 20.370 (2) (dv) of the statutes is amended to read:

14 20.370 (2) (dv) *Solid waste management — environmental repair; spills;*  
15 *abandoned containers.* As a continuing appropriation, from the environmental fund,  
16 the amounts in the schedule for the administration of the environmental repair  
17 program under s. 144.442, but not for payments under s. 144.442 (9m); for the  
18 hazardous substance spills program under s. 144.76; for the abandoned container  
19 program under s. 144.77; consistent with a court order under s. 147.23 (3), to remove,  
20 terminate or remedy the adverse effects of a discharge or deposit of pollutants into  
21 the waters of the state, to restore or develop the water environment for public use or  
22 to provide grants under s. 66.365; and for the payment of this state's share of  
23 environmental repair which is funded under 42 USC 9601, et seq., and any  
24 additional costs which this state is required to incur under 42 USC 9601, et seq.

25 **SECTION 653w.** 20.370 (2) (fq) of the statutes is repealed.

1           **SECTION 654.** 20.370 (2) (fr) of the statutes is created to read:

2           20.370 (2) (fr) *Cooperative remedial action; contributions.* From the  
3 environmental fund, all moneys received under s. 144.968 (2) for cooperative  
4 remedial action to conduct the cooperative remedial action for which received.

5           **SECTION 655.** 20.370 (2) (fs) of the statutes is created to read:

6           20.370 (2) (fs) *Cooperative remedial action; interest on contributions.* From the  
7 environmental fund, a sum sufficient equal to the amounts earned by the investment  
8 fund on revenue received by the department of natural resources under par. (fr), as  
9 determined quarterly by the department of administration, to conduct cooperative  
10 remedial action.

11           **SECTION 656.** 20.370 (2) (hq) of the statutes is amended to read:

12           20.370 (2) (hq) *Recycling; administration.* From the recycling fund, the  
13 amounts in the schedule for the administration of subch. II of ch. 159, other than ss.  
14 159.17, 159.21, 159.23 and 159.25, ~~and to provide staff support for the recycling~~  
15 ~~market development board under s. 159.48 (2).~~

16           **SECTION 656b.** 20.370 (2) (hq) of the statutes, as affected by 1995 Wisconsin Act  
17 .... (this act), is amended to read:

18           20.370 (2) (hq) *Recycling; administration.* From the recycling fund, the  
19 amounts in the schedule for the administration of subch. II of ch. 159, other than ss.  
20 ~~159.17, 159.21, 159.23 and 159.25.~~

21           **SECTION 657.** 20.370 (2) (jc) of the statutes is renumbered 20.370 (7) (ba).

22           **SECTION 658.** 20.370 (3) (bi) of the statutes is created to read:

23           20.370 (3) (bi) *Water regulation and zoning-fees.* All moneys received under  
24 ss. 23.32 (3), 30.28, 31.39 and 144.0252 for activities relating to permits and

1       approvals issued under chs. 30 and 31, water quality standards under s. 144.025 and  
2       for wetland mapping under s. 23.32.

3           **SECTION 659.** 20.370 (3) (mu) of the statutes is amended to read:

4           20.370 (3) (mu) *General program operations — state funds.* The amounts in  
5       the schedule for law enforcement operations under ss. ~~16.21 (12)~~, 23.09 to 23.11 and  
6       166.04 and chs. 29 and 30 and for review of environmental impact requirements  
7       under ss. 1.11 and 23.40.

8           **SECTION 660.** 20.370 (4) (title) of the statutes is repealed.

9           **SECTION 661.** 20.370 (4) (am) of the statutes is renumbered 20.370 (5) (bx).

10          **SECTION 662.** 20.370 (4) (an) of the statutes is renumbered 20.370 (5) (dx).

11          **SECTION 663.** 20.370 (4) (aq) of the statutes is renumbered 20.370 (5) (aq).

12          **SECTION 664.** 20.370 (4) (ar) of the statutes is renumbered 20.370 (5) (bv).

13          **SECTION 665.** 20.370 (4) (as) of the statutes is renumbered 20.370 (5) (ar) and  
14       amended to read:

15           20.370 (5) (ar) *Resource aids — county conservation aids.* The As a continuing  
16       appropriation, the amounts in the schedule for county fish and game projects under  
17       s. 23.09 (12). ~~An amount, from funds allocated to counties by s. 23.09 (12) (c), not to~~  
18       ~~exceed \$10,000 of the unencumbered balance on June 30 of each year shall be carried~~  
19       ~~forward to the succeeding fiscal year to provide for prior year contingencies.~~

20          **SECTION 666.** 20.370 (4) (at) of the statutes is renumbered 20.370 (5) (bs).

21          **SECTION 667.** 20.370 (4) (au) of the statutes is renumbered 20.370 (5) (br).

22          **SECTION 668.** 20.370 (4) (av) of the statutes is renumbered 20.370 (5) (bw).

23          **SECTION 669.** 20.370 (4) (aw) of the statutes is renumbered 20.370 (5) (bq).

24          **SECTION 670.** 20.370 (4) (ax) of the statutes is renumbered 20.370 (5) (bt).

25          **SECTION 671.** 20.370 (4) (ay) of the statutes is renumbered 20.370 (5) (bu).

1           **SECTION 672.** 20.370 (4) (az) of the statutes is renumbered 20.370 (5) (aw).

2           **SECTION 673b.** 20.370 (4) (bb) of the statutes is repealed.

3           **SECTION 674.** 20.370 (4) (bq) of the statutes is renumbered 20.370 (5) (as) and  
4 amended to read:

5           20.370 (5) (as) *Recreation aids — fish, wildlife and forestry recreation aids.* ~~The~~  
6 As a continuing appropriation, the amounts in the schedule for wildlife habitat  
7 development and planning on county forest lands, and recreational development on  
8 county forest lands under s. 23.09 (11).

9           **SECTION 675.** 20.370 (4) (br) of the statutes is renumbered 20.370 (5) (cw).

10          **SECTION 676.** 20.370 (4) (bs) of the statutes is renumbered 20.370 (5) (cr).

11          **SECTION 677g.** 20.370 (4) (bt) of the statutes is renumbered 20.370 (5) (cs) and  
12 amended to read:

13          20.370 (5) (cs) *Recreation aids — snowmobile trail areas.* As a continuing  
14 appropriation, from the snowmobile account in the conservation fund, an amount  
15 equal to the estimated snowmobile gas tax payment, as determined under s. 25.29  
16 (1) (d), plus, for fiscal year 1995-96, an additional \$259,300, for the purposes  
17 specified under s. 350.12 (4) (b).

18          **SECTION 678.** 20.370 (4) (bu) of the statutes is renumbered 20.370 (5) (cq) and  
19 amended to read:

20          20.370 (5) (cq) (title) *Recreation aids — recreational boating projects; Portage*  
21 *levee system; Milwaukee river study.* As a continuing appropriation, the amounts in  
22 the schedule for recreational boating aids under s. 30.92, for the Portage levee  
23 ~~renovation and repair system~~ system under s. ~~30.95~~ 31.309 and for the engineering and  
24 environmental study under s. 31.307.

25          **SECTION 679.** 20.370 (4) (bv) of the statutes is renumbered 20.370 (5) (cv).

1           **SECTION 680.** 20.370 (4) (bx) of the statutes is renumbered 20.370 (5) (cy).

2           **SECTION 681.** 20.370 (4) (by) of the statutes is renumbered 20.370 (5) (cu).

3           **SECTION 682.** 20.370 (4) (bz) of the statutes is renumbered 20.370 (5) (ct).

4           **SECTION 683.** 20.370 (4) (cc) of the statutes is renumbered 20.370 (6) (aa) and  
5 amended to read:

6           20.370 (6) (aa) *Environmental aids; nonpoint source.* Biennially, ~~from the~~  
7 ~~general fund,~~ the amounts in the schedule for grants and assistance under the  
8 nonpoint source water pollution abatement program under s. 144.25 and for  
9 transfers to the appropriation account under s. 20.115 (7) (km) as provided in s.  
10 144.25 (4) (t). The department shall allocate \$300,000 in each fiscal year from this  
11 appropriation for grants under s. 144.25 (8) (cm).

12           **SECTION 684.** 20.370 (4) (cj) of the statutes is renumbered 20.370 (6) (bj) and  
13 amended to read:

14           20.370 (6) (bj) *Environmental aids — waste reduction and recycling grants and*  
15 *gifts.* ~~From the general fund, all~~ All moneys received from gifts, grants, bequests,  
16 devises and donations relating to waste reduction and recycling to carry out the  
17 purpose for which made.

18           **SECTION 685.** 20.370 (4) (cm) of the statutes is renumbered 20.370 (6) (cm).

19           **SECTION 686.** 20.370 (4) (cq) of the statutes is renumbered 20.370 (6) (aq).

20           **SECTION 687.** 20.370 (4) (cr) of the statutes is renumbered 20.370 (6) (bs).

21           **SECTION 688.** 20.370 (4) (cs) of the statutes is renumbered 20.370 (6) (ar) and  
22 amended to read:

23           20.370 (6) (ar) *Environmental aids — lake management grants.* As From the  
24 conservation fund, as a continuing appropriation, the amounts in the schedule for  
25 lake management grants under s. 144.254.

1           **SECTION 689.** 20.370 (4) (ct) of the statutes is renumbered 20.370 (6) (br).

2           **SECTION 690.** 20.370 (4) (cu) of the statutes is renumbered 20.370 (6) (as) and  
3 amended to read:

4           20.370 (6) (as) *Environmental aids — lake management planning grants.* As  
5 From the conservation fund, as a continuing appropriation, the amounts in the  
6 schedule for lake management planning grants under s. 144.253.

7           **SECTION 691.** 20.370 (4) (cv) of the statutes is renumbered 20.370 (6) (cr).

8           **SECTION 692.** 20.370 (4) (cw) of the statutes is renumbered 20.370 (6) (bq), and  
9 20.370 (bq) 2. to 8., as renumbered, is amended to read:

10           20.370 (6) (bq) 2. In fiscal year 1992-93, \$42,300,000 plus the amount of any  
11 refunds under s. 159.23 in prior fiscal years, less the amount encumbered under  
12 subd. 1.

13           3. In fiscal year 1993-94, \$72,149,200 plus the amount of any refunds under  
14 s. 159.23 in prior fiscal years, less the amount encumbered under subds. 1. and 2.

15           4. In fiscal year 1994-95, \$101,349,200 plus the amount of any refunds under  
16 s. 159.23 in prior fiscal years, less the amount encumbered under subds. 1. to 3.

17           5. In fiscal year 1995-96, \$130,549,200 plus the amount of any refunds under  
18 s. 159.23 in prior fiscal years, less the amount encumbered under subds. 1. to 4.

19           6. In fiscal year 1996-97, \$159,749,200 plus the amount of any refunds under  
20 s. 159.23 in prior fiscal years, less the amount encumbered under subds. 1. to 5.

21           7. In fiscal year 1997-98, \$183,749,200 plus the amount of any refunds under  
22 s. 159.23 in prior fiscal years, less the amount encumbered under subds. 1. to 6.

23           8. In fiscal year 1998-99, \$200,749,200 plus the amount of any refunds under  
24 s. 159.23 in prior fiscal years, less the amount encumbered under subds. 1. to 7.

1           **SECTION 693.** 20.370 (4) (da) of the statutes is renumbered 20.370 (6) (da) and  
2 amended to read:

3           20.370 (6) (da) *Environmental planning aids — local water quality planning.*  
4 ~~From the general fund, the~~ The amounts in the schedule to provide state assistance  
5 to designated local agencies and to local governmental units that are not designated  
6 local agencies for water quality planning activities under s. 144.235.

7           **SECTION 694.** 20.370 (4) (db) of the statutes is renumbered 20.370 (6) (ba) and  
8 amended to read:

9           20.370 (6) (ba) *Environmental aids — dump closure cost share.* ~~From the~~  
10 ~~general fund, as~~ As a continuing appropriation, the amounts in the schedule for the  
11 state contribution to the costs of closing nonapproved solid waste disposal facilities  
12 owned by political subdivisions under s. 144.455.

13           **SECTION 695.** 20.370 (4) (dd) of the statutes is renumbered 20.370 (6) (ca) and  
14 amended to read:

15           20.370 (6) (ca) *Environmental aids — scenic urban waterways.* As a continuing  
16 appropriation ~~from the general fund,~~ the amounts in the schedule to administer a  
17 program for scenic urban waterways under s. 30.275.

18           **SECTION 696.** 20.370 (4) (de) of the statutes is repealed.

19           **SECTION 697.** 20.370 (4) (di) of the statutes is repealed.

20           **SECTION 698.** 20.370 (4) (dj) of the statutes is renumbered 20.370 (5) (hL).

21           **SECTION 699.** 20.370 (4) (dn) of the statutes is renumbered 20.370 (6) (dm).

22           **SECTION 700.** 20.370 (4) (do) of the statutes is renumbered 20.370 (5) (hx).

23           **SECTION 701.** 20.370 (4) (dq) of the statutes is renumbered 20.370 (5) (hu).

24           **SECTION 702.** 20.370 (4) (dr) of the statutes is repealed.

25           **SECTION 703.** 20.370 (4) (ds) of the statutes is renumbered 20.370 (6) (cq).

1           **SECTION 704.** 20.370 (4) (ea) of the statutes is renumbered 20.370 (5) (da).

2           **SECTION 705.** 20.370 (4) (eq) of the statutes is renumbered 20.370 (5) (dq).

3           **SECTION 706g.** 20.370 (4) (fq) of the statutes is renumbered 20.370 (5) (eq) and  
4 amended to read:

5           20.370 (5) (eq) *Enforcement aids — boating enforcement.* From the moneys  
6 received under s. 30.52 (3), the amounts in the schedule for the payment of state aids  
7 under s. 30.79, after first deducting the amounts appropriated under subs. (3) (ar)  
8 and (8) (dr). All the moneys appropriated under this paragraph shall be from the  
9 moneys received under s. 30.52 (3), except for \$200,000 in fiscal year 1995-96 and  
10 \$200,000 in fiscal year 1996-97.

11           **SECTION 707.** 20.370 (4) (ft) of the statutes is renumbered 20.370 (5) (es).

12           **SECTION 708.** 20.370 (4) (fu) of the statutes is renumbered 20.370 (5) (er).

13           **SECTION 709.** 20.370 (4) (fy) of the statutes is renumbered 20.370 (5) (ex).

14           **SECTION 710.** 20.370 (4) (ga) of the statutes is renumbered 20.370 (5) (ea) and  
15 amended to read:

16           20.370 (5) (ea) *Enforcement aids — spearfishing enforcement.* As a continuing  
17 appropriation from the general fund, the amounts in the schedule to make payments  
18 to counties and municipalities under s. 29.599 to reimburse them for certain law  
19 enforcement costs associated with spearfishing. ~~On June 30 of each year, the~~  
20 ~~unencumbered balance shall be transferred to the Wisconsin development reserve~~  
21 ~~fund under s. 234.93.~~

22           **SECTION 711.** 20.370 (4) (gb) of the statutes is renumbered 20.370 (5) (fa).

23           **SECTION 712.** 20.370 (4) (gq) of the statutes is renumbered 20.370 (5) (fq).

24           **SECTION 713.** 20.370 (4) (hb) of the statutes is renumbered 20.370 (5) (ga) and  
25 amended to read:

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1           20.370 (5) (ga) (title) ~~*Youth and education*~~ *Education programs* — *state funds*.  
2 From the general fund, the amounts in the schedule for department education  
3 programs, ~~for the construction and operation of youth conservation camps under s.~~  
4 ~~23.09 (23) and for conservation work projects under s. 23.09 (22) (a).~~

5           **SECTION 714.** 20.370 (4) (hc) of the statutes is repealed.

6           **SECTION 715.** 20.370 (4) (hm) of the statutes is renumbered 20.370 (5) (gx).

7           **SECTION 716.** 20.370 (4) (hq) of the statutes is renumbered 20.370 (5) (gq) and  
8 amended to read:

9           20.370 (5) (gq) (title) ~~*Youth and education*~~ *Education programs* — *conservation*  
10 *fund*. ~~From the conservation fund, the~~ The amounts in the schedule for department  
11 education programs, ~~for the operation of youth conservation camps under s. 23.09~~  
12 ~~(23) and for conservation work projects under s. 23.09 (22) (a).~~

13           **SECTION 717.** 20.370 (4) (hr) of the statutes is repealed.

14           **SECTION 718.** 20.370 (4) (hs) of the statutes is renumbered 20.370 (6) (mq).

15           **SECTION 719.** 20.370 (4) (ht) of the statutes is renumbered 20.370 (6) (mr).

16           **SECTION 720.** 20.370 (4) (ia) of the statutes is renumbered 20.370 (6) (ma) and  
17 amended to read:

18           20.370 (6) (ma) *Aids administration* — *general program operations, state*  
19 *funds*. ~~From the general fund, the~~ The amounts in the schedule for environmental  
20 aids administration.

21           **SECTION 721.** 20.370 (4) (im) of the statutes is renumbered 20.370 (6) (mm).

22           **SECTION 722.** 20.370 (4) (is) of the statutes is renumbered 20.370 (5) (mw).

23           **SECTION 723.** 20.370 (4) (it) of the statutes is renumbered 20.370 (5) (mv).

24           **SECTION 724.** 20.370 (4) (iu) of the statutes is renumbered 20.370 (5) (mu).

25           **SECTION 725.** 20.370 (4) (iv) of the statutes is renumbered 20.370 (6) (mu).

1           **SECTION 726.** 20.370 (4) (iw) of the statutes is renumbered 20.370 (6) (ms).

2           **SECTION 727b.** 20.370 (4) (ix) of the statutes is renumbered 20.370 (6) (mx) and  
3 amended to read:

4           20.370 (6) (mx) *Aids administration — clean water fund program; federal*  
5 *fun*~~ds. As a continuing appropriation, from~~ From the federal revolving loan fund  
6 account in the clean water fund, ~~the amounts in the schedule~~ all moneys received  
7 from the federal government to administer the clean water fund program, as  
8 authorized by the governor under s. 16.54, for the administration of s. 144.241 or  
9 144.2415.

10           **SECTION 728.** 20.370 (4) (iy) of the statutes is renumbered 20.370 (5) (my).

11           **SECTION 729.** 20.370 (4) (jb) of the statutes is renumbered 20.370 (7) (ac) and  
12 amended to read:

13           20.370 (7) (ac) *Principal repayment and interest — recreational boating bonds.*  
14 ~~From the general fund, a~~ A sum sufficient to reimburse s. 20.866 (1) (u) for the  
15 payment of principal and interest costs incurred in assisting municipalities and  
16 other qualifying entities in the acquisition, construction, development, enlargement  
17 or improvement of recreational boating facilities under s. 30.92.

18           **SECTION 730.** 20.370 (4) (jc) of the statutes is renumbered 20.370 (7) (cb) and  
19 amended to read:

20           20.370 (7) (cb) *Principal repayment and interest — pollution abatement bonds.*  
21 ~~From the general fund, a~~ A sum sufficient to reimburse s. 20.866 (1) (u) for the  
22 payment of principal and interest costs incurred in financing the acquisition,  
23 construction, development, enlargement or improvement of point source water  
24 pollution abatement facilities and sewage collection facilities under ss. 144.21,  
25 144.23 and 144.24.

**SECTION 731**

1           **SECTION 731.** 20.370 (4) (jd) of the statutes is renumbered 20.370 (7) (cc) and  
2 amended to read:

3           20.370 (7) (cc) *Principal repayment and interest — combined sewer overflow;*  
4 *pollution abatement bonds.* ~~From the general fund,~~ a A sum sufficient to reimburse  
5 s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing  
6 the construction of combined sewer overflow projects under s. 144.242.

7           **SECTION 732.** 20.370 (4) (je) of the statutes is renumbered 20.370 (7) (cd) and  
8 amended to read:

9           20.370 (7) (cd) *Principal repayment and interest — municipal clean drinking*  
10 *water grants.* ~~From the general fund,~~ a A sum sufficient to reimburse s. 20.866 (1)  
11 (u) for the payment of principal and interest costs incurred in making municipal  
12 clean drinking water grants under s. 144.0255.

13           **SECTION 733.** 20.370 (4) (jf) of the statutes is renumbered 20.370 (7) (ca) and  
14 amended to read:

15           20.370 (7) (ca) *Principal repayment and interest — nonpoint source grants.*  
16 ~~From the general fund,~~ a A sum sufficient to reimburse s. 20.866 (1) (u) for the  
17 payment of principal and interest costs incurred in providing funds for nonpoint  
18 source water pollution abatement projects under s. 144.25.

19           **SECTION 734.** 20.370 (4) (kb) of the statutes is repealed.

20           **SECTION 735.** 20.370 (4) (Lq) of the statutes is repealed.

21           **SECTION 736.** 20.370 (4) (mk) of the statutes is renumbered 20.370 (5) (mk).

22           **SECTION 737.** 20.370 (5) (title) of the statutes is created to read:

23           20.370 (5) (title) CONSERVATION AIDS.

24           **SECTION 737c.** 20.370 (5) (ax) of the statutes is created to read:

1           20.370 (5) (ax) *Resource aids — lake states wood utilization consortium*. As a  
2 continuing appropriation, the amounts in the schedule for grants and administrative  
3 costs under s. 26.37.

4           **SECTION 737e.** 20.370 (5) (ax) of the statutes, as created by 1995 Wisconsin Act  
5 .... (this act), is repealed.

6           **SECTION 737g.** 20.370 (5) (cs) of the statutes, as affected by 1995 Wisconsin Act  
7 .... (this act), is repealed and recreated to read:

8           20.370 (5) (cs) *Recreation aids — snowmobile trail areas*. As a continuing  
9 appropriation, from the snowmobile account in the conservation fund an amount  
10 equal to the estimated snowmobile gas tax payment, as determined under s. 25.29  
11 (1) (d), for the purposes specified under s. 350.12 (4) (b).

12           **SECTION 737h.** 20.370 (5) (eq) of the statutes, as affected by 1995 Wisconsin Act  
13 .... (this act), is repealed and recreated to read:

14           20.370 (5) (eq) *Enforcement aids — boating enforcement*. From the moneys  
15 received under s. 30.52 (3), the amounts in the schedule for the payment of state aids  
16 under s. 30.79, after first deducting the amounts appropriated under subs. (3) (ar)  
17 and (8) (dr).

18           **SECTION 737m.** 20.370 (5) (gb) of the statutes is created to read:

19           20.370 (5) (gb) *Education programs — program fees*. From the general fund,  
20 the amounts in the schedule for department educational activities at the MacKenzie  
21 environmental center. All moneys received from fees collected under s. 23.405 (2) for  
22 the use of the center shall be credited to this appropriation.

23           **SECTION 737r.** 20.370 (5) (gr) of the statutes is created to read:

**SECTION 737r**

1           20.370 (5) (gr) *Education programs — environmental fund.* From the  
2 environmental fund, the amounts in the schedule for department education  
3 programs.

4           **SECTION 738.** 20.370 (6) (intro) of the statutes is created to read:

5           20.370 (6) ENVIRONMENTAL AIDS. (intro.) From the general fund or other fund  
6 if so indicated:

7           **SECTION 739.** 20.370 (6) (at) of the statutes is created to read:

8           20.370 (6) (at) *Environmental aids — nonpoint source contracts.* Biennially,  
9 from the environmental fund, the amounts in the schedule for nonpoint source water  
10 pollution abatement program contracts under s. 144.25 (4g).

11          **SECTION 739m.** 20.370 (6) (bt) of the statutes is created to read:

12          20.370 (6) (bt) *Environmental aids — lake states wood utilization consortium.*  
13 From the recycling fund, as a continuing appropriation, the amounts in the schedule  
14 for grants and administrative costs under s. 26.37.

15          **SECTION 739r.** 20.370 (6) (bt) of the statutes, as created by 1995 Wisconsin Act  
16 .... (this act), is repealed.

17          **SECTION 740.** 20.370 (6) (mk) of the statutes is created to read:

18          20.370 (6) (mk) *General program operations — service funds.* From the general  
19 fund, all moneys received by the department from the department and from other  
20 state agencies for facilities, materials or services provided by the department  
21 relating to environmental local support, to provide those facilities, materials or  
22 services.

23          **SECTION 741.** 20.370 (7) (intro.) of the statutes is created to read:

24          20.370 (7) DEBT SERVICE. (intro.) From the general fund or other fund if so  
25 indicated:

**SECTION 742d**

1           **SECTION 742d.** 20.370 (7) (aa) of the statutes, as affected by 1995 Wisconsin Act  
2 .... (this act), is repealed and recreated to read:

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

13           **SECTION 742g.** 20.370 (7) (ar) of the statutes, as affected by 1995 Wisconsin Act  
14 .... (this act), is repealed and recreated to read:

15           20.370 (7) (ar) *Dam repair and removal — principal repayment and interest.*  
16 From the conservation fund, a sum sufficient to reimburse s. 20.866 (1) (u) for the  
17 payment of principal and interest costs incurred in financing the aid program for  
18 dams under s. 20.866 (2) (tL).

19           **SECTION 743.** 20.370 (8) (cq) of the statutes is created to read:

20           20.370 (8) (cq) *Taxes and assessments — environmental fund.* From the  
21 environmental fund, the amounts in the schedule to pay taxes or assessments that  
22 are or may become a lien on property under the control of the department.

23           **SECTION 744.** 20.370 (8) (ir) of the statutes is amended to read:

24           20.370 (8) (ir) *Promotional activities and publications.* All Except as provided  
25 in sub. (1) (it), all moneys received from subscriptions and other revenues generated

1 by promotional activities, photographs, slides, videotapes, artwork, publications,  
2 magazines and other periodicals, except the Wisconsin natural resources magazine,  
3 to be used for these promotional activities, photographs, slides, videotapes, artwork,  
4 publications and magazines and for educational and informational activities  
5 concerning conservation and the environment.

6 **SECTION 745.** 20.370 (8) (Lb) of the statutes is renumbered 20.370 (7) (ea) and  
7 amended to read:

8 20.370 (7) (ea) *Administrative facilities — principal repayment and interest.*  
9 ~~From the general fund, a~~ A sum sufficient to reimburse s. 20.866 (1) (u) for the  
10 payment of principal and interest costs incurred in financing the acquisition,  
11 construction, development, enlargement or improvement of administrative office,  
12 laboratory, equipment storage or maintenance facilities.

13 **SECTION 746.** 20.370 (8) (Ls) of the statutes is renumbered 20.370 (7) (eq) and  
14 amended to read:

15 20.370 (7) (eq) *Administrative facilities — principal repayment and interest.*  
16 ~~A~~ From the conservation fund, a sum sufficient to reimburse s. 20.866 (1) (u) for the  
17 payment of principal and interest costs incurred in financing the acquisition,  
18 construction, development, enlargement or improvement of administrative office,  
19 laboratory, equipment storage or maintenance facilities.

20 **SECTION 747.** 20.370 (8) (mh) of the statutes is created to read:

21 20.370 (8) (mh) *Information technology development projects.* The amounts in  
22 the schedule for the purpose of conducting information technology development  
23 projects approved under s. 16.971 (5), excluding projects for the Lower Wisconsin  
24 State Riverway board. All moneys transferred from the appropriation account under  
25 s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation account.

1           **Section 748.** 20.370 (8) (mr) of the statutes is created to read:

2           20.370 (8) (mr) *General program operations — clean water fund.* From the  
3 clean water fund, the amounts in the schedule for the general administration and  
4 field administration of the department.

5           **SECTION 749.** 20.370 (8) (ni) of the statutes is created to read:

6           20.370 (8) (ni) *Geographic information systems, general program operations —*  
7 *other funds.* From the general fund, all moneys received by the department from  
8 entities other than the department or other state agencies for providing facilities,  
9 support services and materials related to geographic information systems, to provide  
10 those facilities, services or materials to entities other than the department and other  
11 state agencies.

12           **SECTION 750.** 20.370 (9) (yx) of the statutes is amended to read:

13           20.370 (9) (yx) *Program balances.* At the close of each fiscal year the  
14 unencumbered balances of appropriations financed by unassigned revenues of the  
15 conservation fund under subs. (1), (3), ~~(4)~~ (5), (6) and (8) shall revert to the respective  
16 accounts under sub. (1) in the ratio that revenues were allotted from such accounts  
17 and, together with the anticipated respective unassigned revenues by programs in  
18 the succeeding year, shall constitute the source of moneys available for appropriation  
19 to the programs under such subsections in the succeeding year.

20           **SECTION 751.** 20.370 (9) (yy) of the statutes is amended to read:

21           20.370 (9) (yy) *Revenues and appropriations.* All moneys received pursuant to  
22 the operation of programs under subs. (1), (3) ~~and (4), (5) and (6)~~ shall be credited to  
23 the program which generated them. Revenues which are assigned by law to a  
24 particular purpose shall be credited to and may be expended for that purpose.  
25 Unassigned revenue shall be credited to the general purpose segregated revenue of

1 the proper program, but the expenditure from such revenue shall be limited to the  
2 appropriation of general purpose segregated revenue appearing in the schedule.  
3 Whenever the estimated unassigned revenues and available unassigned revenue  
4 appropriation balances are insufficient to cover the appropriations of general  
5 purpose segregated revenue under each program, the department shall so inform the  
6 department of administration and shall indicate the amounts which should be  
7 deducted from respective unassigned revenue appropriations to bring the  
8 appropriated amounts into agreement with the money available, and the  
9 department of administration shall adjust its records accordingly. Actual  
10 unassigned revenues in excess of estimated unassigned revenues appropriated may  
11 not be spent unless released by the joint committee on finance.

12 **SECTION 752.** 20.380 (intro.) of the statutes is created to read:

13 **20.380 Tourism, department of.** (intro.) There is appropriated to the  
14 department of tourism for the following programs:

15 **SECTION 758bc.** 20.380 (1) (kc) of the statutes is created to read:

16 20.380 (1) (kc) *Marketing clearinghouse charges.* The amounts in the schedule  
17 to provide marketing clearinghouse services and products under s. 41.21. All moneys  
18 collected from charges for services and products under s. 41.21 shall be credited to  
19 this appropriation account.

20 **SECTION 759.** 20.380 (1) (kd) of the statutes is created to read:

21 20.380 (1) (kd) *Information technology development projects.* The amounts in  
22 the schedule for the purpose of conducting information technology development  
23 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
24 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
25 account.

1           **SECTION 765.** 20.380 (2) (title) of the statutes is created to read:

2           20.380 (2) (title) KICKAPOO VALLEY RESERVE.

3           **SECTION 766.** 20.380 (3) (title) of the statutes is created to read:

4           20.380 (3) (title) ADMINISTRATIVE SERVICES.

5           **SECTION 767.** 20.380 (3) (a) of the statutes is created to read:

6           20.380 (3) (a) *Administrative services -- general program operations.* The  
7 amounts in the schedule for general program operations related to the  
8 administrative services of the department.

9           **SECTION 768.** 20.380 (3) (j) of the statutes is created to read:

10           20.380 (3) (j) *Administrative services — private and public sources.* All moneys  
11 not otherwise appropriated that are received from private or public sources, other  
12 than state agencies and the federal government, for facilities, materials or services  
13 provided by the department relating to administrative services to pay for expenses  
14 associated with those facilities, materials or services.

15           **SECTION 769.** 20.380 (3) (k) of the statutes is created to read:

16           20.380 (3) (k) *Administrative services — service funds.* All moneys received by  
17 the department from the department and from other state agencies for facilities,  
18 materials or services provided by the department relating to the department's  
19 administrative services under an agreement or other arrangement with the  
20 department or other state agencies to pay for expenses associated with those  
21 facilities, materials or services.

22           **SECTION 770.** 20.380 (3) (q) of the statutes is created to read:

23           20.380 (3) (q) *Administrative services -- conservation fund.* From the  
24 conservation fund, the amounts in the schedule for general program operations  
25 related to the administrative services of the department.

1           **SECTION 771.** 20.380 (3) (y) of the statutes is created to read:

2           20.380 (3) (y) *Administrative services — federal funds.* From the conservation  
3 fund, all moneys received as federal aid as authorized by the governor under s. 16.54  
4 for the payment of administrative services.

5           **SECTION 772.** 20.380 (4) of the statutes is created to read:

6           20.380 (4) GENERAL PROVISIONS. (g) *Gifts and grants.* All moneys received from  
7 gifts, grants and bequests to carry out the purposes for which received.

8           **SECTION 772h.** 20.395 (1) (bq) of the statutes is amended to read:

9           20.395 (1) (bq) (title) *Transit Small communities transit operating aids, state*  
10 *funds.* The amounts in the schedule for the mass transit aid program aids to small  
11 communities under s. 85.20 (4m) (a) 1.

12           **SECTION 772hj.** 20.395 (1) (bs) of the statutes is renumbered 20.395 (1) (ds).

13           **SECTION 772hm..** 20.395 (1) (bs) of the statutes is created to read:

14           20.395 (1) (bs) *Medium-sized communities transit operating aids, state funds.*  
15 The amounts in the schedule for mass transit aids to medium-sized communities  
16 under s. 85.20 (4m) (a) 2.

17           **SECTION 772ht.** 20.395 (1) (bu) of the statutes is amended to read:

18           20.395 (1) (bu) (title) *Supplemental Large communities transit operating aids,*  
19 *state funds.* The amounts in the schedule for the mass transit aid program aids to  
20 large communities under s. 85.20 (4m) (~~am~~) (a) 3.

21           **SECTION 772hz.** 20.395 (1) (bw) of the statutes is created to read:

22           20.395 (1) (bw) *Employment transit aids, state funds.* The amounts in the  
23 schedule for the employment transit assistance program under s. 85.26.

24           **SECTION 772im.** 20.395 (1) (bw) of the statutes, as created by 1995 Wisconsin  
25 Act .... (this act), is renumbered 20.445 (1) (uy) and amended to read:

1           20.445 (1) (uy) (title) *Employment transit aids, state funds assistance program.*  
2     The From the transportation fund, the amounts in the schedule for the employment  
3     transit assistance program under s. ~~85.26~~ 106.26.

4           **SECTION 772mm.** 20.395 (1) (by) of the statutes is renumbered 20.445 (1) (ux)  
5     and amended to read:

6           20.445 (1) (ux) *Employment transit aids, federal funds.* ~~All~~ From the  
7     transportation fund, all moneys received from the federal government for the  
8     employment transit assistance program under s. ~~85.26~~ 106.26, for that purpose.

9           **SECTION 772p.** 20.395 (1) (bz) of the statutes is repealed.

10          **SECTION 772r.** 20.395 (2) (bq) (title) of the statutes is repealed and recreated  
11     to read:

12          20.395 (2) (bq) (title) *Rail service assistance, state funds.*

13          **SECTION 772t.** 20.395 (2) (bt) of the statutes is repealed.

14          **SECTION 772u.** 20.395 (2) (bu) of the statutes is amended to read:

15          20.395 (2) (bu) *Freight rail infrastructure improvements, state funds.* As a  
16     continuing appropriation, the amounts in the schedule for loans under s. 85.08 (4m)  
17     (d) and (e) and to make payments under s. 85.085.

18          **SECTION 772w.** 20.395 (3) (aq) of the statutes is created to read:

19          20.395 (3) (aq) *Environmental clean-up activities, state funds.* As a continuing  
20     appropriation, the amounts in the schedule for environmental clean-up activities  
21     under s. 84.01 (30).

22          **SECTION 772z.** 20.395 (3) (bq) of the statutes is amended to read:

23          20.395 (3) (bq) *Major highway development, state funds.* As a continuing  
24     appropriation, the amounts in the schedule for major development of state trunk and

1 connecting highways and, before ~~July 1, 1995~~ October 1, 1997, for the disadvantaged  
2 business demonstration and training program under s. 84.076.

3 **SECTION 773b.** 20.395 (3) (bv) of the statutes is amended to read:

4 20.395 (3) (bv) *Major highway development, local funds.* All moneys received  
5 from any local unit of government or other source for major development of state  
6 trunk and connecting highways, including the railroad and utility alteration and  
7 relocation loan program under s. 84.065, and, before ~~July 1, 1995~~ October 1, 1997,  
8 the disadvantaged business demonstration and training program under s. 84.076,  
9 for such purposes.

10 **SECTION 773d.** 20.395 (3) (bx) of the statutes is amended to read:

11 20.395 (3) (bx) *Major highway development, federal funds.* All moneys received  
12 from the federal government for major development of state trunk and connecting  
13 highways and, before ~~July 1, 1995~~ October 1, 1997, the disadvantaged business  
14 demonstration and training program under s. 84.076, for such purposes.

15 **SECTION 773g.** 20.395 (3) (cq) of the statutes is amended to read:

16 20.395 (3) (cq) *State highway rehabilitation, state funds.* As a continuing  
17 appropriation, the amounts in the schedule for improvement of existing state trunk  
18 and connecting highways; for improvement of bridges on state trunk or connecting  
19 highways and other bridges for which improvement is a state responsibility, for  
20 necessary approach work for such bridges and for replacement of such bridges with  
21 at-grade crossing improvements; for the construction and rehabilitation of the  
22 national system of interstate and defense highways and bridges and related  
23 appurtenances; for special maintenance activities under s. 84.04 on roadside  
24 improvements; for bridges under s. 84.10; for payment to a local unit of government  
25 for a jurisdictional transfer under s. 84.02 (8); and, before ~~July 1, 1995~~ October 1,

1 1997, for the disadvantaged business demonstration and training program under s.  
2 84.076.

3 **SECTION 773j.** 20.395 (3) (cv) of the statutes is amended to read:

4 20.395 (3) (cv) *State highway rehabilitation, local funds.* All moneys received  
5 from any local unit of government or other source for the specific information sign  
6 program under s. 86.195; for improvement of existing state trunk and connecting  
7 highways; for improvement of bridges on state trunk or connecting highways and  
8 other bridges for which improvement is a state responsibility, for necessary approach  
9 work for such bridges and for replacement of such bridges with at-grade crossing  
10 improvements; for the construction and rehabilitation of the national system of  
11 interstate and defense highways and bridges and related appurtenances; for special  
12 maintenance activities under s. 84.04 on roadside improvements; for the railroad  
13 and utility alteration and relocation loan program under s. 84.065 and, before July  
14 ~~1, 1995~~ October 1, 1997, for the disadvantaged business demonstration and training  
15 program under s. 84.076, for such purposes.

16 **SECTION 773m.** 20.395 (3) (cx) of the statutes is amended to read:

17 20.395 (3) (cx) *State highway rehabilitation, federal funds.* All moneys  
18 received from the federal government for improvement of existing state trunk and  
19 connecting highways; for improvement of bridges on state trunk or connecting  
20 highways and other bridges for which improvement is a state responsibility, for  
21 necessary approach work for such bridges and for replacement of such bridges with  
22 at-grade crossing improvements; for the construction and rehabilitation of the  
23 national system of interstate and defense highways and bridges and related  
24 appurtenances; for special maintenance activities under s. 84.04 on roadside

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1 improvements and, before ~~July 1, 1995~~ October 1, 1997, for the disadvantaged  
2 business demonstration and training program under s. 84.076, for such purposes.

3 **SECTION 773p.** 20.395 (3) (eq) of the statutes is amended to read:

4 20.395 (3) (eq) *Highway maintenance, repair and traffic operations, state*  
5 *funds.* Biennially, the amounts in the schedule for the maintenance and repair of  
6 roadside improvements under s. 84.04, state trunk highways under s. 84.07 and  
7 bridges that are not on the state trunk highway system under s. 84.10; for highway  
8 operations such as permit issuance, pavement marking, highway signing, traffic  
9 signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27  
10 and ch. 349; and, before ~~July 1, 1995~~ October 1, 1997, for the disadvantaged business  
11 demonstration and training program under s. 84.076. This paragraph does not apply  
12 to special maintenance activities under s. 84.04 on roadside improvements.

13 **SECTION 773r.** 20.395 (3) (ev) of the statutes is amended to read:

14 20.395 (3) (ev) *Highway maintenance, repair and traffic operations, local*  
15 *funds.* All moneys received from any local unit of government or other sources for  
16 the maintenance and repair of roadside improvements under s. 84.04, state trunk  
17 highways under s. 84.07 and bridges that are not on the state trunk highway system  
18 under s. 84.10; for signing under s. 86.195; for highway operations such as permit  
19 issuance, pavement marking, highway signing, traffic signalization and highway  
20 lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27 and ch. 349; and, before  
21 ~~July 1, 1995~~ October 1, 1997, for the disadvantaged business demonstration and  
22 training program under s. 84.076; for such purposes. This paragraph does not apply  
23 to special maintenance activities under s. 84.04 on roadside improvements.

24 **SECTION 773w.** 20.395 (3) (ex) of the statutes is amended to read:

1           20.395 (3) (ex) *Highway maintenance, repair and traffic operations, federal*  
2 *funds.* All moneys received from the federal government for the maintenance and  
3 repair of roadside improvements under s. 84.04, state trunk highways under s. 84.07  
4 and bridges that are not on the state trunk highway system under s. 84.10; for  
5 highway operations such as permit issuance, pavement marking, highway signing,  
6 traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25  
7 to 348.27 and ch. 349; and, before ~~July 1, 1995~~ October 1, 1997, for the disadvantaged  
8 business demonstration and training program under s. 84.076; for such purposes.  
9 This paragraph does not apply to special maintenance activities under s. 84.04 on  
10 roadside improvements.

11           **SECTION 774.** 20.395 (4) (as) of the statutes is created to read:

12           20.395 (4) (as) *Information technology development projects.* The amounts in  
13 the schedule for the purpose of conducting information technology development  
14 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
15 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
16 account.

17           **SECTION 774e.** 20.395 (4) (bh) of the statutes is repealed.

18           **SECTION 774j.** 20.395 (5) (cq) of the statutes is amended to read:

19           20.395 (5) (cq) *Vehicle registration, inspection and maintenance and driver*  
20 *licensing, state funds.* The amounts in the schedule for administering the vehicle  
21 registration and driver licensing program, including the traffic violation and  
22 registration program and the driver license reinstatement training program under  
23 s. 85.28, for administering the motor vehicle emission inspection and maintenance  
24 program under s. 110.20, for the training of inspectors under s. 110.22, for  
25 administering the fuel tax and fee reporting program under s. 341.45 and to

1       compensate for services performed, as determined by the secretary of transportation,  
2       by any county providing registration services.

3       **SECTION 774m.** 20.395 (5) (dk) of the statutes is amended to read:

4       20.395 (5) (dk) *Public safety radio management, service funds.* From the  
5       general fund, all moneys received by the department from the department and from  
6       other state agencies for purposes related to the statewide public safety radio  
7       management program under s. 85.12, for that purpose.

8       **SECTION 776b.** 20.399 (intro.) of the statutes is repealed.

9       **SECTION 776d.** 20.399 (1) (title) of the statutes is repealed.

10      **SECTION 776m.** 20.399 (1) (a) of the statutes is repealed.

11      **SECTION 776n.** 20.399 (1) (b) of the statutes is created to read:

12      20.399 (1) (b) *General enrollee operations.* Biennially, the amounts in the  
13      schedule for general program operations of the Wisconsin conservation corps board.

14      **SECTION 776p.** 20.399 (1) (b) of the statutes, as created by 1995 Wisconsin Act  
15      .... (this act), is renumbered 20.445 (6) (b).

16      **SECTION 776r.** 20.399 (1) (j) of the statutes is renumbered 20.445 (6) (j) and  
17      amended to read:

18      20.445 (6) (j) (title) *Corps General enrollee compensation and support*  
19      *operations; sponsor contribution.* All moneys received under agreements entered  
20      into under s. ~~16.20~~ 106.215 (8) (i) with local units of government and nonprofit  
21      organizations, except moneys appropriated under sub. ~~(2)~~ (j) par. (ja), for the  
22      payment of the sponsor's share of costs for Wisconsin conservation corps projects  
23      including the payment of any corps enrollee compensation as specified in those  
24      agreements. Corps enrollee compensation includes the cost of salaries, benefits,  
25      incentive payments and vouchers.

**SECTION 777m**

1           **SECTION 777m.** 20.399 (1) (k) of the statutes is renumbered 20.445 (6) (k) and  
2 amended to read:

3           20.445 (6) (k) (title) *Corps General enrollee compensation and support*  
4 *operations; service funds.* All moneys received under agreements entered into under  
5 s. ~~16.20~~ 106.215 (8) (i) with state agencies, except moneys appropriated under sub.  
6 ~~(2) (k)~~ par. (kb), for the payment of the sponsor's share of costs for Wisconsin  
7 conservation corps projects including the payment of any corps enrollee  
8 compensation as specified in those agreements. Corps enrollee compensation  
9 includes the cost of salaries, benefits, incentive payments and vouchers.

10           **SECTION 778b.** 20.399 (1) (m) of the statutes is renumbered 20.445 (6) (m) and  
11 amended to read:

12           20.445 (6) (m) (title) *Corps General enrollee compensation and support*  
13 *operations; federal funds.* All moneys received from the federal government as  
14 authorized under s. 16.54 from federal assistance for Wisconsin conservation corps  
15 projects including the payment of any corps enrollee compensation as specified in  
16 that assistance and all moneys received under agreements entered into under s.  
17 ~~16.20~~ 106.215 (8) (i) with the federal government, except moneys received from these  
18 agreements which are appropriated under sub. ~~(2) (m)~~ par. (n), for the payment of the  
19 federal government's share of costs for Wisconsin conservation corps projects  
20 including the payment of any corps enrollee compensation as specified in those  
21 agreements. Corps enrollee compensation includes the cost of salaries, benefits,  
22 incentive payments and vouchers.

23           **SECTION 778d.** 20.399 (1) (q) of the statutes is repealed.

24           **SECTION 778f.** 20.399 (1) (r) of the statutes is repealed.

25           **SECTION 778g.** 20.399 (1) (s) of the statutes is repealed.

1           **SECTION 778j.** 20.399 (1) (t) of the statutes is repealed.

2           **SECTION 778k.** 20.399 (1) (u) of the statutes is created to read:

3           20.399 (1) (u) *General enrollee operations; conservation fund.* Biennially, from  
4 the conservation fund, the amounts in the schedule for the payment of Wisconsin  
5 conservation corps enrollee compensation and for the payment of other Wisconsin  
6 conservation corps costs for conservation activities if those costs are not paid by  
7 project sponsors. Corps enrollee compensation includes the cost of salaries, benefits,  
8 incentive payments and vouchers.

9           **SECTION 778L.** 20.399 (1) (u) of the statutes, as created by 1995 Wisconsin Act  
10 .... (this act), is renumbered 20.445 (6) (u).

11           **SECTION 778m.** 20.399 (1) (v) of the statutes is created to read:

12           20.399 (1) (v) *General enrollee operations; transportation fund.* Biennially,  
13 from the transportation fund, the amounts in the schedule for the payment of  
14 Wisconsin conservation corps enrollee compensation and for the payment of other  
15 Wisconsin conservation corps costs for projects if those costs are not paid by project  
16 sponsors. Corps enrollee compensation includes the cost of salaries, benefits,  
17 incentive payments and vouchers.

18           **SECTION 778n.** 20.399 (1) (v) of the statutes, as created by 1995 Wisconsin Act  
19 .... (this act), is renumbered 20.445 (6) (v).

20           **SECTION 778p.** 20.399 (1) (w) of the statutes is created to read:

21           20.399 (1) (w) *General enrollee operations; environmental fund.* Biennially,  
22 from the environmental fund, the amounts in the schedule for Wisconsin  
23 conservation corps projects required under a shoreland management ordinance.

24           **SECTION 778q.** 20.399 (1) (w) of the statutes, as created by 1995 Wisconsin Act  
25 .... (this act), is renumbered 20.445 (6) (w).

1           **SECTION 788u.** 20.399 (1) (x) of the statutes is created to read:

2           20.399 (1) (x) *General enrollee operations; waterfront projects; conservation*  
3 *fund.* Biennially, from the conservation fund, the amounts in the schedule for the  
4 payment of Wisconsin conservation corps enrollee compensation and for the  
5 payment of other Wisconsin conservation corps costs for projects along waterfronts  
6 if those costs are not paid by project sponsors. Corps enrollee compensation includes  
7 the cost of salaries, benefits, incentive payments and vouchers.

8           **SECTION 778v.** 20.399 (1) (x) of the statutes, as created by 1995 Wisconsin Act  
9 .... (this act), is renumbered 20.445 (6) (x).

10          **SECTION 778x.** 20.399 (2) (title) of the statutes is repealed.

11          **SECTION 778z.** 20.399 (2) (a) of the statutes is renumbered 20.445 (6) (c) and  
12 amended to read:

13          20.445 (6) (c) *Administrative support; general program operations.* The  
14 amounts in the schedule for general program operations for the Wisconsin  
15 conservation corps board.

16          **SECTION 779m.** 20.399 (2) (j) of the statutes is renumbered 20.445 (6) (ja) and  
17 amended to read:

18          20.445 (6) (ja) *Administrative support; sponsor contribution.* All moneys  
19 received under agreements entered into under s. ~~16.20~~ 106.215 (8) (i) with local units  
20 of government and nonprofit organizations, except moneys appropriated under sub-  
21 (~~1~~) par. (j), for the payment of administrative expenses related to the Wisconsin  
22 conservation corps program as specified in those agreements.

23          **SECTION 780m.** 20.399 (2) (k) of the statutes is renumbered 20.445 (6) (kb) and  
24 amended to read:

**SECTION 780m**

1           20.445 (6) (kb) (title) ~~Conservation corps~~—~~administrative~~ Administrative  
2 *support; service funds*. All moneys received under agreements entered into under s.  
3 ~~16.20 106.215~~ (8) (i) with state agencies, except moneys appropriated under sub. (1)  
4 par. (k), for the payment of administrative expenses related to the Wisconsin  
5 conservation corps program as specified in those agreements.

6           **SECTION 781.** 20.399 (2) (ka) of the statutes is created to read:

7           20.399 (2) (ka) *Information technology development projects*. The amounts in  
8 the schedule for the purpose of conducting information technology development  
9 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
10 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
11 account.

12           **SECTION 781m.** 20.399 (2) (ka) of the statutes, as created by 1995 Wisconsin  
13 Act .... (this act), is renumbered 20.445 (6) (ka) and amended to read:

14           20.445 (6) (ka) *Information technology development projects*. The amounts in  
15 the schedule for the purpose of conducting information technology development  
16 projects for the Wisconsin conservation corps board that are approved under s.  
17 16.971 (5). All moneys transferred from the appropriation account under s. 20.870  
18 (1) (q), (r) or (s) shall be credited to this appropriation account.

19           **SECTION 782m.** 20.399 (2) (m) of the statutes is renumbered 20.445 (6) (n) and  
20 amended to read:

21           20.445 (6) (n) *Administrative support; federal funds*. All moneys received from  
22 the federal government as authorized under s. 16.54 for the payment of  
23 administrative expenses related to the Wisconsin conservation corps program and  
24 all moneys received under agreements entered into under s. ~~16.20 106.215~~ (8) (i) with  
25 the federal government, except moneys received from these agreements which are

1 appropriated under sub. (1) par. (m), for the payment of administrative expenses  
2 related to the Wisconsin conservation corps program as specified in those  
3 agreements.

4 **SECTION 782p.** 20.399 (2) (q) of the statutes is renumbered 20.445 (6) (y).

5 **SECTION 782r.** 20.399 (3) (title) of the statutes is repealed.

6 **SECTION 782u.** 20.399 (3) (g) of the statutes is renumbered 20.445 (6) (jb)  
7 amended to read:

8 20.445 (6) (jb) *Gifts and related support.* All moneys received from gifts, grants  
9 and bequests received by the Wisconsin conservation corps board to be expended for  
10 the purpose made.

11 **SECTION 782m.** 20.410 (1) (title) of the statutes is amended to read:

12 20.410 (1) (title) ~~CORRECTIONAL~~ ADULT CORRECTIONAL SERVICES.

13 **SECTION 783m.** 20.410 (1) (am) of the statutes, as created by 1993 Wisconsin  
14 Act 377, is repealed.

15 **SECTION 783p.** 20.410 (1) (b) of the statutes is amended to read:

16 20.410 (1) (b) *Field supervision.* The amounts in the schedule to provide  
17 services related to probation, community supervision and parole. No payments may  
18 be made under this paragraph for payments in accordance with other states party  
19 to the interstate corrections compact under s. 302.25.

20 **SECTION 783r.** 20.410 (1) (c) of the statutes is amended to read:

21 20.410 (1) (c) (title) *Reimbursement claims of counties containing state*  
22 *institutions* prisons. A sum sufficient to pay all valid claims made by county clerks  
23 of counties containing ~~certain state institutions~~ prisons as provided in s. 16.51 (7).

24 **SECTION 783sg.** 20.410 (1) (g) (title) of the statutes is amended to read:

1           20.410 (1) (g) (title) ~~Probationer and parolee loan~~ Loan fund for persons on  
2 probation, community supervision or parole.

3           **SECTION 783sr.** 20.410 (1) (gb) of the statutes is amended to read:

4           20.410 (1) (gb) *Drug testing.* All moneys received from probation, community  
5 supervision and parole clients who are required to pay for their drug testing, as  
6 prescribed by rule in accordance with s. 301.03 (3), for expenditures related to the  
7 drug testing program for probationers and parolees and persons on community  
8 supervision under s. 301.03 (3).

9           **SECTION 783t.** 20.410 (1) (ge) of the statutes is created to read:

10          20.410 (1) (ge) *Administrative and minimum supervision.* The amounts in the  
11 schedule for the supervision of probationers and parolees under minimum or  
12 administrative supervision and for the department's costs associated with contracts  
13 under s. 301.08 (1) (c) 2. All moneys received from vendors under contracts under  
14 s. 301.08 (1) (c) 2. and from fees charged under s. 304.073 (2) shall be credited to this  
15 appropriation account.

16          **SECTION 783v.** 20.410 (1) (gf) of the statutes is created to read:

17          20.410 (1) (gf) *Probation, community supervision and parole.* The amounts in  
18 the schedule for probation, community supervision and parole. All moneys received  
19 under s. 304.074 (2) shall be credited to this appropriation account.

20          **SECTION 783x.** 20.410 (1) (gi) of the statutes is created to read:

21          20.410 (1) (gi) *General operations.* The amounts in the schedule to operate  
22 institutions and provide field services and administrative services. All moneys  
23 received under s. 303.01 (8) that are attributable to moneys collected under s. 303.01  
24 (2) (em) and all moneys received under ss. 302.386 (2m) and (3) (d) and 303.065 (6)  
25 shall be credited to this appropriation account.

1           **SECTION 784.** 20.410 (1) (gr) of the statutes is amended to read:

2           20.410 (1) (gr) *Home detention services.* The amounts in the schedule to obtain,  
3 install, operate and monitor electronic equipment for the home detention program  
4 under s. 302.425. All moneys received under s. 302.425 (3m) or (4) shall be credited  
5 to this appropriation. On June 30, 1992, June 30, 1993, and June 30, 1994, one-third  
6 of the amount expended in fiscal year 1990-91 from the appropriation under par.  
7 (cm) shall lapse to the general fund.

8           **SECTION 787.** 20.410 (1) (hx) of the statutes is amended to read:

9           20.410 (1) (hx) *Extended jurisdiction services.* The amounts in the schedule for  
10 services to persons younger than ~~19~~ 18 years old placed with the department under  
11 s. 48.366 (8). All moneys received in payment for services provided by the department  
12 specified in s. 46.26 (4) (d) 1m. and all moneys transferred under s. 46.26 (4) (cm) 2,  
13 shall be credited to this appropriation.

14           **SECTION 788m.** 20.410 (1) (hx) of the statutes, as affected by 1995 Wisconsin  
15 Act .... (this act), is repealed.

16           **SECTION 789.** 20.410 (1) (kw) of the statutes is created to read:

17           20.410 (1) (kw) *Information technology development projects.* The amounts in  
18 the schedule for the purpose of conducting information technology development  
19 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
20 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
21 account.

22           **SECTION 790.** 20.410 (1) (kx) of the statutes is amended to read:

23           20.410 (1) (kx) *Interagency and intra-agency programs.* All moneys received  
24 from other state agencies and all moneys received by the department from the

1 department not directed to be deposited under par. (gr), (kk) or (km) for the  
2 administration of programs or projects for which received.

3 **SECTION 791.** 20.410 (2) (kx) of the statutes is created to read:

4 20.410 (2) (kx) *Interagency and intra-agency programs.* All moneys received  
5 from other state agencies and all moneys received by the department from the  
6 department not directed to be deposited under sub. (1) (kk) or (km) for the  
7 administration of programs or projects for which received.

8 **SECTION 791m.** 20.410 (3) of the statutes is created to read:

9 20.410 (3) JUVENILE CORRECTIONAL SERVICES. (a) *General program operations.*  
10 The amounts in the schedule to operate juvenile correctional institutions, to provide  
11 field services and administrative services and to provide for the operating costs of the  
12 gang violence prevention council.

13 (c) *Reimbursement claims of counties containing secured correctional facilities.*  
14 The amounts in the schedule to pay all valid claims made by county clerks of counties  
15 containing state juvenile correctional institutions as provided in s. 16.51 (7).

16 (cd) *Community youth and family aids.* The amounts in the schedule for the  
17 improvement and provision of juvenile delinquency-related services under s. 301.26  
18 and for reimbursement to counties having a population of less than 500,000 for the  
19 cost of court attached intake services as provided in s. 48.06 (4). Disbursements may  
20 be made from this appropriation under s. 301.085. Refunds received relating to  
21 payments made under s. 301.085 shall be returned to this appropriation.  
22 Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of corrections may  
23 transfer moneys under this paragraph between fiscal years. Except for moneys  
24 authorized for transfer under s. 301.26 (3), all moneys from this paragraph allocated  
25 under s. 301.26 (3) and not spent or encumbered by counties by December 31 of each

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1 year shall lapse into the general fund on the succeeding January 1. The joint  
2 committee on finance may transfer additional moneys to the next calendar year.

3 (cg) *Serious juvenile offenders.* The amounts in the schedule for juvenile  
4 correctional institution, corrective sanctions, alternate care, aftercare and other  
5 juvenile program services specified in s. 48.538 (3) provided for the persons specified  
6 in s. 301.26 (4) (cm), for juvenile correctional institution services for persons placed  
7 in juvenile correctional institutions under s. 973.013 (3m) and for juvenile  
8 correctional services for persons under 18 years of age placed with the department  
9 under s. 48.366 (8).

10 (e) *Principal repayment and interest.* A sum sufficient to reimburse s. 20.866  
11 (1) (u) for the payment of principal and interest costs incurred in financing the  
12 acquisition, construction, development, enlargement or improvement of juvenile  
13 correctional facilities.

14 (f) *Community intervention program.* The amounts in the schedule for the  
15 community intervention program under s. 301.263.

16 (hm) *Juvenile correctional services.* Except as provided in pars. (ho) and (hr),  
17 the amounts in the schedule for juvenile correctional services specified in s. 301.26  
18 (4) (c) and (d). All moneys received from the sale of surplus property, including  
19 vehicles, from juvenile correctional institutions, all moneys received as payments in  
20 restitution of property damaged at juvenile correctional institutions, all moneys  
21 received from miscellaneous services provided at a juvenile correctional institution,  
22 all moneys transferred under s. 301.26 (4) (cm) and, except as provided in par. (hr),  
23 all moneys received in payment for juvenile correctional services specified in s.  
24 301.26 (4) (d) shall be credited to this appropriation. If moneys generated by the  
25 monthly rate exceed actual fiscal year institutional costs by 2% or more, all moneys

1 in excess of 2% shall be remitted to the counties during the subsequent calendar year.  
2 Each county shall receive a proportionate share of the remittance depending on the  
3 total number of days of placement at juvenile correctional institutions. Counties  
4 shall use the funds for purposes specified in s. 301.26.

5 (ho) *Juvenile residential aftercare.* The amounts in the schedule for providing  
6 foster care, treatment foster care, group home care and institutional child care to  
7 delinquent children under ss. 48.553 (3) and (8), 48.557 and 49.19 (10) (d). All  
8 moneys transferred under s. 301.26 (4) (cm) and all moneys received in payment for  
9 providing foster care, treatment foster care, group home care and institutional child  
10 care to delinquent children under ss. 48.553 (3) and (8), 48.557 and 49.19 (10) (d) as  
11 specified in s. 301.26 (4) (e) shall be credited to this appropriation. If moneys  
12 generated by the monthly rate exceed actual fiscal year foster care, treatment foster  
13 care, group home care and institutional child care costs by 2% or more, all moneys  
14 in excess of 2% shall be remitted to the counties during the subsequent calendar year.  
15 Each county shall receive a proportionate share of the remittance depending on the  
16 total number of days of placement in foster care, treatment foster care, group home  
17 care or institutional child care.

18 (hr) *Juvenile corrective sanctions program.* The amounts in the schedule for  
19 the corrective sanctions services specified in s. 301.26 (4) (eg). All moneys received  
20 in payment for the corrective sanctions services specified in s. 301.26 (4) (eg) shall  
21 be credited to this appropriation account.

22 (i) *Gifts and grants.* All moneys received from gifts, grants, donations and  
23 burial trusts for the execution of its functions consistent with the purpose of the gift,  
24 grant, donation or trust.

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1           (j) *State-owned housing maintenance.* The amounts in the schedule for  
2 maintenance of state-owned housing at state correctional institutions. All moneys  
3 received by the department from rentals of state-owned housing at state correctional  
4 institutions shall be credited to this appropriation.

5           (jk) *Youth diversion program.* Biennially, the amounts in the schedule for youth  
6 diversion services under s. 301.265 (1) and (3). All moneys transferred from s. 20.505  
7 (6) (g) shall be credited to this appropriation.

8           (jr) *Institutional operations and charges.* The amounts in the schedule for the  
9 use, production and provision of state institutional facilities, services and products.  
10 All moneys received from the sale of institutional services and products shall be  
11 credited to this appropriation.

12           (kx) *Interagency and intra-agency programs.* All moneys received from other  
13 state agencies and all moneys received by the department from the department for  
14 the administration of programs or projects for which received.

15           (ky) *Interagency and intra-agency aids.* All moneys received from other state  
16 agencies and all moneys received by the department from the department for aids  
17 to individuals and organizations.

18           (kz) *Interagency and intra-agency local assistance.* All moneys received from  
19 other state agencies and all moneys received by the department from the department  
20 n for local assistance.

21           (m) *Federal project operations.* All moneys received from the federal  
22 government or any of its agencies for the state administration of specific limited term  
23 projects to be expended for the purposes specified.

1           (n) *Federal program operations.* All moneys received from the federal  
2 government or any of its agencies for the state administration of continuing  
3 programs to be expended for the purposes specified.

4           (o) *Federal aid; foster care and treatment foster care.* All federal moneys  
5 received for meeting the costs of providing foster care, treatment foster care and  
6 institutional child care to delinquent children under ss. 48.533 (3) and (8) and 48.557,  
7 and for the cost of care for children under s. 49.19 (10) (d). All moneys received under  
8 this paragraph shall be deposited in the general fund as a nonappropriated receipt.

9           (oo) *Federal aid; community youth and family aids.* All federal moneys  
10 received as child welfare funds under 42 USC 620 to 626 as limited under s. 48.985  
11 and all federal moneys received relating to providing care in foster homes, treatment  
12 foster homes, group homes or child caring institutions for the purposes of s. 301.26,  
13 and all other federal moneys received for meeting costs under s. 301.26.

14           (p) *Federal aid; alcohol and other drug abuse.* All federal moneys received for  
15 alcohol and other drug abuse education and treatment as limited under s. 301.265  
16 (2).

17           (q) *Girls school benevolent trust fund.* From the girls school benevolent trust  
18 fund, all moneys received as contributions, grants, gifts and bequests for that trust  
19 fund under s. 25.31 to carry out the purpose for which made and received.

20           **SECTION 796am.** 20.425 (1) (h) of the statutes, as affected by 1993 Wisconsin  
21 Act 16, is repealed and recreated to read:

22           20.425 (1) (h) *Collective bargaining training.* All moneys received from  
23 arbitrators and arbitration panel members, and individuals who are interested in  
24 serving in such positions, and from individuals and organizations who participate in

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1 other collective bargaining training programs conducted by the commission, for the  
2 cost of training programs under ss. 111.09 (3), 111.71 (5) and 111.94 (3).

3 **SECTION 796m.** 20.425 (1) (i) of the statutes is created to read:

4 20.425 (1) (i) *Fees.* The amounts in the schedule for the performance of  
5 fact-finding, mediation and arbitration functions and for the provision of copies of  
6 transcripts. All moneys received under ss. 111.09 (1) and (2), 111.71 (1) and (2) and  
7 111.94 (1) and (2), except as otherwise provided in those sections, shall be credited  
8 to this appropriation account.

9 **SECTION 797.** 20.425 (1) (ka) of the statutes is created to read:

10 20.425 (1) (ka) *Information technology development projects.* The amounts in  
11 the schedule for the purpose of conducting information technology development  
12 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
13 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
14 account.

15 **SECTION 798.** 20.425 (1) (ka) of the statutes, as created by 1995 Wisconsin Act  
16 .... (this act), is repealed.

17 **SECTION 800.** 20.432 (1) (kc) of the statutes is created to read:

18 20.432 (1) (kc) *Information technology development projects.* The amounts in  
19 the schedule for the purpose of conducting information technology development  
20 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
21 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
22 account.

23 **SECTION 801.** 20.433 (1) (c) of the statutes is repealed.

24 **SECTION 802.** 20.433 (1) (d) of the statutes is repealed.

25 **SECTION 802m.** 20.433 (1) (g) of the statutes is amended to read:

**SECTION 802m**

1           20.433 (1) (g) *General program operations*. From all moneys received under s.  
2           69.22 (1) (c), the amounts in the schedule to be used for the expenses of the child  
3           abuse and neglect prevention board under s. 48.982 (2) and (3) ~~and~~, for the general  
4           program operations of the early childhood family education center grant program  
5           under s. 48.982 (6) and the right from the start program under s. 48.982 (7) and for  
6           technical assistance to right from the start grant recipients under s. 48.982 (7) (a).

7           **SECTION 803.** 20.433 (1) (h) of the statutes is amended to read:

8           20.433 (1) (h) *Grants to organizations*. All moneys received under s. 69.22 (1)  
9           (c), less the amounts appropriated under par. (g), to be used for grants to  
10          organizations under s. 48.982 (4) ~~and~~, (6) and (7).

11          **SECTION 804m.** 20.434 (1) (a) of the statutes is amended to read:

12          20.434 (1) (a) *General program operations*. The amounts in the schedule for  
13          the general program operations of the adolescent pregnancy prevention and  
14          pregnancy services board under s. 46.93 (3) and 1995 Wisconsin Act .... (this act),  
15          section 9102 (1z).

16          **SECTION 805.** 20.434 (1) (ka) of the statutes is created to read:

17          20.434 (1) (ka) *Information technology development projects*. The amounts in  
18          the schedule for the purpose of conducting information technology development  
19          projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
20          account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
21          account.

22          **SECTION 806.** 20.435 (1) (am) of the statutes is amended to read:

23          20.435 (1) (am) *Services, reimbursement and payment related to acquired*  
24          *immunodeficiency syndrome*. The amounts in the schedule for the purchase of  
25          services under s. 252.12 (2) (a) for individuals with respect to acquired

1 immunodeficiency syndrome and related infections, to subsidize premium payments  
2 under ss. 252.16 and 252.17 and to reimburse or supplement the reimbursement of  
3 the cost of AZT, pentamidine and certain other drugs under s. ~~49.486~~ 49.686.

4 **SECTION 807.** 20.435 (1) (b) of the statutes is amended to read:

5 20.435 (1) (b) *Medical assistance program benefits.* Biennially, the amounts in  
6 the schedule to provide the state share of medical assistance program benefits  
7 administered under s. 49.45, to provide medical assistance program benefits  
8 administered under s. 49.45 that are not also provided under par. (o) and to fund the  
9 pilot project under s. 46.27 (9) and (10). Notwithstanding s. 20.002 (1), the  
10 department may transfer from this appropriation to the appropriation under sub. (7)  
11 (kb) funds in the amount of and for the purposes specified in s. 46.485 (2) (a) and (2m).  
12 Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department may credit or  
13 deposit into this appropriation and may transfer between fiscal years funds that it  
14 transfers from the appropriation under sub. (7) (kb) for the purposes specified in s.  
15 46.485 (3). ~~Notwithstanding s. 20.002 (1), the department may transfer from this~~  
16 ~~appropriation to the appropriation under sub. (7) (bd) funds in the amount of and for~~  
17 ~~the purposes specified in s. 49.45 (6v) (3r).~~

18 **SECTION 808.** 20.435 (1) (b) of the statutes, as affected by 1995 Wisconsin Act  
19 .... (this act), is amended to read:

20 20.435 (1) (b) *Medical assistance program benefits.* Biennially, the amounts in  
21 the schedule to provide the state share of medical assistance program benefits  
22 administered under s. 49.45, to provide medical assistance program benefits  
23 administered under s. 49.45 that are not also provided under par. (o) and to fund the  
24 pilot project under s. 46.27 (9) and (10). Notwithstanding s. 20.002 (1), the  
25 department may transfer from this appropriation to the appropriation under sub. (7)

**SECTION 808**

1     (3) (kb) funds in the amount of and for the purposes specified in s. 46.485.  
2     Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department may credit or  
3     deposit into this appropriation and may transfer between fiscal years funds that it  
4     transfers from the appropriation under sub. ~~(7)~~ (3) (kb) for the purposes specified in  
5     s. 46.485 (3r).

6           **SECTION 808b.** 20.435 (1) (bs) of the statutes is created to read:

7           20.435 (1) (bs) *Relief block grants to tribal governing bodies.* The amounts in  
8     the schedule for relief block grants under s. 49.029 to tribal governing bodies.

9           **SECTION 808c.** 20.435 (1) (bt) of the statutes is created to read:

10          20.435 (1) (bt) *Relief block grants to counties with a population of 500,000 or*  
11     *more.* The amounts in the schedule for relief block grants under s. 49.025 to counties  
12     with a population of 500,000 or more.

13          **SECTION 808d.** 20.435 (1) (bu) of the statutes is created to read:

14          20.435 (1) (bu) *Relief block grants to counties with a population of less than*  
15     *500,000.* The amounts in the schedule for relief block grants under s. 49.027 to  
16     counties with a population of less than 500,000.

17          **SECTION 808e.** 20.435 (1) (c) of the statutes, as affected by 1995 Wisconsin Act  
18     .... (this act), is repealed.

19          **SECTION 808f.** 20.435 (1) (cb) of the statutes, as affected by 1995 Wisconsin Act  
20     .... (this act), is repealed.

21          **SECTION 809.** 20.435 (1) (cc) of the statutes is amended to read:

22          20.435 (1) (cc) *Cancer treatment, training, follow-up, control and prevention.*  
23     The amounts in the schedule for cancer control and prevention grants under s.  
24     255.05, for the breast cancer screening and services program under s. 255.06 and for  
25     grants for training to perform colposcopic examinations and follow-up activities

1 under s. 255.07. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department  
2 may transfer funds for grants under s. 255.05, funds for screening and services under  
3 s. 255.06 and funds for grants under s. 255.07 between fiscal years under this  
4 paragraph. All funds allocated by the department under s. 255.05 (2) but not  
5 encumbered by December 31 of each year lapse to the general fund on the next  
6 January 1 unless transferred to the next calendar year by the joint committee on  
7 finance.

8 **SECTION 810.** 20.435 (1) (cr) of the statutes is repealed.

9 **SECTION 811.** 20.435 (1) (dm) (title) of the statutes is amended to read:

10 20.435 (1) (dm) (title) *Nursing home monitoring and receivership supplement.*

11 **SECTION 812.** 20.435 (1) (ds) of the statutes is amended to read:

12 20.435 (1) (ds) (title) *Statewide poison control system program.* The amounts  
13 in the schedule to supplement the operation of ~~regional~~ a statewide poison control  
14 ~~centers that are designated by the department~~ program under s. 146.57 (3) and for  
15 the statewide collection and reporting of poison control data.

16 **SECTION 813.** 20.435 (1) (e) of the statutes is amended to read:

17 20.435 (1) (e) *Disease aids.* Biennially, the amounts in the schedule for  
18 assisting victims of diseases, as provided in ss. 49.48, 49.483, 49.485, 58.06, 252.08  
19 (4) and (5) and 252.10 (6) and (7), as allocated by the department.

20 **SECTION 814.** 20.435 (1) (e) of the statutes, as affected by 1995 Wisconsin Act  
21 .... (this act), is amended to read:

22 20.435 (1) (e) *Disease aids.* Biennially, the amounts in the schedule for  
23 assisting victims of diseases, as provided in ss. ~~49.48, 49.483, 49.485,~~ 49.68, 49.683,  
24 49.685, 58.06, 252.08 (4) and (5) and 252.10 (6) and (7), as allocated by the  
25 department.

**SECTION 816**

1           **SECTION 816.** 20.435 (1) (gm) of the statutes is amended to read:

2           20.435 (1) (gm) *Licensing, review and certifying activities.* The amounts in the  
3 schedule for the purposes specified in ss. 50.135, 50.49 (2) (b), 146.50 (8), 250.05 (6),  
4 252.22 (7), 254.176, 254.178, 254.20 (5) and (8), 254.31 to 254.39, 254.47, 254.61 to  
5 254.89 and 255.08 (2), subch. IV of ch. 50 and ch. 150. All moneys received under ss.  
6 50.135, 50.49 (2) (b), 50.93 (1) (c), 146.50 (8) (d), 150.13, 250.05 (6), 252.22 (7),  
7 254.176, 254.178, 254.20 (5) and (8), 254.31 to 254.39, 254.47, 254.61 to 254.89 and  
8 255.08 (2) (b), ~~less the amounts appropriated under s. 20.488 (1) (g),~~ shall be credited  
9 to this appropriation.

10           **SECTION 816m.** 20.435 (1) (gm) of the statutes, as affected by 1995 Wisconsin  
11 Act .... (this act), is amended to read:

12           20.435 (1) (gm) *Licensing, review and certifying activities.* The amounts in the  
13 schedule for the purposes specified in ss. 50.135, 50.49 (2) (b), 146.50 (8), 250.05 (6),  
14 ~~252.22 (7),~~ 254.176, 254.178, 254.20 (5) and (8), 254.31 to 254.39, 254.47, 254.61 to  
15 254.89 and 255.08 (2), subch. IV of ch. 50 and ch. 150. All moneys received under ss.  
16 50.135, 50.49 (2) (b), 50.93 (1) (c), 146.50 (8) (d), 150.13, 250.05 (6), ~~252.22 (7),~~  
17 254.176, 254.178, 254.20 (5) and (8), 254.31 to 254.39, 254.47, 254.61 to 254.89 and  
18 255.08 (2) (b) shall be credited to this appropriation.

19           **SECTION 817j.** 20.435 (1) (gn) of the statutes is created to read:

20           20.435 (1) (gn) *Fees for review of assisted living facilities.* The amounts in the  
21 schedule to review applications for certification or registration of assisted living  
22 facilities under s. 50.034 (4) (c). All moneys received under s. 50.034 (1) (a) and (4)  
23 (d) shall be credited to this appropriation.

24           **SECTION 817m.** 20.435 (1) (hk) of the statutes is created to read:

1           20.435 (1) (hk) *Domestic abuse awareness and prevention*. All moneys received  
2 as amounts designated under s. 71.10 (5m) (b), the net amounts certified under s.  
3 71.10 (5m) (h) 4., for the purposes of the domestic abuse awareness and prevention  
4 program under s. 46.95 (4).

5           **SECTION 818.** 20.435 (1) (im) of the statutes is amended to read:

6           20.435 (1) (im) *Medical assistance; recovery of correct payments*. All moneys  
7 received from the recovery of correct medical assistance payments under ss. 49.496  
8 and 867.035 for payments to counties and tribal governing bodies under s. 49.496 (4),  
9 payment of claims under s. 867.035 (3), payments to the federal government for its  
10 share of medical assistance benefits recovered and for the state share of medical  
11 assistance benefits ~~administered under s. 49.45~~ under subch. IV of ch. 49 as provided  
12 in ss. 49.496 (5) and 867.035 (4).

13           **SECTION 818b.** 20.435 (1) (in) of the statutes is created to read:

14           20.435 (1) (in) *Community options program; costs of care recovery*  
15 *administration*. From the moneys received from the recovery of costs of care under  
16 ss. 46.27 (7g) and 867.035, the amounts in the schedule for administration of the  
17 recovery of costs of the care.

18           **SECTION 819.** 20.435 (1) (j) of the statutes is amended to read:

19           20.435 (1) (j) *Fees for services and supplies*. The amounts in the schedule for  
20 the purposes provided in ch. 69 and ss. 50.02 (2), 50.025, 50.13, 50.36 (2) and 254.41  
21 and to conduct health facility plan and rule development activities, for accrediting  
22 nursing homes, convalescent homes and homes for the aged ~~and~~, for the purchase  
23 and distribution of the medical supplies and to conduct capital construction and  
24 remodeling plan reviews under ss. 50.02 (2) (b) and 50.36 (2). All moneys received

1 under ch. 69 and ss. 50.02 (2), 50.025, 50.13, 50.36 (2) and 254.41 and as  
2 reimbursement for medical supplies shall be credited to this appropriation.

3 **SECTION 820.** 20.435 (1) (k) of the statutes is amended to read:

4 20.435 (1) (k) (title) *Nursing home monitoring and receivership operations*. All  
5 moneys received as payments from medical assistance and from all other sources to  
6 reimburse the department for the ~~cost of~~ costs of placing a monitor in a nursing home  
7 under s. 50.05 (2) and (3), receivership of a nursing home and operation of a nursing  
8 home held in receivership by the department under s. 50.05 (4) and (5).

9 **SECTION 821.** 20.435 (1) (o) of the statutes is amended to read:

10 20.435 (1) (o) *Federal aid; medical assistance*. All federal moneys received for  
11 meeting costs of medical assistance ~~administered under s. 49.45~~ under subch. IV of  
12 ch. 49.

13 **SECTION 822.** 20.435 (2) (a) of the statutes is amended to read:

14 20.435 (2) (a) *General program operations*. The amounts in the schedule to  
15 operate institutions, to provide administrative services and to evaluate, treat and  
16 care for persons under ch. 980, including persons placed on supervised release under  
17 s. 980.06 (2) or 980.08.

18 **SECTION 823.** 20.435 (2) (gk) of the statutes is amended to read:

19 20.435 (2) (gk) *Institutional operations and charges*. The amounts in the  
20 schedule for care provided by the centers for the developmentally disabled to  
21 reimburse the cost of providing the services and to remit any credit balances to  
22 county departments that occur on and after July 1, 1978, in accordance with s. 51.437  
23 (4rm) (c);<sub>;</sub> for care provided by the mental health institutes, to reimburse the cost of  
24 providing the services and to remit any credit balances to county departments that  
25 occur on and after January 1, 1979, in accordance with s. 51.42 (3) (as) 2;<sub>;</sub> for

1 maintenance of state-owned housing at centers for the developmentally disabled  
2 and mental health institutes; for repair or replacement of property damaged at the  
3 mental health institutes or at centers for the developmentally disabled; and for  
4 reimbursing the total cost of using, producing and providing services, products and  
5 care. All moneys received as payments from medical assistance on and after August  
6 1, 1978; as payments from all other sources including other payments under s. 46.10  
7 and payments under s. 51.437 (4rm) (c) received on and after July 1, 1978; as medical  
8 assistance payments, other payments under s. 46.10 and payments under s. 51.42  
9 (3) (as) 2 received on and after January 1, 1979, ~~and;~~ as payments for the rental of  
10 state-owned housing and other institutional facilities at centers for the  
11 developmentally disabled and mental health institutes; for the sale of electricity,  
12 steam or chilled water; as payments in restitution of property damaged at the mental  
13 health institutes or at centers for the developmentally disabled; for the sale of  
14 surplus property, including vehicles, at the mental health institutes or at centers for  
15 the developmentally disabled; and for other services, products and care shall be  
16 credited to this appropriation, except that any payment under s. 46.10 received for  
17 the care or treatment of patients admitted under s. 51.10, 51.15 or 51.20 for which  
18 the state is liable under s. 51.05 (3), of patients admitted under s. 55.06 (9) (d) or (e)  
19 for which the state is liable under s. 55.05 (1), of forensic patients committed under  
20 ch. 971 or 975, admitted under ch. 975 or transferred under s. 51.35 (3) or of patients  
21 transferred from a state prison under s. 51.37 (5), to Mendota mental health institute  
22 or Winnebago mental health institute shall be treated as general purpose revenue  
23 — earned, as defined under s. 20.001 (4).

24 **SECTION 823g.** 20.435 (3) (a) of the statutes is amended to read:

1           20.435 (3) (a) *General program operations.* The amounts in the schedule to  
2 operate juvenile correctional institutions, to provide for general program operations  
3 relating to children's services, including field services and administrative services  
4 and to provide for the operating costs of the gang violence prevention council.

5           **SECTION 823m.** 20.435 (3) (am) of the statutes is repealed.

6           **SECTION 823r.** 20.435 (3) (at) of the statutes is repealed.

7           **SECTION 824.** 20.435 (3) (au) of the statutes is repealed.

8           **SECTION 825.** 20.435 (3) (bg) of the statutes is repealed.

9           **SECTION 825m.** 20.435 (3) (c) of the statutes is created to read:

10          20.435 (3) (c) *Reimbursement claims of counties containing secured*  
11 *correctional facilities.* The amounts in the schedule to pay all valid claims made by  
12 county clerks of counties containing state juvenile correctional institutions as  
13 provided in s. 16.51 (7).

14          **SECTION 825p.** 20.435 (3) (c) of the statutes, as created by 1995 Wisconsin Act  
15 .... (this act), is repealed.

16          **SECTION 826.** 20.435 (3) (cd) of the statutes is amended to read:

17          20.435 (3) (cd) *Community youth and family aids.* The amounts in the schedule  
18 for the improvement and provision of juvenile delinquency-related services under  
19 s. 46.26 and for reimbursement to counties having a population of less than 500,000  
20 for the cost of court attached intake services as provided in s. 48.06 (4).  
21 Disbursements may be made from this appropriation under s. 46.03 (20). Refunds  
22 received relating to payments made under s. 46.03 (20) shall be returned to this  
23 appropriation. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), ~~but subject to s.~~  
24 ~~46.26 (3) (f),~~ the department of health and social services may transfer moneys under  
25 this paragraph between fiscal years. Except for moneys authorized for transfer

1 under s. 46.26 (3), all moneys from this paragraph allocated under s. 46.26 (3) and  
2 not spent or encumbered by counties by December 31 of each year shall lapse into the  
3 general fund on the succeeding January 1. The joint committee on finance may  
4 transfer additional moneys to the next calendar year.

5 **SECTION 826m.** 20.435 (3) (cd) of the statutes, as affected by 1995 Wisconsin  
6 Act .... (this act), is repealed.

7 **SECTION 827.** 20.435 (3) (cg) of the statutes is repealed.

8 **SECTION 828.** 20.435 (3) (cx) of the statutes is repealed.

9 **SECTION 828m.** 20.435 (3) (e) of the statutes is repealed.

10 **SECTION 828p.** 20.435 (3) (ej) of the statutes is repealed.

11 **SECTION 828r.** 20.435 (3) (f) of the statutes is amended to read:

12 20.435 (3) (f) (title) ~~Capacity building for early and intensive~~ Community  
13 intervention services program. The amounts in the schedule for ~~capacity building for~~  
14 ~~early and intensive intervention services~~ the community intervention program  
15 under s. 46.263.

16 **SECTION 828t.** 20.435 (3) (f) of the statutes, as affected by 1995 Wisconsin Act  
17 .... (this act), is repealed.

18 **SECTION 829.** 20.435 (3) (hm) of the statutes is amended to read:

19 20.435 (3) (hm) *Juvenile correctional services*. Except as provided in pars. (ho)  
20 and (hr), the amounts in the schedule for juvenile correctional services specified in  
21 s. 46.26 (4) (c) and (d), for the repair or replacement of property damaged at juvenile  
22 correctional institutions operated by the department and for the provision of  
23 miscellaneous services at those institutions. All moneys transferred under s. 46.26  
24 (4) (cm) 1., all moneys received from the sale of surplus property, including vehicles,  
25 from juvenile correctional institutions operated by the department, all moneys

1 received as payments in restitution of property damaged at juvenile correctional  
2 institutions operated by the department, all moneys received for miscellaneous  
3 services provided at a juvenile correctional institution operated by the department  
4 and, except as provided in par. (hr) and s. 20.410 (1) (hx), all moneys received in  
5 payment for juvenile correctional services specified in s. 46.26 (4) (d) shall be credited  
6 to this appropriation. If moneys generated by the monthly rate exceed actual fiscal  
7 year institutional costs by 2% or more, all moneys in excess of 2% shall be remitted  
8 to the counties during the subsequent calendar year. Each county shall receive a  
9 proportionate share of the remittance depending on the total number of days of  
10 placement at juvenile correctional institutions. Counties shall use the funds for  
11 purposes specified in s. 46.26.

12 **SECTION 830.** 20.435 (3) (hm) of the statutes, as affected by 1993 Wisconsin Act  
13 377 and 1995 Wisconsin Act .... (this act), section 829, is repealed and recreated to  
14 read:

15 20.435 **(3)** (hm) *Juvenile correctional services.* Except as provided in pars. (ho)  
16 and (hr), the amounts in the schedule for juvenile correctional services specified in  
17 s. 46.26 (4) (c) and (d), for the repair or replacement of property damaged at juvenile  
18 correctional institutions operated by the department and for the provision of  
19 miscellaneous services at those institutions. All moneys transferred under s. 46.26  
20 (4) (cm) 1., all moneys received from the sale of surplus property, including vehicles,  
21 from juvenile correctional institutions operated by the department, all moneys  
22 received as payments in restitution of property damaged at juvenile correctional  
23 institutions operated by the department, all moneys received from miscellaneous  
24 services provided at a juvenile correctional institution operated by the department  
25 and, except as provided in par. (hr) and s. 20.410 (1) (hx), all moneys received in

1 payment for juvenile correctional services specified in s. 46.26 (4) (d) shall be credited  
2 to this appropriation. If moneys generated by the monthly rate exceed actual fiscal  
3 year institutional costs by 2% or more, all moneys in excess of 2% shall be remitted  
4 to the counties during the subsequent calendar year. Each county shall receive a  
5 proportionate share of the remittance depending on the total number of days of  
6 placement at juvenile correctional institutions. Counties shall use the funds for  
7 purposes specified in s. 46.26.

8 **SECTION 831m.** 20.435 (3) (hm) of the statutes, as affected by 1993 Wisconsin  
9 Act 377 and 1995 Wisconsin Act ... (this act), sections 829 and 830, is repealed.

10 **SECTION 832.** 20.435 (3) (ho) of the statutes is amended to read:

11 20.435 (3) (ho) *Juvenile residential aftercare.* ~~Under s. 46.26 (4) (e), the~~ The  
12 amounts in the schedule for providing foster care, treatment foster care, group home  
13 care and institutional child care to delinquent children under ss. 48.48 (4) and (14),  
14 48.52 and 49.19 (10) (d). All moneys received in payment for providing foster care,  
15 treatment foster care, group home care and institutional child care to delinquent  
16 children under ss. 48.48 (4) and (14), 48.52 and 49.19 (10) (d) as specified in s. 46.26  
17 (4) (e) shall be credited to this appropriation. If moneys generated by the monthly  
18 rate exceed actual fiscal year foster care, treatment foster care, group home care and  
19 institutional child care costs by 2% or more, all moneys in excess of 2% shall be  
20 remitted to the counties during the subsequent calendar year. Each county shall  
21 receive a proportionate share of the remittance depending on the total number of  
22 days of placement in foster care, treatment foster care, group home care or  
23 institutional child care.

24 **SECTION 832m.** 20.435 (3) (ho) of the statutes, as affected by 1995 Wisconsin  
25 Act .... (this act), is repealed.

1           **SECTION 833g.** 20.435 (3) (hr) of the statutes is repealed.

2           **SECTION 833m.** 20.435 (3) (j) of the statutes is repealed.

3           **SECTION 833p.** 20.435 (3) (jk) of the statutes is repealed.

4           **SECTION 833r.** 20.435 (3) (jr) of the statutes is repealed.

5           **SECTION 834m.** 20.435 (3) (k) of the statutes, as created by 1993 Wisconsin Act  
6     377, is repealed.

7           **SECTION 835.** 20.435 (3) (ma) of the statutes is created to read:

8           20.435 (3) (ma) *Federal project aids*. See sub. (9) (ma).

9           **SECTION 836.** 20.435 (3) (mb) of the statutes is created to read:

10          20.435 (3) (mb) *Federal project local assistance*. See sub. (9) (mb).

11          **SECTION 837.** 20.435 (3) (mc) of the statutes is created to read:

12          20.435 (3) (mc) *Federal block grant operations*. See sub. (9) (mc).

13          **SECTION 838.** 20.435 (3) (md) of the statutes is created to read:

14          20.435 (3) (md) *Federal block grant aids*. See sub. (9) (md).

15          **SECTION 839.** 20.435 (3) (na) of the statutes is created to read:

16          20.435 (3) (na) *Federal program aids*. See sub. (9) (na).

17          **SECTION 840.** 20.435 (3) (nL) of the statutes is created to read:

18          20.435 (3) (nL) *Federal program local assistance*. See sub. (9) (nL).

19          **SECTION 840m.** 20.435 (3) (o) of the statutes is repealed.

20          **SECTION 840p.** 20.435 (3) (oo) of the statutes is repealed.

21          **SECTION 840r.** 20.435 (3) (p) of the statutes is created to read:

22          20.435 (3) (p) *Federal aid; alcohol and other drug abuse*. All federal moneys  
23     received for alcohol and other drug abuse education and treatment as limited under  
24     s. 46.265 (2).

**SECTION 840t**

1           **SECTION 840t.** 20.435 (3) (p) of the statutes, as created by 1995 Wisconsin Act  
2 .... (this act), is repealed.

3           **SECTION 841.** 20.435 (4) (title) of the statutes is renumbered 20.445 (3) (title).

4           **SECTION 842.** 20.435 (4) (a) of the statutes is renumbered 20.445 (3) (a).

5           **SECTION 843.** 20.435 (4) (br) of the statutes is renumbered 20.435 (1) (br) and  
6 amended to read:

7           20.435 (1) (br) *Welfare reform studies.* As a continuing appropriation, the  
8 amounts in the schedule for the studies of welfare reform under s. 46.03 (38), ~~a study~~  
9 ~~of the school attendance requirement for recipients of aid under s. 49.19 who are 6~~  
10 ~~to 12 years of age and the evaluation of the parental responsibility pilot program~~  
11 ~~under s. 49.25 (9).~~

12           **SECTION 843m.** 20.435 (4) (c) of the statutes, as affected by 1995 Wisconsin Act  
13 .... (this act), is renumbered 20.566 (4) (c) and amended to read:

14           20.566 (4) (c) *Child support collection — county administration.* The amounts  
15 in the schedule for payments to counties for establishing paternity under s. 46.25  
16 ~~73.25~~ (12), for the county child support order revision programs under s. 46.258  
17 ~~73.258~~ (1), for state incentive payments under s. 46.258 ~~73.258~~ (2), for assistance to  
18 pilot counties in establishing paternity and obtaining child support under ss. 49.25  
19 (8) (a) and 49.27 (10) (e) and for payments to Milwaukee County under s. 49.25 (8)  
20 (b) to fund an additional family court commissioner.

21           **SECTION 843p.** 20.435 (4) (cd) of the statutes is created to read:

22           20.435 (4) (cd) *Child support state operations.* The amounts in the schedule for  
23 administering the program under s. 46.25 and all other purposes specified in s. 46.25.  
24 No moneys may be expended under this paragraph unless moneys appropriated  
25 under par. (j) are insufficient for the purposes specified under that paragraph.

**SECTION 843r**

1           **SECTION 843r.** 20.435 (4) (cd) of the statutes, as created by 1995 Wisconsin Act  
2 .... (this act), is renumbered 20.566 (4) (cd) and amended to read:

3           20.566 (4) (cd) *Child support state operations.* The amounts in the schedule for  
4 administering the program under s. ~~46.25~~ 73.25 and all other purposes specified in  
5 s. ~~46.25~~ 73.25. No moneys may be expended under this paragraph unless moneys  
6 appropriated under par. (j) (ja) are insufficient for the purposes specified under that  
7 paragraph.

8           **SECTION 844.** 20.435 (4) (ch) of the statutes is repealed.

9           **SECTION 845.** 20.435 (4) (ci) of the statutes is repealed.

10          **SECTION 846.** 20.435 (4) (cn) of the statutes is renumbered 20.445 (3) (cn) and  
11 amended to read:

12          20.445 (3) (cn) *Child care for recipients and former recipients of aid to families*  
13 *with dependent children.* The amounts in the schedule for paying child care costs of  
14 individuals who secure unsubsidized employment and lose eligibility for aid to  
15 families with dependent children as provided under s. ~~49.50 (6g)~~ 49.191 (2), for child  
16 care and related transportation costs under s. ~~49.50 (7) (e)~~ 49.26 (1) (e), for child care  
17 costs under s. ~~49.50 (6e) (b)~~ 49.191 (1) (b) and, with the approval of the department  
18 under s. ~~49.50 (6k) (b)~~ 49.191 (3) (b), for child care costs under s. 49.191 (1) (a) or  
19 49.193 (8) or 49.50 (6e) (a). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the  
20 department may transfer funds between fiscal years under this paragraph. All funds  
21 allocated by the department but not encumbered by December 31 of each year lapse  
22 to the general fund on the next January 1 unless transferred to the next calendar  
23 year by the joint committee on finance.

24          **SECTION 847b.** 20.435 (4) (cr) of the statutes is renumbered 20.445 (3) (cr) and  
25 amended to read:

1           20.445 (3) (cr) *State supplement to employment opportunity demonstration*  
2 *projects*. The amounts in the schedule for the purpose of providing state funds to  
3 supplement, on a one-to-one matching basis, federal employment opportunity  
4 demonstration project funds received under 42 USC 1315 or from other federal or  
5 private foundation sources, to be allocated under s. 46.30 (4) 49.32 (11).

6           **SECTION 848.** 20.435 (4) (d) of the statutes is amended to read:

7           20.435 (4) (d) (title) *Income maintenance payments to individuals and counties*.  
8 A sum sufficient to provide state aid for county administered public assistance  
9 programs under s. 49.52 and to provide reimbursement to counties for the cost of  
10 foster care and treatment foster care provided by nonlegally responsible relatives  
11 under state or county administered programs, if the relatives are licensed to operate  
12 foster homes or treatment foster homes under s. 48.62. Total payments under this  
13 paragraph to a county for the reimbursement of nonlegally responsible relative  
14 foster care costs incurred in a calendar year may not exceed the amount for which  
15 the county was reimbursed under this paragraph for nonlegally responsible relative  
16 foster care costs incurred in 1994. Disbursements for public assistance may be made  
17 directly from this appropriation including the state and county share under s. 46.03  
18 (20) (a). Refunds received relating to payments made under s. 46.03 (20) (a) shall be  
19 returned to this appropriation. The receipt of the counties' payments for their share  
20 under s. 46.03 (20) shall be returned to this appropriation.

21           **SECTION 849.** 20.435 (4) (d) of the statutes, as affected by 1995 Wisconsin Act  
22 .... (this act), is renumbered 20.445 (3) (d) and amended to read:

23           20.445 (3) (d) *Income maintenance payments to individuals and counties*. A  
24 sum sufficient to provide state aid for county administered public assistance  
25 programs for which reimbursement is provided under s. 49.52 49.33 (9) and to

1 provide reimbursement to counties for the cost of foster care and treatment foster  
2 care provided by nonlegally responsible relatives under state or county administered  
3 programs, if the relatives are licensed to operate foster homes or treatment foster  
4 homes under s. 48.62. Total payments under this paragraph to a county for the  
5 reimbursement of nonlegally responsible relative foster care costs incurred in a  
6 calendar year may not exceed the amount for which the county was reimbursed  
7 under this paragraph for nonlegally responsible relative foster care costs incurred  
8 in 1994. Disbursements for public assistance may be made directly from this  
9 appropriation including the state and county share under s. 46.03 (20) (a). Refunds  
10 received relating to payments made under s. 46.03 (20) (a) shall be returned to this  
11 appropriation. The receipt of the counties' payments for their share under s. 46.03  
12 (20) shall be returned to this appropriation.

13 **SECTION 850.** 20.435 (4) (dc) of the statutes is renumbered 20.445 (3) (dc).

14 **SECTION 851.** 20.435 (4) (de) of the statutes is amended to read:

15 20.435 (4) (de) *Income maintenance county administration.* The amounts in  
16 the schedule for payment distribution under s. 49.52 (1) for county administration  
17 of public assistance benefits and medical assistance eligibility determination and  
18 payments to American Indian tribes for administration of public assistance  
19 programs. ~~Payments may be made from this appropriation to agencies under~~  
20 ~~contract with the department for administration of relief to needy Indian persons~~  
21 ~~under ss. 49.046 and 49.047. Payments may be made from this appropriation for the~~  
22 ~~purpose authorized in s. 49.049.~~ Payments may be made from this appropriation to  
23 counties for fraud investigation and error reduction under s. 49.197 (1m) and (4) and,  
24 before January 1, 1994, for the cost of the case management pilot project under s.  
25 49.50 (7w) (e), 1991 stats. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the

1 department may transfer funds between fiscal years under this paragraph. The  
2 department may transfer funds returned to this appropriation between calendar  
3 years.

4 **SECTION 852.** 20.435 (4) (de) of the statutes, as affected by 1995 Wisconsin Act  
5 .... (this act), is renumbered 20.445 (3) (de) and amended to read:

6 20.445 (3) (de) *Income maintenance county administration.* The amounts in  
7 the schedule for payment distribution under s. ~~49.52 (1)~~ 49.33 (8) for county  
8 administration of public assistance benefits and medical assistance eligibility  
9 determination and payments to American Indian tribes for administration of public  
10 assistance programs. Payments may be made from this appropriation to counties for  
11 fraud investigation and error reduction under s. 49.197 (1m) and (4) ~~and, before~~  
12 ~~January 1, 1994, for the cost of the case management pilot project under s. 49.50 (7w)~~  
13 ~~(e), 1991 stats.~~ Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department  
14 may transfer funds between fiscal years under this paragraph. The department may  
15 transfer funds returned to this appropriation between calendar years.

16 **SECTION 853.** 20.435 (4) (df) of the statutes is amended to read:

17 20.435 (4) (df) *Employment and training programs.* The amounts in the  
18 schedule for the school attendance requirement learnfare program under s. 49.50 (7)  
19 ~~(g)~~, the job opportunities and basic skills program under s. 49.193, the work  
20 experience and job training program under s. 46.253, the food stamp employment  
21 and training project under s. 49.124, the parental responsibility pilot program under  
22 s. 49.25, paying child care costs under s. 49.50 (6e) (a) and, with the approval of the  
23 department under s. 49.193 (8) (bm), for child care costs under s. 49.50 (6e) (b), (6g)  
24 or (7) (e). Moneys appropriated under this paragraph may be used to match federal  
25 funds received under par. (ps). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the

1 department may transfer funds between fiscal years under this paragraph. All funds  
2 allocated by the department but not encumbered by December 31 of each year lapse  
3 to the general fund on the next January 1 unless transferred to the next calendar  
4 year by the joint committee on finance.

5 **SECTION 854.** 20.435 (4) (df) of the statutes, as affected by 1995 Wisconsin Act  
6 .... (this act), is renumbered 20.445 (3) (df) and amended to read:

7 20.445 (3) (df) *Employment and training programs.* The amounts in the  
8 schedule for the learnfare program under s. ~~49.50 (7)~~ 49.26 (1), the job opportunities  
9 and basic skills program under s. 49.193, the work experience and job training  
10 program under s. ~~46.253~~ 49.36, the food stamp employment and training project  
11 under s. 49.124 (1m), the parental responsibility pilot program under s. 49.25, paying  
12 child care costs under s. ~~49.50 (6e) (a)~~ 49.191 (1) (a) and, with the approval of the  
13 department under s. 49.193 (8) (bm), for child care costs under s. ~~49.50 (6e) (b), (6g)~~  
14 ~~or (7) (e)~~ 49.191 (1) (b) or (2) or 49.26 (1) (e). Moneys appropriated under this  
15 paragraph may be used to match federal funds received under par. (ps).  
16 Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds  
17 between fiscal years under this paragraph. All funds allocated by the department  
18 but not encumbered by December 31 of each year lapse to the general fund on the  
19 next January 1 unless transferred to the next calendar year by the joint committee  
20 on finance.

21 **SECTION 855.** 20.435 (4) (dg) of the statutes is renumbered 20.445 (3) (dg) and  
22 amended to read:

23 20.445 (3) (dg) *Services for learnfare pupils.* The amounts in the schedule for  
24 case management services for learnfare pupils under s. ~~46.62~~ 49.26 (2).

25 **SECTION 858b.** 20.435 (4) (dk) of the statutes is amended to read:

1           20.435 (4) (dk) *New hope project*. As a continuing appropriation, the amounts  
2 in the schedule for the new hope project under s. 46.31. No funds may be encumbered  
3 from the appropriation under this paragraph after June 30, ~~1995~~ 1997.

4           **SECTION 858c.** 20.435 (4) (dk) of the statutes, as affected by 1995 Wisconsin Act  
5 .... (this act), is renumbered 20.445 (3) (dk) and amended to read:

6           20.445 (3) (dk) *New hope project*. As a continuing appropriation, the amounts  
7 in the schedule for the new hope project under s. ~~46.31~~ 49.37. No funds may be  
8 encumbered from the appropriation under this paragraph after June 30, 1997.

9           **SECTION 859.** 20.435 (4) (dn) of the statutes is renumbered 20.435 (7) (dn).

10          **SECTION 860.** 20.435 (4) (dq) of the statutes is repealed.

11          **SECTION 861.** 20.435 (4) (ds) of the statutes is renumbered 20.435 (7) (dr).

12          **SECTION 863.** 20.435 (4) (e) of the statutes is renumbered 20.435 (1) (c).

13          **SECTION 865.** 20.435 (4) (eb) of the statutes is renumbered 20.435 (1) (cb).

14          **SECTION 866.** 20.435 (4) (g) of the statutes is amended to read:

15          20.435 (4) (g) *Child support collections*. ~~From the All moneys received for the~~  
16 support of dependent children, ~~all moneys not appropriated under par. (ga),~~ to be  
17 distributed in accordance with federal and state laws, rules and regulations.

18          **SECTION 867.** 20.435 (4) (g) of the statutes, as affected by 1995 Wisconsin Act  
19 .... (this act), is renumbered 20.566 (4) (g).

20          **SECTION 868.** 20.435 (4) (ga) of the statutes is renumbered 20.435 (4) (c) and  
21 amended to read:

22          20.435 (4) (c) *Child support collection — county administration*. ~~From the~~  
23 ~~moneys received for the support of dependent children, the~~ The amounts in the  
24 schedule for the county child support order revision programs under s. 46.258 (1), for  
25 state incentive payments under s. 46.258 (2), for assistance to pilot counties in

1 establishing paternity and obtaining child support under ss. 49.25 (8) (a) and 49.27  
2 (10) (e) and for payments to Milwaukee County under s. 49.25 (8) (b) to fund an  
3 additional family court commissioner.

4 **SECTION 870.** 20.435 (4) (i) of the statutes is repealed.

5 **SECTION 871b.** 20.435 (4) (j) of the statutes is amended to read:

6 20.435 (4) (j) (title) *Child support state operations — fees.* All moneys received  
7 from fees charged under s. 46.25 (8) and from fees charged and incentive payments  
8 and collections retained under s. 46.25 (7m), for ~~the purpose of implementing~~  
9 administering the program under s. 46.25 (7m) and (8) and all other purposes  
10 specified in s. 46.25.

11 **SECTION 872b.** 20.435 (4) (j) of the statutes, as affected by 1995 Wisconsin Act  
12 .... (this act), is renumbered 20.566 (4) (ja) and amended to read:

13 20.566 (4) (ja) *Child support state operations — fees.* All moneys received from  
14 fees charged under s. ~~46.25~~ 73.25 (8) and from fees charged and incentive payments  
15 and collections retained under s. ~~46.25~~ 73.25 (7m), for administering the program  
16 under s. ~~46.25~~ 73.25 and all other purposes specified in s. ~~46.25~~ 73.25.

17 **SECTION 873.** 20.435 (4) (jb) of the statutes is renumbered 20.445 (3) (jb).

18 **SECTION 874.** 20.435 (4) (kx) of the statutes is renumbered 20.445 (3) (kx).

19 **SECTION 875.** 20.435 (4) (ky) of the statutes is renumbered 20.445 (3) (ky).

20 **SECTION 876.** 20.435 (4) (kz) of the statutes is renumbered 20.445 (3) (kz).

21 **SECTION 877.** 20.435 (4) (L) of the statutes is amended to read:

22 20.435 (4) (L) *Welfare fraud and error reduction; state operations.* From the  
23 moneys received as the state's share of the recovery of overpayments and incorrect  
24 payments under ss. 49.125 (2), 49.195 ~~and~~, 49.497 (1) and 49.50 (6k) (c), the amounts

1 in the schedule for the department's activities to reduce error and fraud in the food  
2 stamp, aid to families with dependent children and medical assistance programs.

3 **SECTION 878.** 20.435 (4) (L) of the statutes, as affected by 1995 Wisconsin Act  
4 .... (this act), is renumbered 20.445 (3) (L) and amended to read:

5 20.445 (3) (L) *Welfare fraud and error reduction; state operations.* From the  
6 moneys received as the state's share of the recovery of overpayments and incorrect  
7 payments under ss. 49.125 (2), 49.191 (3) (c), 49.195, and 49.497 (1) and ~~49.50 (6k)~~  
8 ~~(e)~~, the amounts in the schedule for the department's activities to reduce error and  
9 fraud in the food stamp, aid to families with dependent children and medical  
10 assistance programs.

11 **SECTION 879.** 20.435 (4) (Lm) of the statutes is amended to read:

12 20.435 (4) (Lm) *Welfare fraud and error reduction; local assistance.* From the  
13 moneys received as the state's share of the recovery of overpayments and incorrect  
14 payments under ss. 49.125 (2), 49.195 and, 49.497 (1) and 49.50 (6k) (c), all moneys  
15 not appropriated under par. (L) for county and tribal activities to reduce error and  
16 fraud in the food stamp, aid to families with dependent children and medical  
17 assistance program.

18 **SECTION 880.** 20.435 (4) (Lm) of the statutes, as affected by 1995 Wisconsin Act  
19 .... (this act), is renumbered 20.445 (3) (Lm) and amended to read:

20 20.445 (3) (Lm) *Welfare fraud and error reduction; local assistance.* From the  
21 moneys received as the state's share of the recovery of overpayments and incorrect  
22 payments under ss. 49.125 (2), 49.191 (3) (c), 49.195, and 49.497 (1) and ~~49.50 (6k)~~  
23 ~~(e)~~, all moneys not appropriated under par. (L) for county and tribal activities to  
24 reduce error and fraud in the food stamp, aid to families with dependent children and  
25 medical assistance program.

1           **SECTION 881.** 20.435 (4) (m) of the statutes is repealed.

2           **SECTION 882.** 20.435 (4) (ma) of the statutes is repealed.

3           **SECTION 883.** 20.435 (4) (mb) of the statutes is repealed.

4           **SECTION 884.** 20.435 (4) (mc) of the statutes is repealed.

5           **SECTION 885.** 20.435 (4) (md) of the statutes is repealed.

6           **SECTION 886.** 20.435 (4) (n) of the statutes is repealed.

7           **SECTION 887.** 20.435 (4) (na) of the statutes is repealed.

8           **SECTION 888.** 20.435 (4) (nL) of the statutes is repealed.

9           **SECTION 889.** 20.435 (4) (p) of the statutes is amended to read:

10           20.435 (4) (p) *Federal aid; income maintenance payments.* All federal moneys  
11 received for meeting costs of county administered public assistance programs under  
12 s. 49.52, ~~the cost of foster care and treatment foster care provided by nonlegally~~  
13 ~~responsible relatives under state or county administered programs~~, the costs of the  
14 child and spousal support and establishment of paternity program under s. 46.25  
15 and the cost of child care and related transportation under s. 49.50 (7) (e).  
16 Disbursements under s. 46.03 (20) may be made from this appropriation. Any  
17 disbursement made under this appropriation to carry out a contract under ss. 46.25  
18 (7) and 59.07 (97) shall be in accordance with the formula established by the  
19 department of health and social services under s. 46.25 (7).

20           **SECTION 890.** 20.435 (4) (p) of the statutes, as affected by 1995 Wisconsin Act  
21 .... (this act), is renumbered 20.445 (3) (p) and amended to read:

22           20.445 (3) (p) *Federal aid; income maintenance payments.* All federal moneys  
23 received for meeting costs of county administered public assistance programs under  
24 s. ~~49.52~~ subch. III of ch. 49, the costs of the child and spousal support and  
25 establishment of paternity program under s. ~~46.25~~ 73.25 and the cost of child care

1 and related transportation under s. ~~49.50 (7) (e)~~ 49.26 (1) (e). Disbursements under  
2 s. 46.03 (20) may be made from this appropriation. Any disbursement made under  
3 this appropriation to carry out a contract under ss. ~~46.25~~ 73.25 (7) and 59.07 (97)  
4 shall be in accordance with the formula established by the department of ~~health and~~  
5 ~~social services revenue~~ under s. ~~46.25~~ 73.25 (7).

6 **SECTION 892b.** 20.435 (4) (pm) of the statutes is renumbered 20.445 (3) (pm)  
7 and amended to read:

8 20.445 (3) (pm) *Employment programs; administration.* All federal moneys  
9 received for the administrative costs associated with the ~~school attendance~~  
10 ~~requirement~~ learnfare program under s. ~~49.50 (7) (g)~~ 49.26 (1), the job opportunities  
11 and basic skills program under s. 49.193 and the food stamp employment and  
12 training program under s. 49.124 (1m), to carry out ~~that purpose~~ those purposes.

13 **SECTION 894b.** 20.435 (4) (ps) of the statutes is renumbered 20.445 (3) (ps) and  
14 amended to read:

15 20.445 (3) (ps) *Employment programs; aids.* All federal moneys received for the  
16 provision or purchase of services for the ~~school attendance requirement~~ learnfare  
17 program under s. ~~49.50 (7) (g)~~ 49.26 (1), the job opportunities and basic skills  
18 program under s. 49.193, the parental responsibility pilot program under s. 49.25  
19 and the food stamp employment and training program under s. 49.124 (1m), to carry  
20 out those purposes.

21 **SECTION 895.** 20.435 (5) (title) of the statutes is renumbered 20.445 (5) (title).

22 **SECTION 896.** 20.435 (5) (a) of the statutes is renumbered 20.445 (5) (a).

23 **SECTION 897.** 20.435 (5) (bm) of the statutes is amended to read:

24 20.435 (5) (bm) *Purchased services for clients.* The amounts in the schedule for  
25 the purchase of goods and services authorized under ch. 47 and for vocational

1 rehabilitation and other independent living services to handicapped persons. The  
2 department shall, in each state fiscal year, transfer from this appropriation to sub.  
3 ~~(7) (ke) \$41,400 if funds are transferred to sub. (7) (ke) from par. (na).~~  
4 Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds  
5 between fiscal years under this paragraph. All funds appropriated for a particular  
6 fiscal year that are transferred to the next fiscal year and are not spent or  
7 encumbered by September 30 of that next fiscal year shall lapse to the general fund  
8 on the succeeding October 1.

9 **SECTION 898.** 20.435 (5) (bm) of the statutes, as affected by 1995 Wisconsin Act  
10 ... (this act), is renumbered 20.445 (5) (bm).

11 **SECTION 899.** 20.435 (5) (d) of the statutes is renumbered 20.435 (7) (d) and  
12 amended to read:

13 20.435 (7) (d) *Telecommunication aid for the hearing impaired.* The amounts  
14 in the schedule for the purpose of providing assistance under the telecommunication  
15 assistance program for the hearing impaired under s. 47.20 ~~46.297~~.

16 **SECTION 900.** 20.435 (5) (e) of the statutes is renumbered 20.445 (5) (e).

17 **SECTION 901.** 20.435 (5) (gg) of the statutes is renumbered 20.445 (5) (gg).

18 **SECTION 902.** 20.435 (5) (gp) of the statutes is renumbered 20.445 (5) (gp).

19 **SECTION 903.** 20.435 (5) (h) of the statutes is renumbered 20.445 (5) (h) and  
20 amended to read:

21 20.445 (5) (h) *Enterprises and services for blind and visually impaired.* All  
22 moneys received from charges on net proceeds from the sale of products and services  
23 through the supervised business enterprise program under s. 47.03 (4), to support  
24 the supervised business enterprise program under s. 47.03 (4); ~~and all moneys~~  
25 ~~received from charges on net proceeds from the operation of vending machines under~~

1 ~~s. 47.03 (7), less the amounts appropriated under par. (hd), to support the supervised~~  
2 ~~business enterprise program under s. 47.03 (4) and to support services provided~~  
3 ~~under s. 47.03 (1).~~

4 **SECTION 904.** 20.435 (5) (hd) of the statutes is renumbered 20.445 (5) (hd) and  
5 amended to read:

6 20.445 (5) (hd) *Rehabilitation teaching aids.* From all the moneys received  
7 from charges on net proceeds from the operation of vending machines under s. 47.03  
8 (7), the amounts in the schedule to ~~provide assistance under the rehabilitation~~  
9 ~~teaching program for blind and visually impaired persons under s. 47.03 (1) (a) be~~  
10 transferred to the department of health and social services under s. 20.435 (7) (kd).

11 **SECTION 905.** 20.435 (5) (hh) of the statutes is renumbered 20.435 (6) (hs) and  
12 amended to read:

13 20.435 (6) (hs) *Interpreter services for hearing impaired.* The amounts in the  
14 schedule for interpreter services for hearing-impaired persons under s. ~~47.03 (10)~~  
15 ~~(a) 46.295 (1).~~ All moneys received from fees charged for the interpreter services  
16 shall be credited to this appropriation.

17 **SECTION 906.** 20.435 (5) (i) of the statutes is repealed.

18 **SECTION 907.** 20.435 (5) (kx) of the statutes is renumbered 20.445 (5) (kx).

19 **SECTION 908.** 20.435 (5) (ky) of the statutes is renumbered 20.445 (5) (ky).

20 **SECTION 909.** 20.435 (5) (kz) of the statutes is renumbered 20.445 (5) (kz).

21 **SECTION 910.** 20.435 (5) (m) of the statutes is repealed.

22 **SECTION 911.** 20.435 (5) (ma) of the statutes is repealed.

23 **SECTION 912.** 20.435 (5) (n) of the statutes is repealed.

24 **SECTION 913.** 20.435 (5) (na) of the statutes is amended to read:

1           20.435 (5) (na) *Federal program aids*. See sub. (9) (na). All federal moneys  
2 received for the purchase of goods and services under ch. 47 and for the purchase of  
3 vocational rehabilitation programs for individuals or organizations. The  
4 department shall, in each state fiscal year, transfer to sub. (7) (kc) up to \$372,900 if  
5 a transfer is authorized by the federal government \$200,000.

6           **SECTION 914.** 20.435 (5) (na) of the statutes, as affected by 1995 Wisconsin Act  
7 .... (this act), is renumbered 20.445 (5) (na) and amended to read:

8           20.445 (5) (na) *Federal program aids*. See ~~sub. (9) (na)~~. All moneys received  
9 from the federal government or any of its agencies for continuing programs to be  
10 expended as aids to individuals or organizations for the purposes specified. All  
11 federal moneys received for the purchase of goods and services under ch. 47 and for  
12 the purchase of vocational rehabilitation programs for individuals or organizations.  
13 The department shall, in each state fiscal year, transfer to sub. s. 20.435 (7) (kc) up  
14 to \$200,000.

15           **SECTION 915.** 20.435 (5) (nL) of the statutes is repealed.

16           **SECTION 916.** 20.435 (6) (cf) of the statutes is renumbered 20.435 (3) (cf).

17           **SECTION 918m.** 20.435 (6) (dg) of the statutes is renumbered 20.435 (3) (dg).

18           **SECTION 919.** 20.435 (6) (dh) of the statutes is repealed.

19           **SECTION 920.** 20.435 (6) (dm) of the statutes is repealed.

20           **SECTION 921b.** 20.435 (6) (ed) of the statutes is amended to read:

21           20.435 (6) (ed) *Administrative expenses for state supplement to federal*  
22 *supplemental security income program*. A sum sufficient to pay for administrative  
23 fees charged by the federal government for federal administration of state  
24 supplemental grants to supplemental security income recipients under s. 49.177. No

**SECTION 921b**

1 funds from this appropriation may be encumbered to pay for federal administrative  
2 fees for state supplemental grants paid to recipients after January 1, 1996.

3 **SECTION 921c.** 20.435 (6) (ed) of the statutes, as affected by 1995 Wisconsin Act  
4 .... (this act), is repealed.

5 **SECTION 922b.** 20.435 (6) (ee) of the statutes is created to read:

6 20.435 (6) (ee) *Administrative expenses for state supplement to federal*  
7 *supplemental security income program.* The amounts in the schedule for state  
8 administration of state supplemental grants to supplemental security income  
9 recipients under s. 49.177.

10 **SECTION 922c.** 20.435 (6) (ee) of the statutes, as created by 1995 Wisconsin Act  
11 .... (this act), is amended to read:

12 20.435 (6) (ee) *Administrative expenses for state supplement to federal*  
13 *supplemental security income program.* The amounts in the schedule for state  
14 administration of state supplemental grants to supplemental security income  
15 recipients under s. ~~49.177~~ 49.77.

16 **SECTION 923.** 20.435 (6) (ga) of the statutes is amended to read:

17 20.435 (6) (ga) (title) *Community-based residential facility monitoring and*  
18 *receivership operations.* All moneys received as payments from medical assistance  
19 and from all other sources to reimburse the department for the ~~cost of~~ costs of placing  
20 a monitor in a community-based residential facility under s. 50.05 (2) and (3),  
21 receivership of a community-based residential facility and operation of a  
22 community-based residential facility held in receivership by the department under  
23 s. 50.05 (4) and (5).

24 **SECTION 924.** 20.435 (6) (hx) of the statutes is amended to read:

1           20.435 (6) (hx) *Services for drivers, receipts.* The amounts in the schedule for  
2 services for drivers. Of the moneys received from the driver improvement surcharge  
3 on court fines and forfeitures authorized under s. 346.655, 15% shall be credited to  
4 this appropriation. These moneys may be transferred to sub. (7) (hy) and ss. 20.255  
5 (1) (hm), 20.285 (1) (ia) and 20.455 (5) (h) by the secretary of administration after  
6 consultation with the secretaries of health and social services, education and  
7 transportation, ~~the superintendent of public instruction,~~ the attorney general and  
8 the president of the university of Wisconsin system.

9           **SECTION 925.** 20.435 (6) (jg) of the statutes is amended to read:

10           20.435 (6) (jg) *State child care program operations.* All moneys transferred  
11 from sub. (7) (b) under s. 46.40 (3) (b) 2., 1993 stats., and s. 46.40 (4) (c), 1993 stats.,  
12 for the purposes of providing child care services under s. ss. 46.98 (2m), (3) and (4g)  
13 ~~in counties with unmet needs, for providing start-up and expansion grants for child~~  
14 ~~care facilities under s. 46.986 and 49.50 (6e) (b) and (6g),~~ for providing training for  
15 child care providers, and for automating state child care licensing. All moneys  
16 transferred from sub. (7) (b) under s. 46.40 (3) (b) 2., 1993 stats., and s. 46.40 (4) (c),  
17 1993 stats., shall be distributed as ~~determined by the department~~ in the calendar  
18 year immediately following the transfer according to an expenditure plan that is  
19 determined by the department and approved by the secretary of administration.

20           **SECTION 926.** 20.435 (6) (jg) of the statutes, as affected by 1995 Wisconsin Act  
21 .... (this act), is renumbered 20.435 (3) (jg) and amended to read:

22           20.435 (3) (jg) *State child care program operations.* All moneys transferred  
23 from sub. (7) (b) under s. 46.40 (3) (b) 2., 1993 stats., and s. 46.40 (4) (c), 1993 stats.,  
24 for the purposes of providing child care services under ss. 46.98 (2m), (3) and (4g) and  
25 ~~49.50 (6e) (b) and (6g)~~ 49.191 (1) (b) and (2), for providing training for child care

1 providers, and for automating state child care licensing. All moneys transferred  
2 from sub. (7) (b) under s. 46.40 (3) (b) 2., 1993 stats., and s. 46.40 (4) (c), 1993 stats.,  
3 shall be distributed in the calendar year immediately following the transfer  
4 according to an expenditure plan that is determined by the department and approved  
5 by the secretary of administration.

6 **SECTION 927.** 20.435 (6) (jj) of the statutes is renumbered 20.435 (3) (jj).

7 **SECTION 928.** 20.435 (6) (km) of the statutes is repealed.

8 **SECTION 929.** 20.435 (6) (kx) of the statutes is amended to read:

9 20.435 (6) (kx) *Interagency and intra-agency programs.* All moneys received  
10 from other state agencies and all moneys received by the department from the  
11 department ~~not directed to be deposited under par. (km)~~ for the administration of  
12 programs or projects for which received.

13 **SECTION 930.** 20.435 (6) (n) of the statutes is amended to read:

14 20.435 (6) (n) *Federal program operations.* See sub. (9) (n). ~~All moneys~~  
15 ~~transferred from sub. (7) (o) under s. 46.40 (3) (b) 2. and (4) (c) for the purposes of~~  
16 ~~providing child care services under s. 46.98 (2m), (3) and (4g) in counties with unmet~~  
17 ~~needs, for providing start-up and expansion grants for child care facilities under s.~~  
18 ~~46.986 and for providing training for child care providers. All moneys transferred~~  
19 ~~from sub. (7) (o) under s. 46.40 (3) (b) 2. and (4) (c) shall be distributed as determined~~  
20 ~~by the department in the calendar year immediately following the transfer.~~

21 **SECTION 931.** 20.435 (7) (b) of the statutes is amended to read:

22 20.435 (7) (b) *Community aids.* The amounts in the schedule for human  
23 services under s. 46.40, for reimbursement to counties having a population of less  
24 than 500,000 for the cost of court attached intake services under s. 48.06 (4), for  
25 shelter care under ss. 48.22 and 48.58 and for foster care and treatment foster care

**SECTION 931**

1 under s. 49.19 (10). Social services disbursements under s. 46.03 (20) (b) may be  
2 made from this appropriation. Refunds received relating to payments made under  
3 s. 46.03 (20) (b) for the provision of services for which moneys are appropriated under  
4 this paragraph shall be returned to this appropriation. Notwithstanding ss. 20.001  
5 (3) (a) and 20.002 (1), the department of health and social services may transfer funds  
6 between fiscal years under this paragraph. The department shall deposit into this  
7 appropriation funds it recovers under ss. ~~49.52 (2) (b)~~ 46.495 (2) (b) and 51.423 (15)  
8 from prior year audit adjustments including those resulting from audits of services  
9 under s. 46.26, 1993 stats., or s. 46.27. Except for amounts authorized to be carried  
10 forward under s. 46.45, all funds recovered under ss. ~~49.52 (2) (b)~~ 46.495 (2) (b) and  
11 51.423 (15) and all funds allocated under s. 46.40 and not spent or encumbered by  
12 December 31 of each year shall lapse to the general fund on the succeeding January  
13 1 unless carried forward to the next calendar year by the joint committee on finance.

14 **SECTION 932.** 20.435 (7) (bb) of the statutes is repealed.

15 **SECTION 932m.** 20.435 (7) (bc) of the statutes is amended to read:

16 20.435 (7) (bc) *Grants for community programs.* The amounts in the schedule  
17 for grants for community programs under s. 46.48. Notwithstanding ss. 20.001 (3)  
18 (a) and 20.002 (1), the department may transfer funds between fiscal years under  
19 this paragraph. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department  
20 of health and social services may credit or deposit into this appropriation funds for  
21 the purpose specified in s. 46.48 (13) that the department transfers from the  
22 appropriation under par. (bL) that are allocated by the department under that  
23 appropriation but unexpended or unencumbered on June 30 of each year. Except for  
24 amounts authorized to be carried forward under s. 46.48, all funds allocated but not  
25 encumbered by December 31 of each year lapse to the general fund on the next

1 January 1 unless carried forward to the next calendar year by the joint committee  
2 on finance.

3 **SECTION 933.** 20.435 (7) (bd) of the statutes is amended to read:

4 20.435 (7) (bd) *Community options program and long-term support pilot*  
5 *projects.* The amounts in the schedule for assessments, case planning, services and  
6 administration under s. 46.27 and for pilot projects for home and community-based  
7 long-term support services under s. 46.271. Notwithstanding ss. 20.001 (3) (a) and  
8 20.002 (1), the department may under this paragraph transfer moneys between  
9 fiscal years. Except for moneys authorized for transfer under this appropriation or  
10 under s. 46.27 (7) (fm) or (g), all moneys under this appropriation that are allocated  
11 under s. 46.27 and are not spent or encumbered by counties by December 31 of each  
12 year shall lapse to the general fund on the succeeding January 1 unless transferred  
13 to the next calendar year by the joint committee on finance. ~~Notwithstanding ss.~~  
14 ~~20.001 (3) (a) and 20.002 (1), the department may credit or deposit into this~~  
15 ~~appropriation funds that it transfers from the appropriation under sub. (1) (b) for the~~  
16 ~~purposes specified in s. 49.45 (6v).~~

17 **SECTION 934.** 20.435 (7) (bf) of the statutes is repealed.

18 **SECTION 935.** 20.435 (7) (bj) of the statutes is renumbered 20.435 (2) (bj).

19 **SECTION 935m.** 20.435 (7) (bL) of the statutes is amended to read:

20 20.435 (7) (bL) *Community support program grants.* The amounts in the  
21 schedule for one-time grants under s. 51.423 (3) to counties that currently do not  
22 operate certified community support programs. Notwithstanding s. 20.002 (1), the  
23 department of health and social services may transfer from this appropriation to the  
24 appropriation under par. (bc) funds as specified in par. (bc).

25 **SECTION 936.** 20.435 (7) (bm) of the statutes is created to read:

1           20.435 (7) (bm) *Purchased services for clients*. The amounts in the schedule for  
2 the purchase of goods and services authorized under s. 46.293.

3           **SECTION 937.** 20.435 (7) (bt) of the statutes is renumbered 20.435 (3) (bt).

4           **SECTION 938.** 20.435 (7) (cb) of the statutes is renumbered 20.435 (1) (cd).

5           **SECTION 939.** 20.435 (7) (cf) of the statutes is repealed.

6           **SECTION 940.** 20.435 (7) (cm) of the statutes is repealed.

7           **SECTION 941.** 20.435 (7) (co) of the statutes is renumbered 20.435 (3) (co).

8           **SECTION 942m.** 20.435 (7) (dd) of the statutes is renumbered 20.435 (3) (dd) and  
9 amended to read:

10           20.435 (3) (dd) *State foster care and adoption services*. The amounts in the  
11 schedule for foster care, treatment foster care, institutional child care and subsidized  
12 adoptions under ss. 48.48 (4), (12) and (14) and 48.52, for the cost of care for children  
13 under s. 49.19 (10) (d) and for the cost of the foster care monitoring system.

14           **SECTION 943.** 20.435 (7) (de) of the statutes is repealed.

15           **SECTION 945.** 20.435 (7) (ds) of the statutes is repealed.

16           **SECTION 946.** 20.435 (7) (ed) of the statutes is amended to read:

17           20.435 (7) (ed) *State supplement to federal supplemental security income*  
18 *program*. A sum sufficient for payments of supplemental grants to supplemental  
19 security income recipients under s. ~~49.177~~ 49.77.

20           **SECTION 947.** 20.435 (7) (eg) of the statutes is amended to read:

21           20.435 (7) (eg) *Programs for adolescents and adolescent parents*. The amounts  
22 in the schedule for the provision of adolescent self-sufficiency and pregnancy  
23 prevention programs under s. 46.995, for adolescent services under s. 46.996 and for  
24 adolescent choices project grants under s. 46.997 (2).

1           **SECTION 948.** 20.435 (7) (eg) of the statutes, as affected by 1995 Wisconsin Act  
2 .... (this act), is renumbered 20.435 (3) (eg).

3           **SECTION 949.** 20.435 (7) (er) of the statutes is repealed.

4           **SECTION 950.** 20.435 (7) (hh) of the statutes is renumbered 20.435 (1) (hh).

5           **SECTION 950m.** 20.435 (7) (hz) of the statutes is created to read:

6           20.435 (7) (hz) *Services for drivers, supplement to assistance.* The amounts in  
7 the schedule for the purpose of s. 51.42 for drivers referred through assessment, to  
8 be distributed by the department to supplement funding to counties that otherwise  
9 have costs in excess of revenues for treatment of drivers referred through  
10 assessment. Of the moneys received from the driver improvement surcharge on  
11 court fines and forfeitures authorized under s. 346.655, 14.2% shall be credited to  
12 this appropriation.

13           **SECTION 951.** 20.435 (7) (ie) of the statutes is amended to read:

14           20.435 (7) (ie) *Child care start-up and expansion grant repayments.* All moneys  
15 received in repayment of child care start-up and expansion grants under s. 46.986  
16 ~~(3) to (5)~~ (2) to be used for child care quality improvement activities under s. 46.987  
17 (2) to (4).

18           **SECTION 952.** 20.435 (7) (ie) of the statutes, as affected by 1995 Wisconsin Act  
19 .... (this act), is repealed.

20           **SECTION 952m.** 20.435 (7) (im) of the statutes is created to read:

21           20.435 (7) (im) *Community options program; recovery of costs of care.* From the  
22 moneys received from the recovery of costs of care under ss. 46.27 (7g) and 867.035,  
23 all moneys not appropriated under sub. (1) (in), for payments to county departments  
24 and aging units under s. 46.27 (7g) (d), payment of claims under s. 867.035 (3) and

1 payments for long-term community support services funded under s. 46.27 (7) as  
2 provided in ss. 46.27 (7g) (e) and 867.035 (4m).

3 **SECTION 953.** 20.435 (7) (kb) of the statutes is amended to read:

4 20.435 (7) (kb) *Severely emotionally disturbed children.* As a continuing  
5 appropriation, all moneys transferred from the appropriation under sub. (1) (b) to  
6 this appropriation to provide, under s. 46.485, mental health care and treatment and  
7 community-based mental health services for severely emotionally disturbed  
8 children. Notwithstanding s. 20.002 (1), the department of health and social services  
9 may transfer from this appropriation to the appropriation under sub. (1) (b) funds  
10 as specified in s. 46.485 ~~(3)~~ (3r).

11 **SECTION 954.** 20.435 (7) (kb) of the statutes, as affected by 1995 Wisconsin Act  
12 .... (this act), is renumbered 20.435 (3) (kb).

13 **SECTION 955.** 20.435 (7) (kc) of the statutes is amended to read:

14 20.435 (7) (kc) *Independent living center grants.* The amounts in the schedule  
15 for the purpose of making grants to independent living centers for the severely  
16 disabled under s. 46.96. All moneys transferred from sub. (5) ~~(bm)~~ and (na) for the  
17 purpose of providing grants to independent living centers for the severely disabled  
18 under s. 46.96 shall be credited to this appropriation.

19 **SECTION 956.** 20.435 (7) (kc) of the statutes, as affected by 1995 Wisconsin Act  
20 .... (this act), is amended to read:

21 20.435 (7) (kc) *Independent living center grants.* The amounts in the schedule  
22 for the purpose of making grants to independent living centers for the severely  
23 disabled under s. 46.96. All moneys transferred from sub. s. 20.445 (5) (na) for the  
24 purpose of providing grants to independent living centers for the severely disabled  
25 under s. 46.96 shall be credited to this appropriation.

1           **SECTION 957.** 20.435 (7) (kd) of the statutes is created to read:

2           20.435 (7) (kd) *Rehabilitation teaching aids.* All moneys transferred from the  
3 appropriation under s. 20.445 (5) (hd) to provide assistance under the rehabilitation  
4 teaching program for blind and visually impaired persons under s. 46.293 (1) (a).

5           **SECTION 958.** 20.435 (7) (o) of the statutes is amended to read:

6           20.435 (7) (o) *Federal aid; community aids.* ~~Except as provided in par. (pm),~~  
7 ~~all~~ All federal moneys received in amounts pursuant to allocation plans developed  
8 by the department for the provision or purchase of services authorized under par. (b)  
9 and s. 46.70; all federal moneys received as child welfare funds under 42 USC 620  
10 to 626 as limited under s. 48.985; all federal child care and development block grant  
11 funds received under 42 USC 9858 that are allocated under s. 46.40 (4) (a) (2m) (c)  
12 for distribution under s. 46.98 (2); all federal moneys received as child care grants  
13 under 42 USC 603 (n) as allocated under s. 46.40 (4) (a) (2m) (c) and distributed under  
14 s. 46.98 (2); and all unanticipated federal social services block grant funds received  
15 under 42 USC 1397 to 1397e, in accordance with s. 46.49 (2), for distribution under  
16 s. 46.40. Disbursements from this appropriation may be made directly to counties for  
17 social and mental hygiene services under s. 46.03 (20) (b) or 46.031 or directly to  
18 counties in accordance with federal requirements for the disbursement of federal funds  
19 ~~or directly to tribal governing bodies under s. 46.70.~~

20           **SECTION 959m.** 20.435 (7) (pd) of the statutes is renumbered 20.435 (3) (pd) and  
21 amended to read:

22           20.435 (3) (pd) *Federal aid; state foster care and adoption services.* All federal  
23 moneys received for meeting the costs of providing foster care, treatment foster care  
24 and institutional child care under ss. ~~48.48 (4) and (14) and~~ s. 48.52, and for the cost  
25 of care for children under s. 49.19 (10) (d). Disbursements for foster care under s.

1 46.03 (20) and for the purposes described under s. 48.627 may be made from this  
2 appropriation.

3 **SECTION 960.** 20.435 (7) (pm) of the statutes is repealed.

4 **SECTION 961.** 20.435 (8) (ka) of the statutes is created to read:

5 20.435 (8) (ka) *Information technology development projects.* The amounts in  
6 the schedule for the purpose of conducting information technology development  
7 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
8 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
9 account.

10 **SECTION 961m.** 20.435 (8) (pz) of the statutes is amended to read:

11 20.435 (8) (pz) *Indirect cost reimbursements.* All moneys received from the  
12 federal government as reimbursement of indirect costs of grants and contracts for the  
13 purposes authorized in s. 16.54 (9) (b), as limited by s. 16.54 (9) (bd).

14 **SECTION 961r.** 20.435 (9) (i) of the statutes is amended to read:

15 20.435 (9) (i) *Gifts and grants.* All moneys received from gifts, grants,  
16 donations, ~~and the girls school benevolent trust fund under s. 25.31~~ and burial trusts  
17 for the execution of its the department's functions consistent with the purpose of the  
18 gift, grant, donation or trust. In this section, expenditure estimates from gifts and  
19 grants are assigned paragraph letter (i) in the schedule of each applicable subsection.

20 **SECTION 962.** 20.445 (1) (bc) of the statutes is amended to read:

21 20.445 (1) (bc) *Assistance for dislocated workers.* The amounts in the schedule  
22 for providing grants under s. ~~101.27~~ 106.15.

23 **SECTION 963.** 20.445 (1) (cm) of the statutes is amended to read:

24 20.445 (1) (cm) *Wisconsin service corps member compensation and support.* As  
25 a continuing appropriation, the amounts in the schedule for the payment of

1 Wisconsin service corps member compensation and for other costs of projects under  
2 the Wisconsin service corps program under s. ~~101.38~~ 106.21 if those costs are not paid  
3 by project sponsors. Corps member compensation includes the cost of salaries,  
4 benefits and education vouchers.

5 **SECTION 964.** 20.445 (1) (de) of the statutes is renumbered 20.143 (3) (de).

6 **SECTION 965.** 20.445 (1) (dm) of the statutes is renumbered 20.143 (3) (dm).

7 **SECTION 966.** 20.445 (1) (e) of the statutes is amended to read:

8 20.445 (1) (e) *Wisconsin job opportunity business subsidy program.* Biennially,  
9 the amounts in the schedule for the Wisconsin job opportunity business subsidy  
10 program under s. ~~101.35~~ 106.20. This paragraph does not apply after June 30, 1993.

11 **SECTION 967.** 20.445 (1) (em) of the statutes is amended to read:

12 20.445 (1) (em) (title) *Youth apprenticeship program training grants.* The  
13 amounts in the schedule for ~~the youth apprenticeship program under s. 101.265,~~  
14 ~~including~~ youth apprenticeship training grants under s. 101.265 (4) (b).

15 **SECTION 968.** 20.445 (1) (em) of the statutes, as affected by 1995 Wisconsin Act  
16 .... (this act), is repealed and recreated to read:

17 20.445 (1) (em) *Youth apprenticeship training grants.* The amounts in the  
18 schedule for youth apprenticeship training grants under s. 106.13 (4) (b).

19 **SECTION 969.** 20.445 (1) (ep) of the statutes is amended to read:

20 20.445 (1) (ep) *Career counseling centers.* The amounts in the schedule to  
21 provide career counseling centers under s. ~~101.267~~ 106.14.

22 **SECTION 969m.** 20.445 (1) (ep) of the statutes, as affected by 1995 Wisconsin  
23 Act .... (this act), is repealed.

24 **SECTION 970.** 20.445 (1) (er) of the statutes is repealed.

25 **SECTION 971.** 20.445 (1) (ev) of the statutes is amended to read:

1           20.445 (1) (ev) (title) *Office Division of workforce excellence*. The amounts in  
2 the schedule for the office general program operations of the division of workforce  
3 excellence under s. ss. 101.264 and 101.265.

4           **SECTION 972.** 20.445 (1) (ev) of the statutes, as affected by 1995 Wisconsin Act  
5 .... (this act), is repealed and recreated to read:

6           20.445 (1) (ev) *Division of workforce excellence*. The amounts in the schedule  
7 for the general program operations of the division of workforce excellence under s.  
8 106.12 and 106.13.

9           **SECTION 973.** 20.445 (1) (f) of the statutes is amended to read:

10           20.445 (1) (f) *Death and disability benefit payments; public insurrections*. A  
11 sum sufficient for the payment of death and disability benefits under s. ~~101.47~~  
12 106.25.

13           **SECTION 974.** 20.445 (1) (ga) of the statutes is amended to read:

14           20.445 (1) (ga) *Auxiliary services*. All moneys received from fees collected  
15 under ss. 101.02 (18) and (18m), 101.23 (7) and 102.16 (2m) (d) for the delivery of  
16 services under ss. 101.02 (18) and (18m), 101.23 and 102.16 (2m) (f) and ch. 108.

17           **SECTION 975.** 20.445 (1) (ga) of the statutes, as affected by 1995 Wisconsin Act  
18 .... (this act), is amended to read:

19           20.445 (1) (ga) *Auxiliary services*. All moneys received from fees collected  
20 under ss. ~~101.02 (18) and (18m), 101.23 (7) and 102.16 (2m) (d), 103.005 (15) and~~  
21 106.09 (7) for the delivery of services under ss. ~~101.02 (18) and (18m), 101.23 and~~  
22 102.16 (2m) (f), 103.005 (15) and 106.09 and ch. 108.

23           **SECTION 976.** 20.445 (1) (gf) of the statutes is amended to read:

24           20.445 (1) (gf) *Employment security administration*. From the moneys received  
25 as interest and penalties collected under ss. 108.04 (11) (c) and (13) (c) and 108.22,

1 the amounts in the schedule for the administration of employment service programs  
2 and unemployment compensation programs under ch. 108 and s. ~~101.23~~ 106.09 and  
3 federal or state unemployment compensation programs authorized by the governor  
4 under s. 16.54; and for payments to satisfy any federal audit exception concerning  
5 a payment from the unemployment reserve fund or any federal aid disallowance  
6 involving the unemployment compensation program.

7 **SECTION 977.** 20.445 (1) (h) of the statutes is renumbered 20.143 (3) (h).

8 **SECTION 978.** 20.445 (1) (j) of the statutes is amended to read:

9 20.445 (1) (j) *Safety and building operations.* The amounts in the schedule for  
10 the purposes of subchs. I, II, III, IV and VI of ch. 101, chs. 145 and 168 and ss. 236.12  
11 (2) (a), 236.13 (1) (d) and (2m) and 236.335. All moneys received under ch. 145 and  
12 ss. 101.177 (4) (a) 4., 101.178, 101.19, 101.63 (9), 101.654 (3), 101.73 (12), 101.82 (4),  
13 101.973 (7), ~~168.12 (6)~~ and 236.12 (7) shall be credited to this appropriation.

14 **SECTION 978m.** 20.445 (1) (j) of the statutes, as affected by 1995 Wisconsin Act  
15 .... (this act), section 978, is amended to read:

16 20.445 (1) (j) *Safety and building operations.* The amounts in the schedule for  
17 the purposes of subchs. I, II, III, IV and VI of ch. 101, chs. 145 and 168 and ss. 236.12  
18 (2) (a), 236.13 (1) (d) and (2m) and 236.335. All moneys received under ch. 145 and  
19 ss. 101.177 (4) (a) 4., 101.178, 101.19, 101.63 (9), 101.654 (3), 101.73 (12), 101.82 (4),  
20 101.973 (7) and 236.12 (7), less the amounts appropriated under s. 20.143 (7) (jz),  
21 shall be credited to this appropriation.

22 **SECTION 979.** 20.445 (1) (j) of the statutes, as affected by 1995 Wisconsin Act  
23 .... (this act), sections 978 and 978m, is renumbered 20.143 (3) (j) and amended to  
24 read:

1           20.143 (3) (j) *Safety and building operations*. The amounts in the schedule for  
2 the purposes of subchs. I, II, III, IV and VI of ch. 101, and chs. 145 and 168 and ss.  
3 ~~236.12 (2) (a), 236.13 (1) (d) and (2m) and 236.335~~. All moneys received under ch. 145  
4 and ss. 101.177 (4) (a) 4., 101.178, 101.19, 101.63 (9), 101.654 (3), 101.73 (12), 101.82  
5 (4), and 101.973 (7) and ~~236.12 (7)~~, less the amounts appropriated under s. 20.143  
6 ~~(7) (jz)~~, shall be credited to this appropriation.

7           **SECTION 980.** 20.445 (1) (jm) of the statutes is amended to read:

8           20.445 (1) (jm) *Dislocated worker program grants*. All moneys received from  
9 the business closing surcharge under s. 109.07 (4m), for providing grants under s.  
10 ~~101.27~~ 106.15.

11           **SECTION 981.** 20.445 (1) (jr) of the statutes is amended to read:

12           20.445 (1) (jr) *Wisconsin service corps member compensation and support;*  
13 *sponsor contribution*. All moneys received under agreements entered into under s.  
14 ~~101.38~~ 106.21 (7) (c) with local units of government and nonprofit organizations for  
15 the payment of the sponsor's share of costs for projects including the payment of any  
16 corps member compensation as specified in those agreements. Corps member  
17 compensation includes the cost of salaries, benefits, incentive payments and  
18 vouchers.

19           **SECTION 981s.** 20.445 (1) (k) of the statutes is amended to read:

20           20.445 (1) (k) *Fees*. All moneys received from fees charged to counties and to  
21 the department of ~~health and social services~~ revenue under ss. ~~46.25~~ 73.25 (8) and  
22 108.13 (4) (f) for administrative costs incurred in the enforcement of child and  
23 spousal support obligations under 42 USC 654.

24           **SECTION 982.** 20.445 (1) (kb) of the statutes is repealed.

25           **SECTION 983.** 20.445 (1) (kc) of the statutes is amended to read:

1           20.445 (1) (kc) *Administrative services.* The amounts in the schedule for  
2 administrative and support services for programs administered by the department.  
3 All moneys received by the department from the department, ~~not directed to be~~  
4 ~~deposited under par. (kb)~~, as payment for administrative and support services for  
5 programs administered by the department shall be credited to this appropriation.

6           **SECTION 984.** 20.445 (1) (kd) of the statutes is created to read:

7           20.445 (1) (kd) *Information technology development projects.* The amounts in  
8 the schedule for the purpose of conducting information technology development  
9 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
10 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
11 account.

12           **SECTION 985.** 20.445 (1) (km) of the statutes is amended to read:

13           20.445 (1) (km) *Wisconsin service corps member compensation and support;*  
14 *service funds.* All moneys received under agreements entered into under s. ~~101.38~~  
15 106.21 (7) (c) with state agencies for the payment of the sponsor's share of costs for  
16 projects including the payment of any corps member compensation as specified in  
17 those agreements. Corps member compensation includes the cost of salaries,  
18 benefits, incentive payments and vouchers.

19           **SECTION 987.** 20.445 (1) (L) of the statutes is renumbered 20.143 (3) (L).

20           **SECTION 988.** 20.445 (1) (La) of the statutes is renumbered 20.143 (3) (La).

21           **SECTION 989.** 20.445 (1) (n) of the statutes is amended to read:

22           20.445 (1) (n) *Unemployment administration; federal moneys.* All federal  
23 moneys received for the employment service under s. ~~101.23~~ 106.09 (4) to (6) or for  
24 the administration of unemployment compensation under ch. 108, and any federal  
25 moneys paid to the department for the performance of its functions under ch. 108,

1 and for its conduct of public employment offices consistent with s. ~~101.23~~ 106.09 (4)  
2 to (6), and for its other efforts to regularize employment; to pay the compensation and  
3 expenses of appeal tribunals and of councils; and to pay allowances stimulating  
4 education during unemployment.

5 **SECTION 990.** 20.445 (1) (q) of the statutes is renumbered 20.143 (3) (q).

6 **SECTION 991.** 20.445 (1) (r) of the statutes is renumbered 20.143 (3) (r).

7 **SECTION 992.** 20.445 (1) (v) of the statutes is renumbered 20.143 (3) (v).

8 **SECTION 993.** 20.445 (1) (w) of the statutes is renumbered 20.143 (3) (w) and  
9 amended to read:

10 20.143 (3) (w) *Petroleum storage environmental remedial action;*  
11 *administration.* From the petroleum inspection fund, the amounts in the schedule  
12 for the administration of s. ss. 101.143 and 101.144.

13 **SECTION 999.** 20.445 (3) (br) of the statutes is created to read:

14 20.445 (3) (br) *Public assistance reform studies.* As a continuing appropriation,  
15 the amounts in the schedule for the studies of public assistance reform under s. 49.32  
16 (6), for a study of the school attendance requirement under the learnfare pilot  
17 program for children who are 6 to 12 years of age and for the evaluation of the  
18 parental responsibility pilot program under s. 49.25 (9).

19 **SECTION 1000.** 20.445 (3) (i) of the statutes is created to read:

20 20.445 (3) (i) *Gifts and grants.* All moneys received from gifts, grants,  
21 donations and burial trusts for the execution of the department's functions  
22 consistent with the purpose of the gift, grant, donation or trust.

23 **SECTION 1001.** 20.445 (3) (m) of the statutes is created to read:

**SECTION 1001**

1           20.445 (3) (m) *Federal project operations*. All moneys received from the federal  
2 government or any of its agencies for the state administration of specific limited term  
3 projects to be expended for the purposes specified.

4           **SECTION 1002.** 20.445 (3) (ma) of the statutes is created to read:

5           20.445 (3) (ma) *Federal project aids*. All moneys received from the federal  
6 government or any of its agencies for specific limited term projects to be expended  
7 as aids to individuals or organizations for the purposes specified.

8           **SECTION 1003.** 20.445 (3) (mb) of the statutes is created to read:

9           20.445 (3) (mb) *Federal project local assistance*. All moneys received from the  
10 federal government or any of its agencies for specific limited term projects to be  
11 expended as local assistance for the purposes specified.

12           **SECTION 1004.** 20.445 (3) (mc) of the statutes is created to read:

13           20.445 (3) (mc) *Federal block grant operations*. All block grant moneys received  
14 from the federal government or any of its agencies for the state administration of  
15 federal block grants for the purposes specified.

16           **SECTION 1005.** 20.445 (3) (md) of the statutes is created to read:

17           20.445 (3) (md) *Federal block grant aids*. All block grant moneys received from  
18 the federal government or any of its agencies to be expended as aids to individuals  
19 or organizations.

20           **SECTION 1006.** 20.445 (3) (n) of the statutes is created to read:

21           20.445 (3) (n) *Federal program operations*. All moneys received from the  
22 federal government or any of its agencies for the state administration of continuing  
23 programs to be expended for the purposes specified.

24           **SECTION 1007.** 20.445 (3) (na) of the statutes is created to read:

**SECTION 1007**

1           20.445 (3) (na) *Federal program aids*. All moneys received from the federal  
2 government or any of its agencies for continuing programs to be expended as aids to  
3 individuals or organizations for the purposes specified.

4           **SECTION 1008.** 20.445 (3) (nL) of the statutes is created to read:

5           20.445 (3) (nL) *Federal program local assistance*. All moneys received from the  
6 federal government or any of its agencies for continuing programs to be expended as  
7 local assistance for the purposes specified, except that the following amounts shall  
8 lapse from this appropriation to the general fund: in each calendar year, 55% of the  
9 federal moneys made available to support prosecution of welfare fraud in this state,  
10 as determined by the secretary of administration.

11           **SECTION 1009.** 20.445 (5) (he) of the statutes is created to read:

12           20.445 (5) (he) *Supervised business enterprise*. All moneys not appropriated  
13 under par. (hd) received from the charges on net proceeds from the operation of  
14 vending machines under s. 47.03 (7) to support the supervised business enterprise  
15 program under s. 47.03 (4).

16           **SECTION 1010.** 20.445 (5) (i) of the statutes is created to read:

17           20.445 (5) (i) *Gifts and grants*. All moneys received from gifts, grants and  
18 bequests for the execution of its functions consistent with the purpose of the gift,  
19 grant or bequest.

20           **SECTION 1011.** 20.445 (5) (m) of the statutes is created to read:

21           20.445 (5) (m) *Federal project operations*. All moneys received from the federal  
22 government or any of its agencies for the state administration of specific  
23 limited-term projects to be expended for the purposes specified.

24           **SECTION 1012.** 20.445 (5) (ma) of the statutes is created to read:

1           20.445 (5) (ma) *Federal project aids*. All moneys received from the federal  
2 government, as authorized by the governor under s. 16.54, for specific limited-term  
3 projects to be expended as aids to individuals or organizations for the purposes  
4 specified.

5           **SECTION 1013.** 20.445 (5) (n) of the statutes is created to read:

6           20.445 (5) (n) *Federal program operations*. All moneys received from the  
7 federal government, as authorized by the governor under s. 16.54, for the state  
8 administration of continuing programs to be expended for the purposes specified.

9           **SECTION 1014.** 20.445 (5) (nL) of the statutes is created to read:

10          20.445 (5) (nL) *Federal program local assistance*. All moneys received from the  
11 federal government, as authorized by the governor under s. 16.54, for continuing  
12 programs to be expended as local assistance for the purposes specified.

13          **SECTION 1014c.** 20.445 (6) (title) of the statutes is created to read:

14          20.445 (6) (title) WISCONSIN CONSERVATION CORPS.

15          **SECTION 1014e.** 20.455 (1) (g) of the statutes is created to read:

16          20.455 (1) (g) *District attorney computer network*. The amounts in the schedule  
17 for maintenance of the district attorney computer network under s. 165.94. All  
18 moneys received from the penalty assessment surcharge on court fines and  
19 forfeitures as allocated under s. 165.87 (1) (bd) shall be credited to this appropriation  
20 account.

21          **SECTION 1014h.** 20.455 (1) (gh) of the statutes is created to read:

22          20.455 (1) (gh) *Investigation and prosecution*. The amounts in the schedule for  
23 the expenses of investigation and prosecution of violations, including attorney fees,  
24 under ss. 49.49 (6), 100.263, 133.16, 144.99 and 147.21 (5). Ten percent of all moneys  
25 received under ss. 49.49 (6), 100.263, 133.16, 144.99 and 147.21 (5), for the expenses

**SECTION 1014h**

1 of investigation and prosecution of violations, including attorney fees, shall be  
2 credited to this appropriation account.

3 **SECTION 1014m.** 20.455 (1) (gm) of the statutes is created to read:

4 20.455 (1) (gm) *Remediation of harmful effects.* All moneys received under ss.  
5 49.49 (6), 100.263 and 133.16 that are required by the courts to be used to remedy  
6 the harmful effects of violations of law, to be used for those purposes.

7 **SECTION 1014s.** 20.455 (1) (gs) of the statutes is created to read:

8 20.455 (1) (gs) *Delinquent obligation collection.* From the moneys received  
9 under s. 165.30 (3) (b), the amounts in the schedule for expenses related to the  
10 collection of delinquent obligations under s. 165.30.

11 **SECTION 1015.** 20.455 (1) (hm) of the statutes is created to read:

12 20.455 (1) (hm) *Restitution.* All moneys received by the department to provide  
13 restitution to victims when ordered by the court as the result of prosecutions under  
14 s. 49.49 and chs. 100, 133, 144 and 147 and under a federal antitrust law for the  
15 purpose of providing restitution to victims of the violation when ordered by the court.

16 **SECTION 1016.** 20.455 (2) (bd) of the statutes is repealed.

17 **SECTION 1016m.** 20.455 (2) (dm) of the statutes is repealed.

18 **SECTION 1017.** 20.455 (2) (e) of the statutes is amended to read:

19 20.455 (2) (e) *Drug enforcement.* ~~A sum sufficient not to exceed \$1,773,900 in~~  
20 ~~fiscal year 1993-94 and \$1,779,500 in fiscal year 1994-95, which shall consist of the~~  
21 ~~amounts received under par. (ma) plus amounts from the general fund sufficient to~~  
22 ~~equal \$1,773,900 in fiscal year 1993-94 and \$1,779,500 in fiscal year 1994-95~~ The  
23 amounts in the schedule for drug law enforcement programs to work with local law  
24 enforcement agencies in a coordinated effort, for operating costs of the crime  
25 laboratory in the city of Wausau, and to match federal funds under par. (ma) if

**SECTION 1017**

1 matching funds under s. 20.505 (6) (h) are insufficient. ~~No moneys may be~~  
2 ~~encumbered under this paragraph after June 30, 1995, for purposes of s. 165.72.~~

3 **SECTION 1018c.** 20.455 (2) (g) of the statutes is amended to read:

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

9 **SECTION 1019.** 20.455 (2) (gc) of the statutes is created to read:

10 20.455 (2) (gc) *Gaming law enforcement; Indian gaming.* From the moneys  
11 received under s. 569.06, the amounts in the schedule for investigative services for  
12 Indian gaming under ch. 569.

13 **SECTION 1020.** 20.455 (2) (i) of the statutes is amended to read:

14 20.455 (2) (i) *Penalty assessment surcharge, receipts.* The amounts in the  
15 schedule for the purposes of s. 165.85 (5) (b) and (5m), and for crime laboratory  
16 equipment ~~and for equipment used for an automated fingerprint identification~~  
17 ~~system.~~ All moneys received from the penalty assessment surcharge on court fines  
18 and forfeitures as allocated under s. 165.87 (1) and all moneys transferred from s.  
19 20.505 (6) (h) shall be credited to this appropriation. Moneys may be transferred from  
20 this paragraph to pars. (j) and (ja) by the secretary of administration for  
21 expenditures based upon determinations by the department of justice, ~~except the~~  
22 ~~secretary of administration shall transfer not more than \$375,000 to par. (jb) in fiscal~~  
23 ~~year 1991-92, not more than \$375,000 to par. (jb) in fiscal year 1992-93 and not more~~  
24 ~~than \$390,600 to par. (je) in fiscal year 1992-93.~~

25 **SECTION 1021.** 20.455 (2) (jc) of the statutes is repealed.

**SECTION 1024**

1           **SECTION 1024.** 20.455 (2) (ma) of the statutes is amended to read:

2           20.455 (2) (ma) *Federal aid, drug enforcement.* ~~From federal All moneys~~  
3           ~~received from the federal government under subtitle K of title I of P.L. 99-570 for~~  
4           ~~state programs, except as provided under s. 20.505 (6) (pc), not to exceed \$1,142,900~~  
5           ~~in fiscal year 1993-94 and \$1,147,100 in each fiscal year thereafter as authorized by~~  
6           ~~the governor under s. 16.54, for drug law enforcement programs to work with local~~  
7           ~~law enforcement agencies in a coordinated effort and for operating costs of the crime~~  
8           ~~laboratory in the city of Wausau. No moneys may be encumbered under this~~  
9           ~~paragraph after June 30, 1995, for purposes of s. 165.72.~~

10           **SECTION 1025.** 20.455 (2) (mb) of the statutes is repealed.

11           **SECTION 1027.** 20.455 (3) (g) of the statutes is amended to read:

12           20.455 (3) (g) *Gifts, grants and proceeds.* All moneys received from gifts and  
13           grants and all proceeds from services, conferences and sales of publications and  
14           promotional materials to carry out the purposes for which made or collected, except  
15           as provided in sub. (2) (gm). ~~No moneys may be expended under this paragraph~~  
16           ~~unless the following requirements, as applicable, are met: the department of justice~~  
17           ~~shall provide the department of administration with information regarding the~~  
18           ~~source, purpose, nature and value of any gift or grant; the possibility of any future~~  
19           ~~state costs associated with any gift; and the possibility of conflicts of interest which~~  
20           ~~may arise by accepting any gift or grant. In addition, expenditures under this~~  
21           ~~paragraph are subject to the following approval process involving the secretary of~~  
22           ~~administration and the joint committee on finance. The department of justice shall~~  
23           ~~provide the required information to the secretary of administration. If the secretary~~  
24           ~~disapproves, the department shall not expend the moneys. If the secretary approves,~~  
25           ~~he or she shall notify the joint committee on finance in writing of the proposed~~

**SECTION 1027**

1 expenditure. If the cochairpersons of the committee do not notify the secretary that  
2 the committee has scheduled a meeting for the purpose of reviewing the proposed  
3 expenditure within 14 working days after the date of the secretary's submittal, the  
4 department of justice may expend the moneys in the manner approved by the  
5 secretary. If, within 14 working days after the date of the secretary's submittal, the  
6 cochairpersons of the committee notify the secretary that the committee has  
7 scheduled a meeting for the purpose of reviewing the proposed expenditure, the  
8 proposed expenditure may be made only with the approval of the committee.

9 **SECTION 1028.** 20.455 (3) (ka) of the statutes is created to read:

10 20.455 (3) (ka) *Information technology development projects.* The amounts in  
11 the schedule for the purpose of conducting information technology development  
12 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
13 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
14 account.

15 **SECTION 1029.** 20.455 (5) (g) of the statutes is amended to read:

16 20.455 (5) (g) *Crime victim and witness assistance surcharge, general services.*  
17 The amounts in the schedule for purposes of ch. 950. All moneys received from part  
18 A of crime victim and witness assistance surcharges authorized under s. 973.045 (3)  
19 (a) 1. shall be credited to this appropriation account. The department of justice shall  
20 transfer not more than \$282,500 \$488,800 in fiscal year 1993-94 1995-96 and not  
21 more than \$310,800 \$488,800 in fiscal year 1994-95 1996-97 from this  
22 appropriation account to the appropriation account under par. (j).

23 **SECTION 1029r.** 20.465 (1) (g) of the statutes is amended to read:

24 20.465 (1) (g) *Military property.* The amounts in the schedule for rent of  
25 state-owned military lands or buildings used by, acquired for or erected for the

1 Wisconsin national guard under s. 21.19 (2), for rental of buildings and grounds  
2 maintenance equipment owned by the state and required to properly maintain  
3 properties supported by state-federal cooperative funding agreements, for the  
4 repair and maintenance of state-owned military lands or buildings and for the  
5 purchase and construction of new military property, real and personal. All moneys  
6 received on account of lost military property, ~~from the sale of obsolete or~~  
7 ~~unserviceable military property, from the sale of any state-owned military property,~~  
8 ~~real and personal, under s. 21.19 (3),~~ from the rental of state-owned housing, or from  
9 the provision of housing-related services to military personnel shall be credited to  
10 this appropriation.

11 **SECTION 1030.** 20.465 (1) (kn) of the statutes is created to read:

12 20.465 (1) (kn) *Information technology development projects; national guard.*

13 The amounts in the schedule for the purpose of conducting information technology  
14 development projects approved under s. 16.971 (5) for national guard operations. All  
15 moneys transferred from the appropriation account under s. 20.870 (1) (q), (r) or (s)  
16 shall be credited to this appropriation account.

17 **SECTION 1031.** 20.465 (1) (Li) of the statutes is created to read:

18 20.465 (1) (Li) *Gifts and grants.* All moneys received from gifts, grants and  
19 bequests to carry out the purposes for which made.

20 **SECTION 1032.** 20.465 (1) (q) of the statutes is repealed.

21 **SECTION 1033.** 20.465 (2) (a) of the statutes is amended to read:

22 20.465 (2) (a) *Tuition grants.* ~~The amounts in the schedule~~ A sum sufficient  
23 for the payment of tuition grants to members of the Wisconsin national guard under  
24 s. 21.49 (3), less the amounts appropriated as applied receipts under par. (g).

25 **SECTION 1034p.** 20.465 (2) (g) of the statutes is created to read:

**SECTION 1034p**

1           20.465 (2) (g) *Sales of property*. All moneys received from the sale of property  
2 under s. 21.19 (3) (b), for the payment of tuition grants to members of the Wisconsin  
3 national guard. The amounts appropriated under this paragraph reduce the  
4 amounts in the schedule for the appropriation under par. (a), as described in par. (a).

5           **SECTION 1035r.** 20.475 (1) (c) of the statutes is repealed.

6           **SECTION 1035t.** 20.475 (1) (i) of the statutes is created to read:

7           20.475 (1) (i) *Other employes*. The amounts in the schedule to reimburse  
8 Milwaukee County for the costs of clerks necessary for the prosecution of violent  
9 crime cases under s. 978.13 (1) (c) and clerks providing clerical services under s.  
10 978.13 (1) (b) to prosecutors handling cases involving felony violations under ch. 161.  
11 All moneys received under s. 814.635 (1m) shall be credited to this appropriation  
12 account.

13           **SECTION 1036.** 20.485 (1) (c) of the statutes is repealed.

14           **SECTION 1037.** 20.485 (1) (gd) of the statutes is created to read:

15           20.485 (1) (gd) *Veterans home cemetery operations*. All moneys received from  
16 the estate of the decedents under s. 45.37 (15) (c) for the burial of veterans and  
17 non-veterans in the Wisconsin veterans memorial cemetery at the Wisconsin  
18 veterans home at King, to be used for that purpose.

19           **SECTION 1037g.** 20.485 (1) (go) of the statutes is repealed and recreated to read:

20           20.485 (1) (go) *Self-amortizing housing facilities; principal repayment and*  
21 *interest*. From the moneys received for providing housing services at the Wisconsin  
22 Veterans Home at King, a sum sufficient to reimburse s. 20.866 (1) (u) for the  
23 principal and interest costs incurred in acquiring, constructing, developing,  
24 enlarging or improving housing facilities at the Wisconsin Veterans Home at King  
25 and to make the payments determined by the building commission under s. 13.488

1 (1) (m) that are attributable to the proceeds of obligations incurred in financing such  
2 facilities.

3 **SECTION 1037r.** 20.485 (1) (k) of the statutes is repealed.

4 **SECTION 1038m.** 20.485 (2) (c) of the statutes is created to read:

5 20.485 (2) (c) *Operation of Wisconsin veterans museum.* From the general fund,  
6 the amounts in the schedule for the operation of Wisconsin veterans museum under  
7 s. 45.01.

8 **SECTION 1039.** 20.485 (2) (ka) of the statutes is created to read:

9 20.485 (2) (ka) *Information technology development projects.* From the general  
10 fund, the amounts in the schedule for the purpose of conducting information  
11 technology development projects approved under s. 16.971 (5) for loans and aids to  
12 veterans. All moneys transferred from the appropriation account under s. 20.870 (1)  
13 (q), (r) or (s) shall be credited to this appropriation account.

14 **SECTION 1040.** 20.485 (2) (mn) of the statutes is created to read:

15 20.485 (2) (mn) *Federal projects; museum acquisitions and operations.* All  
16 moneys received from the federal government for specific museum programs and the  
17 acquisition of museum items as authorized by the governor under s. 16.54, to be used  
18 for that purpose.

19 **SECTION 1040d.** 20.485 (2) (rs) of the statutes is repealed.

20 **SECTION 1040g.** 20.485 (2) (tf) of the statutes is amended to read:

21 20.485 (2) (tf) *Veterans' tuition and fee reimbursement program.* The amounts  
22 in the schedule for the veterans' tuition and fee reimbursement program under s.  
23 45.25. Notwithstanding s. 20.001 (3) (a), the department may encumber moneys  
24 under this appropriation for the fiscal year up to 60 days after the end of that fiscal

**SECTION 1040g**

1 year if an estimate is first submitted to the department of administration showing  
2 the amounts that will be encumbered during that 60-day period.

3 **SECTION 1040p.** 20.485 (2) (vm) of the statutes is amended to read:

4 20.485 (2) (vm) *Veterans aids and treatment.* The amounts in the schedule for  
5 payment of benefits to veterans and their dependents under ss. 45.351 (1) and (1g),  
6 45.396 and 45.397.

7 **SECTION 1040q.** 20.485 (2) (vm) of the statutes, as affected by 1995 Wisconsin  
8 Act .... (this act), is amended to read:

9 20.485 (2) (vm) *Veterans aids and treatment.* The amounts in the schedule for  
10 payment of benefits to veterans and their dependents under ss. 45.351 (1) and (1g),  
11 45.396 and 45.397.

12 **SECTION 1041.** 20.485 (2) (z) of the statutes is amended to read:

13 20.485 (2) (z) *Gifts.* All moneys received under s. 45.35 (13) (a) to be used as  
14 provided in that section subsection.

15 **SECTION 1042.** 20.485 (2) (zm) of the statutes is created to read:

16 20.485 (2) (zm) *Museum gifts and bequests.* All moneys received under s. 45.35  
17 (13) (b) to be used as provided in that subsection.

18 **SECTION 1043.** 20.485 (4) of the statutes is created to read:

19 20.485 (4) VETERANS MEMORIAL CEMETERIES. (g) *Cemetery operations.* The  
20 amounts in the schedule for the care and operation of the veterans memorial  
21 cemeteries under s. 45.358 other than those costs provided under pars. (q) and (r).  
22 All moneys received under s. 45.358 (3m) shall be credited to this appropriation  
23 account.

24 (h) *Gifts, grants and bequests.* All moneys received under 45.358 (4) as gifts,  
25 grants or bequests to be expended for the purposes made.

**SECTION 1043**

1 (m) *Federal aid; cemetery operations and burials.* All moneys received from the  
2 federal government for the operation of veterans memorial cemeteries under s.  
3 45.358 as authorized by the governor under s. 16.54, to be used for that purpose.

4 (q) *Cemetery administration and maintenance.* From the veterans trust fund,  
5 the amounts in the schedule for the administrative and maintenance costs of  
6 operating the veterans memorial cemeteries under s. 45.358.

7 (r) *Cemetery energy costs.* From the veterans trust fund, the amounts in the  
8 schedule to be used at the veterans memorial cemeteries operated under s. 45.358  
9 for utilities and for fuel, heat and air conditioning and for costs incurred by or on  
10 behalf of the department of veterans affairs under s. 16.895.

11 **SECTION 1044.** 20.488 (intro.) and (1) (title) of the statutes are repealed.

12 **SECTION 1045.** 20.488 (1) (g) of the statutes is repealed.

13 **SECTION 1046.** 20.488 (1) (h) of the statutes is amended to read:

14 20.488 (1) (h) (title) *Review and approval activities; general program*  
15 *operations.* The amounts in the schedule to fund the review and approval activities  
16 of the cost containment commission under ch. 150 and to fund general program  
17 operations of the cost containment commission and of the cost containment council  
18 under ch. 150. The application fees paid under s. 150.66 shall be credited to this  
19 appropriation account.

20 **SECTION 1047.** 20.488 (1) (h) of the statutes, as affected by 1995 Wisconsin Act  
21 .... (this act) is repealed.

22 **SECTION 1050.** 20.488 (1) (m) of the statutes is repealed.

23 **SECTION 1050m.** 20.495 of the statutes is created to read:

1           **20.495 University of Wisconsin Hospitals and Clinics Board.** There is  
2 appropriated to the University of Wisconsin Hospitals and Clinics Board for the  
3 following program:

4           **(1) CONTRACTUAL SERVICES.** (g) *General program operations.* All moneys  
5 received from the University of Wisconsin Hospitals and Clinics Authority under any  
6 contractual services agreement entered into under s. 233.04 (4) or (4m), for general  
7 program operations of the University of Wisconsin Hospitals and Clinics Board.

8           **SECTION 1050o.** 20.505 (1) (a) of the statutes is amended to read:

9           20.505 **(1) (a)** *General program operations.* The amounts in the schedule for  
10 administrative supervision, policy and fiscal planning and management services,  
11 other than services financed under par. (km), and to defray the expenses incurred by  
12 the building commission not otherwise appropriated.

13           **SECTION 1051.** 20.505 (1) (e) of the statutes is repealed.

14           **SECTION 1052.** 20.505 (1) (is) of the statutes is amended to read:

15           20.505 **(1) (is)** (title) *Information technology processing services to nonstate*  
16 *entities.* All moneys received from local governmental units and entities in the  
17 private sector for provision of mainframe computer services, telecommunications  
18 services and supercomputer services under s. 16.973 (2) and (3), to be used for the  
19 purpose of providing those services.

20           **SECTION 1053m.** 20.505 (1) (ja) of the statutes is created to read:

21           20.505 **(1) (ja)** *Justice information systems.* The amounts in the schedule for  
22 the development and operation of justice information systems under s. 16.971 (9).  
23 Sixty-six and seven-tenths percent of the moneys received under s. 814.635 (1) shall  
24 be credited to this appropriation account.

**SECTION 1053n**

1           **SECTION 1053n.** 20.505 (1) (ja) of the statutes, as created by 1995 Wisconsin  
2 Act .... (this act), is repealed and recreated to read:

3           20.505 (1) (ja) *Justice information systems.* The amounts in the schedule for  
4 the development and operation of automated justice information systems under s.  
5 16.971 (9). Eighty percent of the moneys received under s. 814.635 (1) shall be  
6 credited to this appropriation account.

7           **SECTION 1054.** 20.505 (1) (jm) of the statutes is repealed.

8           **SECTION 1055.** 20.505 (1) (ka) of the statutes is amended to read:

9           20.505 (1) (ka) *Materials and services to state agencies.* The amounts in the  
10 schedule to provide services primarily to state agencies, other than services specified  
11 in pars. (kb) to (kr) and subs. (2) (k) and (5) (ka), and to repurchase inventory items  
12 sold primarily to state agencies and to transfer the proceeds of document sales to  
13 state agencies publishing documents. All moneys received from the provision of  
14 services primarily to state agencies, and from the sale of inventory items primarily  
15 to state agencies ~~and from documents sold on behalf of state agencies~~, other than  
16 moneys received and disbursed under pars. (kb) to ~~(kL)~~ (kr) and ~~sub. (2) (k)~~ subs. (2)  
17 (k) and (5) (ka), shall be credited to this appropriation account.

18           **SECTION 1057.** 20.505 (1) (kc) of the statutes is amended to read:

19           20.505 (1) (kc) (title) *Building Capital planning and building construction*  
20 *services.* The amounts in the schedule to provide capital planning services under s.  
21 13.48 (5) and building construction services on behalf of state agencies under subch.  
22 V of ch. 16 on behalf of state agencies. The secretary of administration may credit  
23 moneys received ~~from~~ for the provision of building construction and capital planning  
24 services on behalf of state agencies to this appropriation account.

25           **SECTION 1058.** 20.505 (1) (kd) of the statutes is amended to read:

**SECTION 1058**

1           20.505 (1) (kd) (title) *Printing, document sales, mail distribution and records*  
2 *services*. The amounts in the schedule to provide printing, document sales, mail  
3 distribution and records services, and to provide and repurchase inventory items  
4 related to those services primarily to for state agencies, to transfer the proceeds of  
5 document sales to state agencies publishing documents and to fund services of the  
6 public records board under s. 16.61. All moneys received from the provision of  
7 printing, document sales, mail distribution and records services primarily to state  
8 agencies, from documents sold on behalf of state agencies and from services provided  
9 to state agencies by the public records board shall be credited to this appropriation  
10 account.

11           **SECTION 1059.** 20.505 (1) (kg) of the statutes is repealed.

12           **SECTION 1059m.** 20.505 (1) (kj) of the statutes is amended to read:

13           20.505 (1) (kj) *Financial services*. The amounts in the schedule to provide  
14 accounting, auditing, payroll and other financial services to state agencies and to  
15 transfer the amounts appropriated under s. 20.585 (1) (kb) to the appropriation  
16 account under s. 20.585 (1) (kb). All moneys received from the provision of  
17 accounting, auditing, payroll and other financial services to state agencies shall be  
18 credited to this appropriation.

19           **SECTION 1060.** 20.505 (1) (kk) of the statutes is created to read:

20           20.505 (1) (kk) *Processing of federal grant applications*. The amounts in the  
21 schedule for the processing of applications of agencies for federal grants under s.  
22 16.545 (9). All moneys received from assessments of agencies under s. 16.545 (9)  
23 shall be credited to this appropriation account.

24           **SECTION 1061.** 20.505 (1) (kL) of the statutes is amended to read:

**SECTION 1061**

1           20.505 (1) (kL) (title) *Information technology processing services to agencies.*  
2 All moneys received from state agencies for the provision of information technology  
3 processing services under ss. 16.973 and 16.974, to be used for the purpose of  
4 providing those services.

5           **SECTION 1064.** 20.505 (1) (kn) of the statutes is created to read:

6           20.505 (1) (kn) *Multi-agency information technology development projects.*  
7 The amounts in the schedule for the purpose of conducting information technology  
8 development projects approved under s. 16.971 (5) for 2 or more state agencies. All  
9 moneys transferred from the appropriation account under s. 20.870 (1) (q), (r) or (s)  
10 shall be credited to this appropriation account.

11           **SECTION 1065.** 20.505 (1) (ko) of the statutes is created to read:

12           20.505 (1) (ko) *Information technology development projects; justice*  
13 *information systems.* The amounts in the schedule for the purpose of conducting  
14 information technology development projects approved under s. 16.971 (5) for justice  
15 information systems under s. 16.971 (9). All moneys transferred from the  
16 appropriation account under s. 20.870 (1) (q), (r) or (s) shall be credited to this  
17 appropriation account.

18           **SECTION 1066.** 20.505 (1) (kr) of the statutes is created to read:

19           20.505 (1) (kr) *Information technology development and management services.*  
20 From the source specified in s. 16.971 (11), to provide information technology  
21 development and management services to executive branch agencies under s.  
22 16.971, the amounts in the schedule.

23           **SECTION 1066g.** 20.505 (1) (ks) of the statutes is created to read:

24           20.505 (1) (ks) *Fine arts in state building programs.* All moneys received from  
25 other state agencies, less moneys transferred to s. 20.505 (1) (kt), for the fine arts in

**SECTION 1066g**

1 state buildings program under s. 16.846. This paragraph does not apply if the joint  
2 committee on finance has approved the funding report of the arts board under 1995  
3 Wisconsin Act .... (this act), section 9105 (3g) (a).

4 **SECTION 1066j.** 20.505 (1) (kt) of the statutes is created to read:

5 20.505 (1) (kt) *Percent-for-art administration.* The amounts in the schedule  
6 for percent-for-art administration under s. 16.846 (2). All moneys transferred from  
7 the appropriation account under s. 20.505 (1) (ks) shall be credited to this  
8 appropriation account. This paragraph does not apply if the joint committee on  
9 finance has approved the funding report of the arts board under 1995 Wisconsin Act  
10 .... (this act), section 9105 (3g) (a).

11 **SECTION 1066k.** 20.505 (1) (md) of the statutes is amended to read:

12 20.505 (1) (md) *Oil overcharge restitution funds.* All federal moneys received  
13 as oil overcharge funds, as defined in s. 14.065 (1), for expenditure under proposals  
14 approved by the joint committee on finance under s. 14.065 and for transfers under  
15 ~~1993 Wisconsin Act 16, section 9201 (1z).~~

16 **SECTION 1066m.** 20.505 (1) (r) of the statutes is created to read:

17 20.505 (1) (r) *Information technology investment fund administration.* From  
18 the information technology investment fund, the amounts in the schedule for  
19 administration of the fund under s. 16.971.

20 **SECTION 1067m.** 20.505 (3) (g) of the statutes, as affected by 1993 Wisconsin  
21 Act 16, is amended to read:

22 20.505 (3) (g) *Gifts and grants.* All moneys received from gifts, grants or  
23 bequests by any committee created by law or executive order except the commission  
24 on privatization, by the women's council or by the office of mediation if the office is

**SECTION 1067m**

1 created by executive order under s. 14.019, to be used for the purposes for which made  
2 and received.

3 **SECTION 1067n.** 20.505 (3) (g) of the statutes, as affected by 1995 Wisconsin Act  
4 .... (this act), is amended to read:

5 20.505 (3) (g) *Gifts and grants.* All moneys received from gifts, grants or  
6 bequests by any committee created by law or executive order ~~except the commission~~  
7 ~~on privatization~~, by the women's council or by the office of mediation if the office is  
8 created by executive order under s. 14.019, to be used for the purposes for which made  
9 and received.

10 **SECTION 1067o.** 20.505 (3) (gb) of the statutes is created to read:

11 20.505 (3) (gb) *Gifts and grants; commission on privatization.* All moneys  
12 received from gifts, grants or bequests by the commission on privatization to be used  
13 for the purposes for which made and received. No moneys may be encumbered under  
14 this paragraph after the first day of the 7th month beginning after the effective date  
15 of this paragraph .... [revisor inserts date].

16 **SECTION 1067p.** 20.505 (3) (gb) of the statutes, as created by 1995 Wisconsin  
17 Act .... (this act), is repealed.

18 **SECTION 1068.** 20.505 (3) (k) of the statutes is repealed.

19 **SECTION 1069.** 20.505 (4) (dm) of the statutes is repealed.

20 **SECTION 1070.** 20.505 (4) (dp) of the statutes is renumbered 20.505 (4) (qm) and  
21 amended to read:

22 20.505 (4) (qm) *Kickapoo valley governing board; general program operations.*  
23 ~~The From the conservation fund, the~~ amounts in the schedule for the general  
24 program operations of the Kickapoo valley governing board under s. 16.21.

**SECTION 1071**

1           **SECTION 1071.** 20.505 (4) (dq) of the statutes is renumbered 20.380 (2) (dq) and  
2 amended to read:

3           20.380 (2) (dq) *Kickapoo valley reserve; aids in lieu of taxes.* A sum sufficient  
4 to pay aids to taxing jurisdictions for the Kickapoo valley reserve under s. ~~16.21~~ 41.41  
5 (10).

6           **SECTION 1071g.** 20.505 (4) (ee) of the statutes is created to read:

7           20.505 (4) (ee) *Educational technology board; administrative expenses.* The  
8 amounts in the schedule for the administrative expenses of the educational  
9 technology board.

10          **SECTION 1071r.** 20.505 (4) (er) of the statutes is created to read:

11          20.505 (4) (er) *Educational technology board; grants.* As a continuing  
12 appropriation, the amounts in the schedule for distance education and educational  
13 technology grants under s. 16.992.

14          **SECTION 1072.** 20.505 (4) (fz) of the statutes is repealed.

15          **SECTION 1073.** 20.505 (4) (h) of the statutes is amended to read:

16          20.505 (4) (h) *Program services.* The amounts in the schedule to carry out the  
17 responsibilities of divisions, boards and commissions attached to the department of  
18 administration, other than the board on aging and long-term care, the arts board,  
19 the public records and forms board, the Kickapoo valley governing board and the  
20 Wisconsin conservation corps board. All moneys received from fees which are  
21 authorized by law or administrative rule to be collected by any division, board or  
22 commission attached to the department, other than the board on aging and  
23 long-term care, the arts board, the public records and forms board, the Kickapoo  
24 valley governing board and the Wisconsin conservation corps board, shall be credited  
25 to this appropriation account and used to carry out the purposes for which collected.

1           **SECTION 1074.** 20.505 (4) (h) of the statutes, as affected by 1995 Wisconsin Act  
2     ... (this act), is amended to read:

3           20.505 (4) (h) *Program services.* The amounts in the schedule to carry out the  
4     responsibilities of divisions, boards and commissions attached to the department of  
5     administration, other than the board on aging and long-term care, ~~the arts board,~~  
6     and the public records board, ~~the Kickapoo valley governing board and the Wisconsin~~  
7     ~~conservation corps board.~~ All moneys received from fees which are authorized by law  
8     or administrative rule to be collected by any division, board or commission attached  
9     to the department, other than the board on aging and long-term care, ~~the arts board,~~  
10    and the public records board, ~~the Kickapoo valley governing board and the Wisconsin~~  
11    ~~conservation corps board,~~ shall be credited to this appropriation account and used  
12    to carry out the purposes for which collected.

13           **SECTION 1074m.** 20.505 (4) (hg) of the statutes is renumbered 20.585 (2) (h) and  
14     amended to read:

15           20.585 (2) (h) *Trust lands and investments — general program operations.* The  
16     amounts in the schedule for the general program operations of the division of trust  
17     lands and investments as provided under ss. 24.04, 24.53 and 24.62 (1). All amounts  
18     deducted from the gross receipts of the appropriate funds as provided under ss. 24.04,  
19     24.53 and 24.62 (1) shall be credited to this appropriation account. On each June 30,  
20     an amount shall lapse to the general fund as determined by the secretary of  
21     administration by multiplying the average rate ~~used for~~ determined by the  
22     department of administration for the office of state treasurer during that fiscal year  
23     to establish indirect cost reimbursements, as defined in s. 16.54 (9) (a) 2., by the cost  
24     to continue payment under this paragraph of salaries for all positions for the division

**SECTION 1074m**

1 of trust lands and investments at the beginning of that fiscal year, as affected by the  
2 applicable biennial budget act.

3 **SECTION 1075.** 20.505 (4) (ip) of the statutes is renumbered 20.380 (2) (ip) and  
4 amended to read:

5 20.380 (2) (ip) *Kickapoo valley governing board; program services.* All moneys  
6 received by the Kickapoo valley governing board from admissions, fees, leases,  
7 concessions, memberships, sales and other similar receipts authorized under s. ~~16.21~~  
8 41.41 to be used for the general program operations of the board under s. ~~16.21~~ 41.41.

9 **SECTION 1076.** 20.505 (4) (ir) of the statutes is renumbered 20.380 (3) (ir).

10 **SECTION 1077.** 20.505 (4) (j) of the statutes is renumbered 20.445 (1) (jc) and  
11 amended to read:

12 20.445 (1) (jc) *National and community service board; gifts and grants.* All  
13 moneys received from gifts, grants and bequests for the activities of the national and  
14 community service board under s. ~~16.22~~ 106.40, to carry out the purpose for which  
15 made and received.

16 **SECTION 1078.** 20.505 (4) (kb) of the statutes is created to read:

17 20.505 (4) (kb) *Information technology development projects; attached*  
18 *divisions, boards and commissions.* The amounts in the schedule for the purpose of  
19 conducting information technology development projects approved under s. 16.971  
20 (5) for any division, board or commission attached to the department except the arts  
21 board, the board on aging and long-term care and the Wisconsin conservation corps  
22 board. All moneys transferred from the appropriation account under s. 20.870 (1) (q),  
23 (r) or (s) shall be credited to this appropriation account.

24 **SECTION 1079b.** 20.505 (4) (kb) of the statutes, as affected by 1995 Wisconsin  
25 Act .... (this act), is repealed and recreated to read:

**SECTION 1079b**

1           20.505 (4) (kb) *Information technology development projects; attached*  
2 *divisions, boards and commissions.* The amounts in the schedule for the purpose of  
3 conducting information technology development projects approved under s. 16.971  
4 (5) for any division, board or commission attached to the department except the board  
5 on aging and long-term care. All moneys transferred from the appropriation account  
6 under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation account.

7           **SECTION 1079m.** 20.505 (4) (kg) of the statutes is renumbered 20.585 (2) (k) and  
8 amended to read:

9           20.585 (2) (k) *Trust lands and investments — interagency and intra-agency*  
10 *assistance.* The amounts in the schedule to provide services to state agencies relating  
11 to trust lands and investments. All moneys received from the ~~department of~~  
12 ~~administration~~ office of the state treasurer or any other state agency for services  
13 relating to trust lands and investments shall be credited to this appropriation  
14 account.

15           **SECTION 1080b.** 20.505 (4) (L) of the statutes is renumbered 20.285 (1) (L).

16           **SECTION 1080m.** 20.505 (4) (mg) of the statutes is renumbered 20.585 (2) (mg).

17           **SECTION 1081.** 20.505 (4) (mm) of the statutes is repealed.

18           **SECTION 1081m.** 20.505 (4) (ms) of the statutes is created to read:

19           20.505 (4) (ms) *Kickapoo valley governing board; federal aid.* All moneys  
20 received by the Kickapoo valley governing board from the federal government, as  
21 authorized by the governor under s. 16.54, to be used for the purposes for which made  
22 and received.

23           **SECTION 1081n.** 20.505 (4) (ms) of the statutes, as created by 1995 Wisconsin  
24 Act .... (this act), is renumbered 20.380 (2) (ms).

1           **SECTION 1082.** 20.505 (4) (o) of the statutes is renumbered 20.445 (1) (o) and  
2 amended to read:

3           20.445 (1) (o) *National and community service board; federal aid for*  
4 *administration.* From the moneys received from the corporation for national and  
5 community service under the national and community service trust act of 1993, P.L.  
6 103-82, as a continuing appropriation, the amounts in the schedule for the  
7 administration of the national and community service program under s. ~~16.22~~  
8 106.40.

9           **SECTION 1083.** 20.505 (4) (p) of the statutes is renumbered 20.445 (1) (pe) and  
10 amended to read:

11           20.445 (1) (pe) *National and community service board; federal aid for grants.*  
12 From the moneys received from the corporation for national and community service  
13 under the national and community service trust act of 1993, P.L. 103-82, all moneys  
14 not appropriated under par. (o) for national service program grants under s. ~~16.22~~  
15 106.40 (2) (h).

16           **SECTION 1084.** 20.505 (4) (qm) of the statutes, as affected by 1993 Wisconsin  
17 Act .... (this act), is renumbered 20.380 (2) (q) and amended to read:

18           20.380 (2) (q) *Kickapoo valley governing board; general program operations.*  
19 From the conservation fund, the amounts in the schedule for the general program  
20 operations of the Kickapoo valley governing board under s. ~~16.21~~ 27.41.

21           **SECTION 1085b.** 20.505 (4) (s) of the statutes is renumbered 20.285 (1) (s).

22           **SECTION 1086b.** 20.505 (4) (t) of the statutes is renumbered 20.285 (1) (t).

23           **SECTION 1087.** 20.505 (5) (ka) of the statutes is amended to read:

24           20.505 (5) (ka) (title) *Facility operations and maintenance; police and*  
25 *protection functions.* The amounts in the schedule for the purpose of financing the

**SECTION 1087**

1 costs of operation of state-owned or operated facilities that are not funded from other  
2 appropriations, including ~~protective services~~; custodial and maintenance services;  
3 minor projects; utilities, fuel, heat and air conditioning; costs incurred under s.  
4 16.895 by or on behalf of the department; repayment to the energy efficiency fund  
5 loans made to the department under s. 16.847 (6); and supplementing the costs of  
6 operation of child care facilities for children of state employees under s. 16.841; and  
7 for police and protection functions under s. 16.84 (2) and (3). All moneys received  
8 from state agencies for the operation of such facilities, parking rental fees  
9 established under s. 16.843 (2) (bm) and miscellaneous other sources, all moneys  
10 received from assessments under s. 16.895, all moneys received for the performance  
11 of gaming protection functions under s. 16.84 (3), and all moneys transferred from  
12 the appropriation account under s. 20.865 (2) (e) for this purpose shall be credited  
13 to this appropriation account.

14 **SECTION 1087r.** 20.505 (6) (g) of the statutes is amended to read:

15 20.505 (6) (g) *Anti-drug enforcement program, penalty assessment — local*. All  
16 moneys received from the penalty assessment surcharge on court fines and  
17 forfeitures as allocated under s. 165.87 (1) to match federal funds made available  
18 under subtitle K of title I of P.L. 99-570, except as provided in par. (h) and s. 20.435  
19 (3) (jk). The executive staff director of the office of justice assistance may transfer  
20 moneys not needed as matching funds under this paragraph to par. (h). The secretary  
21 of administration shall transfer \$450,000 from this paragraph to s. 20.435 (3) (jk) in  
22 each fiscal year. The secretary of administration shall transfer ~~\$472,000~~ \$200,000 in  
23 fiscal year ~~1993-94~~ 1995-96 and ~~\$492,600~~ \$200,000 in fiscal year ~~1994-95~~ 1996-97  
24 from this paragraph to s. 20.455 (2) (k) for ~~the automated fingerprint identification~~  
25 ~~system~~. ~~The secretary of administration shall pay \$60,000 in fiscal year 1993-94~~

**SECTION 1087r**

1 from this paragraph to provide the city of Milwaukee police department with funding  
2 for electronic equipment for gang tracking activity. This payment is not subject to the  
3 grant procedures under s. ~~16.964 (2m)~~ a drug enforcement tactical intelligence unit.

4 **SECTION 1087x.** 20.505 (6) (g) of the statutes, as affected by 1995 Wisconsin Act  
5 .... (this act), is amended to read:

6 20.505 (6) (g) *Anti-drug enforcement program, penalty assessment — local.* All  
7 moneys received from the penalty assessment surcharge on court fines and  
8 forfeitures as allocated under s. 165.87 (1) to match federal funds made available  
9 under subtitle K of title I of P.L. 99-570, except as provided in par. (h) and s. ~~20.435~~  
10 20.410 (3) (jk). The executive staff director of the office of justice assistance may  
11 transfer moneys not needed as matching funds under this paragraph to par. (h). The  
12 secretary of administration shall transfer \$450,000 from this paragraph to s. ~~20.435~~  
13 20.410 (3) (jk) in each fiscal year. The secretary of administration shall transfer  
14 \$200,000 in fiscal year 1995-96 and \$200,000 in fiscal year 1996-97 from this  
15 paragraph to s. 20.455 (2) (k) for a drug enforcement tactical intelligence unit.

16 **SECTION 1087y.** 20.505 (7) (fm) of the statutes is amended to read:

17 20.505 (7) (fm) *Shelter for homeless and transitional housing.* The amounts in  
18 the schedule for grants to agencies and shelter facilities for homeless individuals and  
19 families as provided under s. 16.352 ~~and for operating costs of transitional housing~~  
20 ~~under s. 16.354.~~ Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department  
21 may transfer funds between fiscal years under this paragraph. All funds allocated  
22 but not encumbered by December 31 of each year lapse to the general fund on the  
23 next January 1 unless transferred to the next calendar year by the joint committee  
24 on finance.

25 **SECTION 1088.** 20.505 (7) (km) of the statutes is amended to read:

1           20.505 (7) (km) *Weatherization assistance*. All moneys transferred from the  
2 appropriation under ~~s. 20.435 (4) (md) par. (o)~~ and all moneys received from other  
3 state agencies or the department, for the weatherization program under s. 16.39, for  
4 that purpose.

5           **SECTION 1091.** 20.510 (1) (ka) of the statutes is created to read:

6           20.510 (1) (ka) *Information technology development projects*. The amounts in  
7 the schedule for the purpose of conducting information technology development  
8 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
9 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
10 account.

11          **SECTION 1092.** 20.512 (1) (b) of the statutes is repealed.

12          **SECTION 1093.** 20.512 (1) (i) of the statutes is amended to read:

13          20.512 (1) (i) *Services to nonstate governmental units*. The amounts in the  
14 schedule for the purpose of funding personnel testing services to nonstate  
15 governmental units under s. 230.05 (8), including services provided under ss. 49.50  
16 ~~(3) 49.33 (5)~~ and 59.21 (8) (a). All moneys received from the sale of these services shall  
17 be credited to this appropriation.

18          **SECTION 1094.** 20.512 (1) (ka) of the statutes is amended to read:

19          20.512 (1) (ka) *Publications*. The amounts in the schedule for the cost of  
20 producing periodicals and other publications. All moneys received from the sale of  
21 subscriptions and publications and all moneys received from state agencies under s.  
22 230.14 (4) shall be credited to this appropriation.

23          **SECTION 1095.** 20.512 (1) (kb) of the statutes is created to read:

24          20.512 (1) (kb) *Information technology development projects*. The amounts in  
25 the schedule for the purpose of conducting information technology development

1 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
2 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
3 account.

4 **SECTION 1096.** 20.512 (1) (km) of the statutes is created to read:

5 20.512 (1) (km) *Collective bargaining grievance arbitrations.* The amounts in  
6 the schedule for the payment of the state's share of costs related to collective  
7 bargaining grievance arbitrations under s. 111.86. All moneys received from state  
8 agencies for the purpose of reimbursing the state's share of the costs related to  
9 grievance arbitrations under s. 111.86 shall be credited to this appropriation  
10 account.

11 **SECTION 1097.** 20.515 (1) (ka) of the statutes is created to read:

12 20.515 (1) (ka) *Information technology development projects.* The amounts in  
13 the schedule for the purpose of conducting information technology development  
14 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
15 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
16 account.

17 **SECTION 1098.** 20.521 (1) (ka) of the statutes is created to read:

18 20.521 (1) (ka) *Information technology development projects.* The amounts in  
19 the schedule for the purpose of conducting information technology development  
20 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
21 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
22 account.

23 **SECTION 1099.** 20.525 (1) (ka) of the statutes is created to read:

24 20.525 (1) (ka) *Information technology development projects.* The amounts in  
25 the schedule for the purpose of conducting information technology development

**SECTION 1099**

1 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
2 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
3 account.

4 **SECTION 1101.** 20.540 (1) (ka) of the statutes is created to read:

5 20.540 (1) (ka) *Information technology development projects.* The amounts in  
6 the schedule for the purpose of conducting information technology development  
7 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
8 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
9 account.

10 **SECTION 1105.** 20.547 (1) (ka) of the statutes is created to read:

11 20.547 (1) (ka) *Information technology development projects.* The amounts in  
12 the schedule for the purpose of conducting information technology development  
13 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
14 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
15 account.

16 **SECTION 1107.** 20.550 (1) (a) of the statutes is amended to read:

17 20.550 (1) (a) *Program administration.* The amounts in the schedule for  
18 program administration costs of the office of the state public defender, ~~except for~~  
19 including the costs of interpreters and of discovery materials and excluding the costs  
20 under pars. (e) and (ja) ~~(fb)~~.

21 **SECTION 1108.** 20.550 (1) (b) of the statutes is amended to read:

22 20.550 (1) (b) *Appellate representation.* The amounts in the schedule for the  
23 costs of appellate representation provided by the office of the state public defender,  
24 ~~including cases involving persons attacking the conditions of their confinement.~~

**SECTION 1110**

1           **SECTION 1110.** 20.550 (1) (ja) of the statutes is renumbered 20.550 (1) (fb) and  
2 amended to read:

3           20.550 (1) (fb) (title) *Payments from clients; administrative costs*. The amounts  
4 in the schedule for the costs of determining, collecting and processing the payments  
5 received from persons ~~who are found indigent in part as payment for legal~~  
6 ~~representation~~ under s. 977.07 (2) ~~(a), 977.075 or 977.076~~. All moneys received from  
7 persons ~~who are found indigent in part under s. 977.07 (2) (a)~~ shall be credited to this  
8 appropriation. ~~Notwithstanding s. 20.001 (3) (a), the unencumbered balance of this~~  
9 ~~appropriation on June 30 of any year shall lapse to the general fund.~~

10           **SECTION 1111.** 20.550 (1) (L) of the statutes is created to read:

11           20.550 (1) (L) *Private bar and investigator reimbursement; payments for legal*  
12 *representation*. All moneys received, after first deducting the amounts appropriated  
13 under par. (fb), from persons as payment for legal representation to be used for the  
14 reimbursement of private attorneys appointed to act as counsel for a child or an  
15 indigent person under s. 977.08 and for reimbursement for contracting for services  
16 of private investigators.

17           **SECTION 1111mm.** 20.566 (1) (gb) of the statutes is created to read:

18           20.566 (1) (gb) *Business tax registration*. The amounts in the schedule for  
19 administration of business tax registration. All moneys received from the fees  
20 established under s. 73.03 (50) shall be credited to this appropriation account.  
21 Notwithstanding s. 20.001 (3) (a), at the end of each fiscal year, the unencumbered  
22 balance in this appropriation account that exceeds 10% of the expenditures from this  
23 appropriation account during the fiscal year lapses to the general fund.

24           **SECTION 1112.** 20.566 (1) (gc) of the statutes is created to read:

1           20.566 (1) (gc) *Audits of occasional sales of motor vehicles.* The amounts in the  
2 schedule for audits of occasional sales of motor vehicles, including services under s.  
3 73.03 (28m). Twenty-five percent of the amounts collected from the audits under s.  
4 73.03 (28m) that are attributable to the taxes under subch. III of ch. 77 shall be  
5 credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), at the end  
6 of each fiscal year, the unencumbered balance of this appropriation account, minus  
7 an amount equal to 10% of the sum of the amounts expended and the amounts  
8 encumbered from the account during the fiscal year, shall lapse to the general fund.

9           **SECTION 1112m.** 20.566 (1) (h) of the statutes is amended to read:

10           20.566 (1) (h) *Debt collection.* From moneys received from the collection of  
11 debts owed to state agencies under ss. 71.93 and 565.30 (5) and from moneys received  
12 from the collection of debts owed to municipalities and counties under s. 71.935, the  
13 amounts in the schedule to pay the administrative expenses of the department of  
14 revenue for the collection of those debts.

15           **SECTION 1113.** 20.566 (1) (ha) of the statutes is amended to read:

16           20.566 (1) (ha) *Administration of liquor tax.* The amounts in the schedule for  
17 computer and audit costs incurred in administering the tax under s. 139.03 (2m). All  
18 moneys received from the administration fee under s. 139.06 (1) (a) shall be credited  
19 to this appropriation. Notwithstanding s. 20.001 (3) (a), at the end of each fiscal year,  
20 the unencumbered balance of this appropriation account, minus an amount equal to  
21 10% of the sum of the amounts expended and the amounts encumbered from the  
22 account during the fiscal year, shall lapse to the general fund.

23           **SECTION 1113m.** 20.566 (1) (hp) of the statutes is amended to read:

24           20.566 (1) (hp) (title) *Administration of endangered resources and domestic*  
25 *abuse awareness and prevention voluntary payments.* The amounts in the schedule

**SECTION 1113m**

1 for the payment of all administrative costs, including data processing costs, incurred  
2 in administering s. 71.10 (5) and (5m). All moneys certified under s. 71.10 (5) (h) 1.  
3 and (5m) (h) 1. shall be credited to this appropriation.

4 **SECTION 1114.** 20.566 (1) (s) of the statutes is created to read:

5 20.566 (1) (s) *Petroleum inspection fee collection.* From the petroleum  
6 inspection fund, the amounts in the schedule to cover the cost of collecting the  
7 petroleum inspection fee that is authorized under s. 168.12 (1).

8 **SECTION 1116.** 20.566 (3) (k) of the statutes is created to read:

9 20.566 (3) (k) *Internal services.* The amounts in the schedule to provide  
10 internal services to departmental program revenue and segregated revenue funded  
11 programs. All moneys received by the department from the department for this  
12 purpose shall be credited to this appropriation account.

13 **SECTION 1117.** 20.566 (3) (ka) of the statutes is created to read:

14 20.566 (3) (ka) *Information technology development projects.* The amounts in  
15 the schedule for the purpose of conducting information technology development  
16 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
17 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
18 account.

19 **SECTION 1117m.** 20.566 (4) (title) of the statutes is created to read:

20 20.566 (4) (title) CHILD AND SPOUSAL SUPPORT AND PATERNITY ESTABLISHMENT.

21 **SECTION 1117mb.** 20.566 (4) (a) of the statutes is created to read:

22 20.566 (4) (a) *General program operations.* The amounts in the schedule for  
23 general program operations relating to child and spousal support and paternity  
24 establishment, including field services and administrative services.

25 **SECTION 1117mc.** 20.566 (4) (i) of the statutes is created to read:

**SECTION 1117mc**

1           20.566 (4) (i) *Gifts and grants.* All moneys received from gifts, grants and  
2 donations for the execution of the department's functions consistent with the  
3 purpose of the gift, grant or donation.

4           **SECTION 1117md.** 20.566 (4) (jb) of the statutes is created to read:

5           20.566 (4) (jb) *Fees for administrative services.* All moneys received from fees  
6 charged for providing state mailings, special computer services, training programs,  
7 printed materials and publications, for the purpose of providing state mailings,  
8 special computer services, training programs, printed materials and publications  
9 relating to child and spousal support and paternity establishment.

10          **SECTION 1117me.** 20.566 (4) (kx) of the statutes is created to read:

11          20.566 (4) (kx) *Interagency and intra-agency programs.* All moneys received  
12 from other state agencies and all moneys received by the department from the  
13 department for the administration of programs and projects relating to child and  
14 spousal support and paternity establishment for which received.

15          **SECTION 1117mf.** 20.566 (4) (ky) of the statutes is created to read:

16          20.566 (4) (ky) *Interagency and intra-agency aids.* All moneys received from  
17 other state agencies and all moneys received by the department from the department  
18 for aids to individuals and organizations relating to child and spousal support and  
19 paternity establishment.

20          **SECTION 1117mg.** 20.566 (4) (kz) of the statutes is created to read:

21          20.566 (4) (kz) *Interagency and intra-agency local assistance.* All moneys  
22 received from other state agencies and all moneys received by the department from  
23 the department for local assistance relating to child and spousal support and  
24 paternity establishment.

25          **SECTION 1117mh.** 20.566 (4) (n) of the statutes is created to read:

1           20.566 (4) (n) *Federal program operations*. All moneys received from the  
2 federal government or any of its agencies for the state administration of continuing  
3 programs to be expended for the purposes specified.

4           **SECTION 1117mi.** 20.566 (4) (nL) of the statutes is created to read:

5           20.566 (4) (nL) *Federal program local assistance*. All moneys received from the  
6 federal government or any of its agencies for continuing programs to be expended as  
7 local assistance for the purposes specified.

8           **SECTION 1119.** 20.566 (7) (a) of the statutes is renumbered 20.566 (7) (g) and  
9 amended to read:

10          20.566 (7) (g) *Investment and local impact fund administrative expenses*. The  
11 amounts in the schedule for administrative expenses, travel, materials and other  
12 necessary expenses for the purposes of s. 70.395. All moneys received under s.  
13 70.3965 shall be credited to this appropriation account.

14          **SECTION 1119g.** 20.566 (8) (title) of the statutes is created to read:

15          20.566 (8) (title) LOTTERY.

16          **SECTION 1119r.** 20.566 (8) (q) of the statutes is created to read:

17          20.566 (8) (q) *General program operations*. From the lottery fund, the amounts  
18 in the schedule for general program operations under ch. 565.

19          **SECTION 1120b.** 20.575 (1) (g) of the statutes, as affected by 1993 Wisconsin  
20 Acts 452 and 491, is repealed and recreated to read:

21          20.575 (1) (g) *Program fees*. The amounts in the schedule for the purpose of  
22 carrying out general program operations. Except as provided under par. (ka), all  
23 amounts received by the secretary of state, including fees under chs. 132 and 137 and  
24 all moneys transferred from the appropriation under s. 20.566 (4) (g), shall be  
25 credited to this appropriation. Notwithstanding s. 20.001 (3) (a), any unencumbered

**SECTION 1120b**

1 balance at the close of a fiscal year exceeding 10% of that fiscal year's expenditures  
2 under this appropriation shall lapse to the general fund.

3 **SECTION 1121b.** 20.575 (1) (gb) of the statutes is repealed.

4 **SECTION 1124.** 20.575 (1) (ka) of the statutes is amended to read:

5 20.575 (1) (ka) *Agency collections.* The amounts in the schedule for  
6 photocopying and microfilm copying of documents, generation of copies of documents  
7 from optical disk or electronic storage, publication of books and other services  
8 provided in carrying out the functions of the office. All moneys received by the office  
9 as fees or other charges for photocopying, microfilm copying, generation of copies of  
10 documents from optical disk or electronic storage, sales of books and other services  
11 provided in carrying out the functions of the office shall be credited to this  
12 appropriation.

13 **SECTION 1126g.** 20.585 (intro.) of the statutes is amended to read:

14 **20.585 Treasurer, state.** (intro.) There is appropriated to the state treasurer  
15 for the following program programs:

16 **SECTION 1126s.** 20.585 (1) (a) of the statutes is renumbered 20.585 (1) (kb) and  
17 amended to read:

18 20.585 (1) (kb) *General program operations.* The From moneys transferred  
19 from the appropriation account under s. 20.505 (1) (kj), the amounts in the schedule  
20 for the custody of state funds.

21 **SECTION 1132.** 20.585 (1) (h) of the statutes is created to read:

22 20.585 (1) (h) *Training conferences.* All moneys received from participants in  
23 conferences conducted by the state treasurer under s. 14.59, for the purpose of  
24 payment of the costs of conducting such conferences.

25 **SECTION 1135.** 20.585 (1) (js) of the statutes is repealed.

**SECTION 1137**

1           **SECTION 1137.** 20.585 (1) (ka) of the statutes is created to read:

2           20.585 (1) (ka) *Information technology development projects.* The amounts in  
3 the schedule for the purpose of conducting information technology development  
4 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
5 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
6 account.

7           **SECTION 1139r.** 20.585 (2) (title) of the statutes is created to read:

8           20.585 (2) (title) DIVISION OF TRUST LANDS AND INVESTMENTS.

9           **SECTION 1140.** 20.625 (1) (am) of the statutes is repealed.

10          **SECTION 1141m.** 20.625 (1) (e) of the statutes is amended to read:

11          20.625 (1) (e) (title) *Guardian ad litem compensation costs.* The amounts in the  
12 schedule to ~~reimburse~~ pay the counties for guardian ad litem ~~compensation costs~~  
13 under s. 758.19 (6).

14          **SECTION 1142.** 20.625 (1) (k) of the statutes is amended to read:

15          20.625 (1) (k) *Drug court costs; local assistance.* All moneys received from the  
16 department of administration or any other state agency to reimburse the county for  
17 costs incurred in operating one circuit court branch in the 1st judicial administrative  
18 district that primarily handles drug-related cases. No moneys may be encumbered  
19 under this paragraph after June 30, ~~1995~~ 1997.

20          **SECTION 1143.** 20.645 of the statutes is repealed.

21          **SECTION 1144.** 20.665 (1) (ka) of the statutes is created to read:

22          20.665 (1) (ka) *Information technology development projects.* The amounts in  
23 the schedule for the purpose of conducting information technology development  
24 projects approved under s. 16.971 (5). All moneys transferred from the appropriation

**SECTION 1144**

1 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
2 account.

3 **SECTION 1145b.** 20.680 (2) (j) of the statutes is amended to read:

4 20.680 (2) (j) (title) *Automated information Circuit court automation systems.*  
5 The amounts in the schedule for the operation of circuit court automation systems  
6 under s. 758.19 (4). All moneys received under ss. 814.61, 814.62 and 814.63 that are  
7 required to be credited to this appropriation account under those sections, ~~and 66.7%~~  
8 ~~of the moneys received under s. 814.635, for the establishment of a court automated~~  
9 ~~information system~~ shall be credited to this appropriation account.

10 **SECTION 1146.** 20.680 (2) (ka) of the statutes is created to read:

11 20.680 (2) (ka) *Information technology development projects.* The amounts in  
12 the schedule for the purpose of conducting information technology development  
13 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
14 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
15 account.

16 **SECTION 1147.** 20.680 (2) (kd) of the statutes is created to read:

17 20.680 (2) (kd) *Court operations information technology.* All moneys  
18 transferred from the appropriation account under s. 20.505 (1) (ja) to provide  
19 information technology development and management services to the court system.

20 **SECTION 1148.** 20.680 (4) (g) of the statutes is amended to read:

21 20.680 (4) (g) *Library collections and services.* The amounts in the schedule for  
22 photocopying and microfilm copying of documents, generation of copies of documents  
23 from optical disk or electronic storage, publication of books, computer services and  
24 other services provided by the state law library in carrying out its functions. All  
25 moneys received by the library as fees or other charges for photocopying, microfilm

1 copying, generation of copies of documents from optical disk or electronic storage,  
2 computer services, sales of books and other services provided in carrying out the  
3 functions of the library under s. 758.01 (2) shall be credited to this appropriation.

4 **SECTION 1149.** 20.765 (1) (ka) of the statutes is created to read:

5 20.765 (1) (ka) *Information technology development projects.* The amounts in  
6 the schedule for the purpose of conducting information technology development  
7 projects approved under s. 16.971 (5) for the legislature and legislative service  
8 agencies. All moneys transferred from the appropriation account under s. 20.870 (1)  
9 (q), (r) or (s) shall be credited to this appropriation account.

10 **SECTION 1149m.** 20.765 (3) (ec) of the statutes is repealed.

11 **SECTION 1149p.** 20.765 (3) (ka) of the statutes is amended to read:

12 20.765 (3) (ka) *Audit bureau reimbursable audits.* The amounts in the schedule  
13 for the provision of auditing services requested by state agencies or by the federal  
14 government, for audits specified in s. 13.94 (1s) (c) and for audits of the gaming  
15 commission department of revenue relating to the state lottery and verifications of  
16 the odds of winning a lottery game under s. 565.37 (5). All moneys received by the  
17 legislative audit bureau from charges assessed to departments under s. 13.94 (1s)  
18 shall be credited to this appropriation.

19 **SECTION 1150m.** 20.835 (4) (g) of the statutes is amended to read:

20 20.835 (4) (g) *County taxes.* All moneys received from the taxes imposed under  
21 subch. V of ch. 77 for distribution to the counties that enact an ordinance imposing  
22 taxes under that subchapter and for interest payments on refunds under s. 77.76 (3),  
23 except that ~~1.5%~~ 1.3% of those tax revenues collected under that subchapter shall be  
24 credited to the appropriation under s. 20.566 (1) (g).

25 **SECTION 1151.** 20.835 (4) (gg) of the statutes is repealed and recreated to read:

1           20.835 (4) (gg) *Local taxes*. Ninety-seven percent of the moneys received from  
2           the taxes imposed under s. 66.75 (1m) (a) and (b) and subchs. VIII and IX of ch. 77,  
3           for distribution to the districts under subch. II of ch. 229 that impose those taxes.

4           **SECTION 1152.** 20.835 (6) of the statutes is repealed.

5           **SECTION 1153s.** 20.855 (4) (b) of the statutes is amended to read:

6           20.855 (4) (b) *Election campaign payments*. A sum sufficient equal to the  
7           amounts determined under s. 71.10 (3) (5e) to be paid into the Wisconsin election  
8           campaign fund annually on August 15.

9           **SECTION 1154c.** 20.855 (7) (j) of the statutes is amended to read:

10          20.855 (7) (j) (title) *Delinquent support and maintenance payments*. All moneys  
11          received under s. ~~46.255~~ 73.255 for child support, maintenance, medical expenses or  
12          birth expenses, to be distributed to clerks of court.

13          **SECTION 1154e.** 20.855 (9) of the statutes is created to read:

14          20.855 (9) STATE CAPITOL RENOVATION AND RESTORATION. (a) *South wing*  
15          *renovation and restoration*. As a continuing appropriation, the amounts in the  
16          schedule for the restoration and renovation of the south wing of the state capitol.

17          **SECTION 1154g.** 20.865 (1) (dm) of the statutes is repealed.

18          **SECTION 1154i.** 20.865 (1) (f) of the statutes is repealed.

19          **SECTION 1154k.** 20.865 (1) (fm) of the statutes is amended to read:

20          20.865 (1) (fm) (title) *Risk management — liability*. ~~A sum sufficient~~ The  
21          amounts in the schedule to supplement the appropriations of state agencies for costs  
22          assessed under s. 16.865 (8) to pay for state liability arising from judgments and  
23          settlements under ss. 165.25 (6), 775.04, 895.46 (1) and 895.47, for state employer  
24          costs for worker's compensation claims of state employes under ch. 102 and for losses

1 of and damage to state property incurred in programs financed with general purpose  
2 revenue.

3 **SECTION 1154L.** 20.865 (1) (k) of the statutes is repealed.

4 **SECTION 1154m.** 20.865 (1) (kg) of the statutes is repealed.

5 **SECTION 1154n.** 20.865 (1) (kr) of the statutes is amended to read:

6 20.865 (1) (kr) (title) *Risk management —liability; program revenues.* From  
7 the appropriate program revenue and program revenue–service accounts, a sum  
8 sufficient to supplement the program revenue appropriations of state agencies for  
9 costs assessed under s. 16.865 (8) to pay for state liability arising from judgments and  
10 settlements under ss. 165.25 (6), 775.04, 895.46 (1) and 895.47, for state employer  
11 costs for worker’s compensation claims of state employes under ch. 102 and for losses  
12 of and damage to state property incurred in programs financed with program  
13 revenue.

14 **SECTION 1154o.** 20.865 (1) (u) of the statutes is repealed.

15 **SECTION 1154p.** 20.865 (1) (ug) of the statutes is repealed.

16 **SECTION 1154q.** 20.865 (1) (ur) of the statutes is amended to read:

17 20.865 (1) (ur) (title) *Risk management —liability; segregated revenues.* From  
18 the appropriate segregated funds, a sum sufficient to supplement the segregated  
19 revenue appropriations of state agencies for costs assessed under s. 16.865 (8) to pay  
20 for state liability arising from judgments and settlements under ss. 165.25 (6),  
21 775.04, 895.46 (1) and 895.47, for state employer costs for worker’s compensation  
22 claims of state employes under ch. 102 and for losses of and damage to state property  
23 incurred in programs financed with segregated revenue.

24 **SECTION 1159.** 20.866 (1) (u) of the statutes is amended to read:

**SECTION 1159**

1           20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys  
2 appropriated under sub. (2) (zp) and ss. 20.190 (1) (c), (i) and (j), 20.225 (1) (c), 20.245  
3 (1) (e), (2) (e) and (j), (4) (e) and (5) (e), 20.250 (1) (e), 20.255 (1) (d), 20.285 (1) (d), (db),  
4 (fh), ~~(gb) and (ih) and (kd) and (5) (i)~~, 20.320 (1) (c) and (t), 20.370 ~~(1) (jq), (ke), (kw)~~  
5 ~~and (kx)~~, (2) (je), (4) (jb), (je), (jd), (je) and (jf) and (8) ~~(Lb) and (Ls)~~ (7) (aa), (ac), (aq),  
6 (ar), (at), (ba), (ca), (cb), (cc), (cd), (ea) and (eq), 20.395 (6) (aq) and (ar), 20.410 (1) (e),  
7 (ec) and (ko), 20.435 (2) (ee), (3) (e) and (5) (e), 20.465 (1) (d), 20.485 (1) (f), and (go)  
8 ~~and (k)~~ and (3) (t), 20.505 (5) (g) and (kc) and 20.867 (1) (a) and (b) and (3) (a), (b),  
9 (g), (h), (i) and (q) for the payment of principal and interest on public debt contracted  
10 under subchs. I and IV of ch. 18.

11           **SECTION 1160.** 20.866 (1) (u) of the statutes, as affected by 1995 Wisconsin Act  
12 .... (this act), is amended to read:

13           20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys  
14 appropriated under sub. (2) (zp) and ss. 20.190 (1) (c), (i) and (j), 20.225 (1) (c), 20.245  
15 (1) (e), (2) (e) and (j), (4) (e) and (5) (e), 20.250 (1) (e), 20.255 (1) (d), 20.285 (1) (d), (db),  
16 (fh), (ih) and (kd) and (5) (i), 20.320 (1) (c) and (t), 20.370 (7) (aa), (ac), (aq), (ar), (at),  
17 (ba), (ca), (cb), (cc), (cd), (ea) and (eq), 20.395 (6) (aq) and (ar), 20.410 (1) (e), (ec) and  
18 (ko) and (3) (e), 20.435 (2) (ee), ~~(3) (e) and 20.445~~ (5) (e), 20.465 (1) (d), 20.485 (1) (f)  
19 and (go) and (3) (t), 20.505 (5) (g) and (kc) and 20.867 (1) (a) and (b) and (3) (a), (b),  
20 (g), (h), (i) and (q) for the payment of principal and interest on public debt contracted  
21 under subchs. I and IV of ch. 18.

22           **SECTION 1160g.** 20.866 (2) (s) of the statutes is amended to read:

23           20.866 (2) (s) *University of Wisconsin; academic facilities.* From the capital  
24 improvement fund, a sum sufficient for the board of regents of the university of  
25 Wisconsin system to acquire, construct, develop, enlarge or improve university

**SECTION 1160g**

1 academic educational facilities and facilities to support such facilities. The state may  
2 contract public debt in an amount not to exceed ~~\$684,973,100~~ \$726,459,100 for this  
3 purpose.

4 **SECTION 1160h.** 20.866 (2) (s) of the statutes, as affected by 1995 Wisconsin Act  
5 .... (this act), is amended to read:

6 20.866 (2) (s) *University of Wisconsin; academic facilities.* From the capital  
7 improvement fund, a sum sufficient for the board of regents of the university of  
8 Wisconsin system to acquire, construct, develop, enlarge or improve university  
9 academic educational facilities and facilities to support such facilities. The state may  
10 contract public debt in an amount not to exceed ~~\$726,459,100~~ \$733,756,100 for this  
11 purpose.

12 **SECTION 1160r.** 20.866 (2) (t) of the statutes is amended to read:

13 20.866 (2) (t) *University of Wisconsin; self-amortizing facilities.* From the  
14 capital improvement fund, a sum sufficient for the board of regents of the university  
15 of Wisconsin system to acquire, construct, develop, enlarge or improve university  
16 self-amortizing educational facilities. The state may contract public debt in an  
17 amount not to exceed ~~\$281,203,900~~ \$395,082,900 for this purpose. Of this amount,  
18 \$4,500,000 is allocated only for the university of Wisconsin-Madison indoor practice  
19 facility for athletic programs and only at the time that ownership of the facility is  
20 transferred to the state.

21 **SECTION 1161.** 20.866 (2) (tc) of the statutes is amended to read:

22 20.866 (2) (tc) *Clean water fund.* From the capital improvement fund, a sum  
23 sufficient to be transferred to the clean water fund for the purposes of ss. 144.241 and  
24 144.2415. The state may contract public debt in an amount not to exceed  
25 ~~\$508,494,000~~ \$549,194,000 for this purpose. Of this amount, the amount needed to

**SECTION 1161**

1 meet the requirements for state deposits under 33 USC 1382 is allocated for those  
2 deposits. Of this amount, \$8,250,000 is allocated to fund the minority business  
3 development and training program under s. 66.905 (2) (b).

4 **SECTION 1162.** 20.866 (2) (te) of the statutes is amended to read:

5 20.866 (2) (te) *Natural resources; nonpoint source grants.* From the capital  
6 improvement fund, a sum sufficient for the department of natural resources to  
7 provide funds for nonpoint source water pollution abatement projects under s.  
8 144.25. The state may contract public debt in an amount not to exceed ~~\$24,000,000~~  
9 \$20,000,000 for this purpose.

10 **SECTION 1163.** 20.866 (2) (tg) of the statutes is amended to read:

11 20.866 (2) (tg) *Natural resources; environmental repair.* From the capital  
12 improvement fund, a sum sufficient for the department of natural resources to fund  
13 investigations and remedial action under s. 144.442 and remedial action under s.  
14 144.10 and for payment of this state's share of environmental repair that is funded  
15 under 42 USC 9601 to 9675. The state may contract public debt in an amount not  
16 to exceed ~~\$27,500,000~~ \$31,500,000 for this purpose. Of this amount, ~~\$5,000,000~~  
17 \$9,000,000 is allocated for remedial action under s. 144.10.

18 **SECTION 1164.** 20.866 (2) (tL) of the statutes is amended to read:

19 20.866 (2) (tL) *Natural resources; segregated revenue supported dam*  
20 *maintenance, repair, modification, abandonment and removal.* From the capital  
21 improvement fund, a sum sufficient for the department of natural resources to  
22 provide financial assistance to counties, cities, villages, towns and public inland lake  
23 protection and rehabilitation districts in conducting dam maintenance, repair,  
24 modification, abandonment and removal under s. 31.385. The state may contract  
25 public debt in an amount not to exceed ~~\$3,000,000~~ \$4,000,000 for this purpose.

**SECTION 1164g**

1           **SECTION 1164g.** 20.866 (2) (tu) of the statutes is amended to read:

2           20.866 (2) (tu) *Natural resources; segregated revenue supported facilities.* From  
3 the capital improvement fund, a sum sufficient for the department of natural  
4 resources to acquire, construct, develop, enlarge or improve natural resource  
5 administrative office, laboratory, equipment storage or maintenance facilities and to  
6 acquire, construct, develop, enlarge or improve state recreation facilities and state  
7 fish hatcheries. The state may contract public debt in an amount not to exceed  
8 ~~\$10,255,900~~ \$14,162,900 for this purpose.

9           **SECTION 1164r.** 20.866 (2) (tv) of the statutes is amended to read:

10           20.866 (2) (tv) *Natural resources; general fund supported administrative*  
11 *facilities.* From the capital improvement fund, a sum sufficient for the department  
12 of natural resources to acquire, construct, develop, enlarge or improve natural  
13 resource administrative office, laboratory, equipment, storage or maintenance  
14 facilities. The state may contract public debt in an amount not to exceed ~~\$5,733,500~~  
15 \$6,602,500 for this purpose.

16           **SECTION 1165am.** 20.866 (2) (tz) of the statutes is amended to read:

17           20.866 (2) (tz) *Natural resources; Warren Knowles-Gaylord Nelson*  
18 *stewardship program.* From the capital improvement fund a sum sufficient for the  
19 purposes specified in s. 23.0915 (1). The state may contract public debt in an amount  
20 not to exceed ~~\$250,000,000~~ \$231,000,000 for this purpose. Except as provided in s.  
21 23.0915 (2), the amounts expended under this paragraph and the amounts received  
22 and expended by the state for land acquisition under 16 USC 669-669i, 777-777i and  
23 460L-460L-22 may not exceed \$25,000,000 in each fiscal year.

24           **SECTION 1165av.** 20.866 (2) (uv) of the statutes is amended to read:

**SECTION 1165av**

1           20.866 (2) (uv) *Transportation, harbor improvements.* From the capital  
2 improvement fund, a sum sufficient for the department of transportation to provide  
3 grants for harbor improvements. The state may contract public debt in an amount  
4 not to exceed ~~\$9,000,000~~ \$12,000,000 for this purpose.

5           **SECTION 1165ax.** 20.866 (2) (uw) of the statutes is amended to read:

6           20.866 (2) (uw) *Transportation; rail acquisitions and improvements.* From the  
7 capital improvement fund, a sum sufficient for the department of transportation to  
8 acquire railroad property under ss. 85.08 (2) (L) and 85.09; and to provide grants and  
9 loans for rail property acquisitions and improvements under s. 85.08 (4m) (c) and (d);  
10 ~~and to credit the appropriation account under s. 20.395 (2) (bt) as reimbursement for~~  
11 ~~initial temporary funding of acquisitions, grants or loans authorized under 1993~~  
12 ~~Wisconsin Act 16, section 9154 (4n).~~ The state may contract public debt in an amount  
13 not to exceed ~~\$10,000,000~~ \$14,500,000 for these purposes.

14           **SECTION 1165b.** 20.866 (2) (ux) of the statutes is amended to read:

15           20.866 (2) (ux) *Corrections; correctional facilities.* From the capital  
16 improvement fund, a sum sufficient for the department of corrections to acquire,  
17 construct, develop, enlarge or improve adult and juvenile correctional facilities. The  
18 state may contract public debt in an amount not to exceed ~~\$417,902,500~~  
19 \$458,922,500 for this purpose.

20           **SECTION 1165c.** 20.866 (2) (uy) of the statutes is amended to read:

21           20.866 (2) (uy) (title) *Corrections; self-amortizing facilities and equipment.*  
22 From the capital improvement fund, a sum sufficient for the department of  
23 corrections to acquire, develop, enlarge or improve facilities and equipment used in  
24 existing prison industries. The state may contract public debt in an amount not to  
25 exceed ~~\$700,000~~ \$5,403,000 for this purpose.

**SECTION 1165d**

1           **SECTION 1165d.** 20.866 (2) (v) of the statutes is amended to read:

2           20.866 (2) (v) *Health and social services; mental health facilities.* From the  
3 capital improvement fund, a sum sufficient for the department of health and social  
4 services to acquire, construct, develop, enlarge or extend mental health facilities.  
5 The state may contract public debt in an amount not to exceed ~~\$71,116,500~~  
6 \$71,711,500 for this purpose.

7           **SECTION 1165e.** 20.866 (2) (w) of the statutes is amended to read:

8           20.866 (2) (w) *Health and social services; juvenile correctional facilities.* From  
9 the capital improvement fund, a sum sufficient for the department of health and  
10 social services to acquire, construct, develop, enlarge or improve juvenile  
11 correctional facilities. The state may contract public debt in an amount not to exceed  
12 ~~\$14,443,200~~ \$43,618,200 for this purpose.

13           **SECTION 1165f.** 20.866 (2) (xb) of the statutes is amended to read:

14           20.866 (2) (xb) *Building commission; refunding corporation self-amortizing*  
15 *debt.* From the capital improvement fund, a sum sufficient to fund or refund the  
16 whole or any part of any unpaid indebtedness used to finance self-amortizing  
17 facilities in which program revenues or corresponding segregated revenues from  
18 program receipts reimburse lease rental payments advanced by general purpose  
19 revenue, and incurred prior to January 1, 1970, by the Wisconsin state agencies  
20 building corporation, Wisconsin state colleges building corporation or Wisconsin  
21 university building corporation. The state may contract public debt in an amount  
22 not to exceed ~~\$4,238,200~~ \$2,686,600 for this purpose. Such indebtedness shall be  
23 construed to include any premium payable with respect thereto. Debt incurred by  
24 this paragraph shall be repaid under the appropriations providing for the retirement  
25 of public debt incurred under par. (t), (u), (ur) or (zz) in proportional amounts to the

1 purposes for which the debt was refinanced. The refunding authority provided in  
2 this paragraph may be used only if the true interest costs to the state can be reduced  
3 thereby.

4 **SECTION 1165g.** 20.866 (2) (y) of the statutes is amended to read:

5 20.866 (2) (y) *Building commission; housing state departments and agencies.*

6 From the capital improvement fund, a sum sufficient to the building commission for  
7 the purpose of housing state departments and agencies. The state may contract  
8 public debt in an amount not to exceed ~~\$185,443,600~~ \$215,072,600 for this purpose.

9 **SECTION 1165L.** 20.866 (2) (yg) of the statutes is amended to read:

10 20.866 (2) (yg) *Building commission; project contingencies.* From the capital

11 improvement fund, a sum sufficient to the building commission for the purpose of  
12 funding project contingencies for projects enumerated in the authorized state  
13 building program for state departments and agencies. The state may contract public  
14 debt in an amount not to exceed ~~\$12,000,700~~ \$19,475,700 for this purpose.

15 **SECTION 1165p.** 20.866 (2) (ym) of the statutes is amended to read:

16 20.866 (2) (ym) *Building commission; capital equipment acquisition.* From the

17 capital improvement fund, a sum sufficient to the state building commission to  
18 acquire capital equipment for state departments and agencies. The state may  
19 contract public debt in an amount not to exceed ~~\$54,801,800~~ \$66,262,800 for this  
20 purpose.

21 **SECTION 1165t.** 20.866 (2) (z) (intro.) of the statutes is amended to read:

22 20.866 (2) (z) *Building commission; other public purposes.* (intro.) From the

23 capital improvement fund, a sum sufficient to the building commission for relocation  
24 assistance and capital improvements for other public purposes authorized by law but  
25 not otherwise specified in this chapter. The state may contract public debt in an

**SECTION 1165t**

1 amount not to exceed ~~\$602,129,000~~ \$721,304,000 for this purpose. Of this amount,  
2 ~~\$111,673,000~~ \$150,000,000 is allocated for the Wisconsin initiative for state  
3 technology and applied research program. The total amount of debt authorized for  
4 this program may not exceed the following amounts on the following dates:

5 **SECTION 1165x.** 20.866 (2) (z) 7. of the statutes is amended to read:

6 20.866 (2) (z) 7. July 1, 1997, or thereafter, ~~\$111,673,000~~ \$150,000,000.

7 **SECTION 1166.** 20.866 (2) (zd) of the statutes is amended to read:

8 20.866 (2) (zd) (title) *Educational communications board; educational*  
9 *communications facilities*. From the capital improvement fund, a sum sufficient for  
10 the educational communications board to acquire, construct, develop, enlarge or  
11 improve educational communications facilities. The state may contract public debt  
12 in an amount not to exceed ~~\$7,229,600~~ \$7,403,600 for this purpose.

13 **SECTION 1166g.** 20.866 (2) (ze) of the statutes is amended to read:

14 20.866 (2) (ze) *Historical society; self-amortizing facilities*. From the capital  
15 improvement fund, a sum sufficient for the historical society to acquire, construct,  
16 develop, enlarge or improve facilities at historic sites. The state may contract public  
17 debt in an amount not to exceed ~~\$1,057,000~~ \$2,810,000 for this purpose.

18 **SECTION 1166r.** 20.866 (2) (zem) of the statutes is created to read:

19 20.866 (2) (zem) *Historical society; historic records*. From the capital  
20 improvement fund, a sum sufficient for the historical society to acquire and install  
21 systems and equipment necessary to prepare historic records for transfer to new  
22 storage facilities. The state may contract public debt in an amount not to exceed  
23 \$348,000 for this purpose.

24 **SECTION 1167.** 20.866 (2) (zh) (title) of the statutes is amended to read:

**SECTION 1167**

1           20.866 (2) (zh) (title) *Public instruction* Education; state schools and library  
2 *facilities*.

3           **SECTION 1167g.** 20.866 (2) (zj) of the statutes is amended to read:

4           20.866 (2) (zj) *Military affairs; armories and military facilities*. From the  
5 capital improvement fund, a sum sufficient for the department of military affairs to  
6 acquire, construct, develop, enlarge, or improve armories and other military  
7 facilities. The state may contract public debt in an amount not to exceed \$18,017,200  
8 \$18,189,200 for this purpose.

9           **SECTION 1167r.** 20.866 (2) (zm) of the statutes is amended to read:

10           20.866 (2) (zm) *Veterans affairs; Wisconsin veterans home*. From the capital  
11 improvement fund, a sum sufficient for the department of veterans affairs to acquire,  
12 construct, develop, enlarge or improve facilities at the Wisconsin veterans home. The  
13 state may contract public debt in an amount not to exceed ~~\$9,113,600~~ \$9,875,600 for  
14 this purpose.

15           **SECTION 1168.** 20.866 (2) (zn) of the statutes is amended to read:

16           20.866 (2) (zn) *Veterans affairs; self-amortizing mortgage loans*. From the  
17 capital improvement fund, a sum sufficient for the department of veterans affairs for  
18 loans to veterans under s. 45.79 (6) (a). The state may contract public debt in an  
19 amount not to exceed ~~\$1,491,000,000~~ \$1,661,000,000 for this purpose.

20           **SECTION 1168e.** 20.866 (2) (zp) of the statutes is repealed and recreated to read:

21           20.866 (2) (zp) *Veterans affairs; self-amortizing housing facilities*. From the  
22 capital improvement fund, a sum sufficient for the department of veterans affairs to  
23 acquire, construct, develop, enlarge or improve housing facilities at the Wisconsin  
24 Veterans Home at King. The state may contract public debt in an amount not to  
25 exceed \$1,417,000 for this purpose.

**SECTION 1168m**

1           **SECTION 1168m.** 20.866 (2) (zy) of the statutes is created to read:

2           20.866 (2) (zy) *State fair park board; housing facilities.* From the capital  
3 improvement fund, a sum sufficient to the state fair park board to construct, acquire,  
4 develop, enlarge or improve housing facilities at the state fair park in West Allis. The  
5 state may contract public debt not to exceed \$4,347,000 for this purpose.

6           **SECTION 1168s.** 20.866 (2) (zz) of the statutes is amended to read:

7           20.866 (2) (zz) *State fair park board; self-amortizing facilities.* From the  
8 capital improvement fund, a sum sufficient to the state fair park board to acquire,  
9 construct, develop, enlarge or improve facilities at the state fair park in West Allis.  
10 The state may contract public debt not to exceed ~~\$19,300,000~~ \$31,080,000 for this  
11 purpose.

12           **SECTION 1169.** 20.867 (2) (b) of the statutes is amended to read:

13           20.867 (2) (b) *Asbestos removal.* The amounts in the schedule for the removal  
14 of asbestos from state-owned facilities. The amounts provided under this paragraph  
15 shall be transferred to the state building trust fund.

16           **SECTION 1170.** 20.867 (2) (c) of the statutes is amended to read:

17           20.867 (2) (c) *Hazardous materials removal.* The amounts in the schedule for  
18 the removal of hazardous materials from state-owned facilities. The amounts  
19 provided under this paragraph shall be transferred to the state building trust fund.

20           **SECTION 1171.** 20.867 (2) (f) of the statutes is amended to read:

21           20.867 (2) (f) (title) *Facilities preventive maintenance and improvement.* As a  
22 ~~continuing appropriation, the~~ The amounts in the schedule for the purposes of  
23 carrying out the long-range building program under s. 13.48 as it relates to  
24 preventive maintenance of state-owned facilities. The amounts provided under this

1 paragraph shall be transferred to the ~~appropriation made by par. (q) to carry out the~~  
2 ~~purposes of that paragraph~~ state building trust fund.

3 **SECTION 1172.** 20.867 (2) (ka) of the statutes is created to read:

4 20.867 (2) (ka) *Information technology development projects.* The amounts in  
5 the schedule for the purpose of conducting information technology development  
6 projects approved under s. 16.971 (5). All moneys transferred from the appropriation  
7 account under s. 20.870 (1) (q), (r) or (s) shall be credited to this appropriation  
8 account.

9 **SECTION 1173.** 20.867 (3) (c) of the statutes is amended to read:

10 20.867 (3) (c) *Lease rental payments.* A sum sufficient to guarantee full  
11 payment of lease rental payments on self-amortizing facilities enumerated under s.  
12 20.285 (1) ~~(ge)~~ (ke) if the moneys available in those appropriations are insufficient  
13 to make full payment. All amounts advanced under the authority of this paragraph  
14 shall be repaid to the general fund whenever the balance of the appropriation for  
15 which the advance was made is sufficient to meet any portion of the amount  
16 advanced. The department of administration may take whatever action is deemed  
17 necessary, including transfers from other program revenue appropriations, to insure  
18 recovery of the amounts advanced.

19 **SECTION 1174.** 20.867 (3) (h) of the statutes is amended to read:

20 20.867 (3) (h) *Principal repayment, interest and rebates.* A sum sufficient to  
21 guarantee full payment of principal and interest costs for self-amortizing or  
22 partially self-amortizing facilities enumerated under ss. 20.190 (1) (j), 20.245 (2) (j),  
23 20.285 (1) ~~(gb)~~ (kd) and (ih), 20.370 ~~(8)~~ ~~(Ls)~~ (7) (eq) and 20.485 (1) (go) ~~and (k)~~ if  
24 moneys available in those appropriations are insufficient to make full payment, and  
25 to make full payment of the amounts determined by the building commission under

1 s. 13.488 (1) (m) if the appropriation under s. 20.190 (1) (j), 20.245 (2) (j), 20.285 (1)  
2 (~~gb~~) (kd) or (ih) or 20.485 (1) (go) or ~~(k)~~ is insufficient to make full payment of those  
3 amounts. All amounts advanced under the authority of this paragraph shall be  
4 repaid to the general fund whenever the balance of the appropriation for which the  
5 advance was made is sufficient to meet any portion of the amount advanced. The  
6 department of administration may take whatever action is deemed necessary  
7 including the making of transfers from program revenue appropriations and  
8 corresponding appropriations from program receipts in segregated funds and  
9 including actions to enforce contractual obligations that will result in additional  
10 program revenue for the state, to ensure recovery of the amounts advanced.

11 **SECTION 1175.** 20.867 (3) (k) of the statutes is amended to read:

12 20.867 (3) (k) *Interest rebates on obligation proceeds; program revenues.* All  
13 moneys transferred from the appropriations under pars. (g) and (i) and ss. 20.190 (1)  
14 (j), 20.245 (2) (j), 20.285 (1) (~~gb~~) (kd), 20.410 (1) (ko) and 20.505 (5) (g) and (kc) to make  
15 the payments determined by the building commission under s. 13.488 (1) (m) on the  
16 proceeds of obligations specified in those paragraphs.

17 **SECTION 1176.** 20.870 of the statutes is created to read:

18 **20.870 Information technology investment fund.** There is appropriated  
19 to state agencies from the information technology investment fund:

20 (1) INFORMATION TECHNOLOGY DEVELOPMENT. (q) *Special projects; fee revenue.*

21 The amounts in the schedule for the purpose of carrying out information technology  
22 development projects under s. 16.971 (5).

23 (r) *Special projects; agency revenues.* The amounts in the schedule for the  
24 purpose of carrying out information technology development projects under s. 16.971

**SECTION 1176**

1 (5). All moneys transferred from other appropriation accounts that are approved for  
2 expenditure under s. 16.971 (5) shall be credited to this appropriation account.

3 (s) *Special projects; gifts and grants.* The amounts in the schedule to carry out  
4 the purposes for which gifts, grants and bequests are made to carry out information  
5 technology development projects under s. 16.971 (5). All moneys received from such  
6 gifts, grants and bequests shall be credited to this appropriation account.

7 **SECTION 1178.** 20.903 (2) (b) of the statutes is amended to read:

8 20.903 (2) (b) Notwithstanding sub. (1), liabilities may be created and moneys  
9 expended from the appropriations under ss. 20.395 (4) (eq), (er) and (es) and 20.505  
10 (1) (im), (ka), (kb), (kc), and (kd) ~~and (kg)~~ in an additional amount not exceeding the  
11 depreciated value of equipment for operations financed under ss. 20.395 (4) (eq), (er)  
12 and (es) and 20.505 (1) (im), (ka), (kb), (kc), and (kd) ~~and (kg)~~. The secretary of  
13 administration may require such statements of assets and liabilities as he or she  
14 deems necessary before approving expenditure estimates in excess of the  
15 unexpended moneys in the appropriation account.

16 **SECTION 1184.** 20.912 (4) of the statutes is amended to read:

17 20.912 (4) **INSOLVENT DEPOSITORIES.** When the bank, savings and loan  
18 association, savings bank or credit union on which any check, share draft or other  
19 draft is drawn by the state treasurer before payment of such check, share draft or  
20 other draft becomes insolvent or is taken over by the ~~commissioner of banking,~~ the  
21 ~~commissioner~~ division of banking, division of savings and loan, the federal home loan  
22 bank board, the U.S. office of thrift supervision, the federal deposit insurance  
23 corporation, the resolution trust corporation, the ~~commissioner~~ office of credit  
24 unions, the administrator of federal credit unions or the U.S. comptroller of the  
25 currency, the state treasurer shall on the demand of the person in whose favor such

1 check, share draft or other draft was drawn and upon the return to the treasurer of  
2 such check, share draft or other draft issue a replacement for the same amount.

3 **SECTION 1185.** 20.913 (1) (b) of the statutes is amended to read:

4 20.913 (1) (b) *Excess tax payments.* Taxes collected in excess of lawful taxation,  
5 when claims therefor have been established as provided in ss. 71.30 (4), 71.74 (13),  
6 71.75, 71.89 (1), 72.24, 74.35, 74.37, 76.13 (3), 76.38, 76.39, 78.19, 78.20, 78.68 (10),  
7 78.75, 78.80 (1m), 139.092, 139.25 (1), 139.36, 139.365, and 139.39 (4) ~~and 168.12 (2),~~  
8 ~~(3) and (4).~~

9 **SECTION 1187.** 20.916 (3) of the statutes is amended to read:

10 20.916 (3) FURNISHING OF GROUP TRANSPORTATION TO PLACE OF WORK. The  
11 department of health and social services, the department of corrections and the  
12 department of natural resources may, with the approval of the governor and the  
13 department of administration, provide group transportation, in the absence of  
14 convenient and public scheduled transportation, for employes to and from the ~~Ethan~~  
15 ~~Allen school~~, the Mendota and Winnebago mental health institutes and the centers  
16 for the developmentally disabled in the case of employes of the department of health  
17 and social services, to the Ethan Allen school, the Taycheedah correctional  
18 institution and the Fox Lake correctional institution in the case of employes of the  
19 department of corrections, and to and from its temporary branch offices located at  
20 the Nevin fish hatchery grounds in the case of employes of the department of natural  
21 resources. Any employe, if injured while being so transported, shall be deemed to  
22 have been in the course of his or her employment.

23 **SECTION 1188.** 20.921 (1) (a) (intro.), 2m., 3. and 4. of the statutes are amended  
24 to read:

**SECTION 1188**

1           20.921 (1) (a) (intro.) Any state officer or employe or any employe of the  
2 University of Wisconsin Hospitals and Clinics Authority may request in writing  
3 through the state agency in which the officer or employe is employed or through the  
4 authority that a specified part of the officer's or employe's salary be deducted and  
5 paid by the state or by the authority to a payee designated in such request for any  
6 of the following purposes:

7           2m. Payment of amounts owed to state agencies or to the University of  
8 Wisconsin Hospitals and Clinics Authority by the employe.

9           3. Payment of premiums for group hospital and surgical-medical insurance or  
10 plan, group life insurance, and other group insurance, where such groups consist of  
11 state officers and employes or employes of the University of Wisconsin Hospitals and  
12 Clinics Authority and where such insurance or plans are provided or approved by the  
13 group insurance board.

14           4. Other group or charitable purposes approved by the governor and the  
15 department of administration under the rules of the department of administration  
16 for state officers or employes, or by the board of directors of the University of  
17 Wisconsin Hospitals and Clinics Authority for authority employes.

18           **SECTION 1189b.** 20.921 (1) (b) of the statutes is amended to read:

19           20.921 (1) (b) The request under par. (a) shall be made to the state agency or  
20 to the University of Wisconsin Hospitals and Clinics Authority in the form and  
21 manner and contain the directions and information prescribed by each state agency  
22 or by the authority. The Except as provided in s. 111.84 (1) (f), the request may be  
23 withdrawn or the amount paid to the payee may be changed by notifying the state  
24 agency or the authority to that effect, but no such withdrawal or change shall affect  
25 a payroll certification already prepared. ~~However, time limits for withdrawal of~~

**SECTION 1189b**

1 payment of dues to labor organizations under subch. V of ch. 111 shall be as provided  
2 under s. 111.84 (1) (f).

3 **SECTION 1189c.** 20.921 (1) (b) of the statutes, as affected by 1995 Wisconsin Act  
4 .... (this act), is repealed and recreated to read:

5 20.921 (1) (b) Except as provided in ss. 111.06 (1) (c) and 111.84 (1) (f), the  
6 request under par. (a) shall be made to the state agency or to the University of  
7 Wisconsin Hospitals and Clinics Authority in the form and manner and contain the  
8 directions and information prescribed by each state agency or by the authority. The  
9 request may be withdrawn or the amount paid to the payee may be changed by  
10 notifying the state agency or the authority to that effect, but no such withdrawal or  
11 change shall affect a payroll certification already prepared.

12 **SECTION 1189d.** 20.921 (1) (bm) and (c) of the statutes are amended to read:

13 20.921 (1) (bm) Any state officer or employe or any employe of the University  
14 of Wisconsin Hospitals and Clinics Authority may request in writing that a specified  
15 part of his or her salary be deferred under a deferred compensation plan of a deferred  
16 compensation plan provider selected under s. 40.80. The request shall be made to  
17 the state agency or to the authority in the form and manner prescribed in the  
18 deferred compensation plan and may be withdrawn as prescribed in that plan.

19 (c) Written requests under this subsection shall be filed ~~in~~ with the state agency  
20 or the University of Wisconsin Hospitals and Clinics Authority and shall constitute  
21 authority to the state agency or to the authority to make certification for each such  
22 officer or employe and for payment of the amounts so deducted or deferred.

23 **SECTION 1190.** 20.921 (1) (d) 1. and (f) of the statutes are amended to read:

24 20.921 (1) (d) 1. For the purpose of handling savings bond purchases, each state  
25 agency not on the central payroll system and the University of Wisconsin Hospitals

**SECTION 1190**

1 and Clinics Authority shall designate an officer or employe thereof who shall serve  
2 as trustee. The trustee shall serve without compensation as such. The state agency  
3 or the authority shall furnish the trustee the necessary files, supplies and clerical  
4 and accounting assistance. Each trustee shall file with the state agency or the  
5 authority a bond in such amount as the state agency or the authority determines,  
6 with a corporation authorized to do surety business in this state as surety, which  
7 bond shall be conditioned upon the trustee's faithful execution of his or her trust. The  
8 trustee shall file another or additional bond whenever the state agency or the  
9 authority so determines. The cost of any bond required by a state agency shall be  
10 paid out of the appropriation made to the state agency for its administration. For  
11 those state agencies on the central payroll system, the trustee shall be a person  
12 designated by the secretary of administration.

13 (f) The office of the governor shall prepare a statement explaining the bond  
14 purchase plan and its purpose and transmit copies of such statement to each state  
15 agency and to the University of Wisconsin Hospitals and Clinics Authority for  
16 distribution to its their officers and employes.

17 **SECTION 1191.** 20.921 (2) (a) of the statutes, as affected by 1993 Wisconsin Act  
18 481, section 3, is amended to read:

19 20.921 (2) (a) Whenever it becomes necessary in pursuance of any federal or  
20 state law or court-ordered assignment of income under s. 46.10 (14) (e), 767.23 (1)  
21 (L), 767.25 (4m) (c), 767.265 or 767.51 (3m) (c) to make deductions from the salaries  
22 of state officers or employes, ~~each~~ or employes of the University of Wisconsin  
23 Hospitals and Clinics Authority, the state agency or authority by which the officers  
24 or employes are employed is responsible for making such deductions and paying over

1 the total thereof for the purposes provided by the laws or orders under which they  
2 were made.

3 **SECTION 1192.** 20.921 (2) (b) of the statutes is amended to read:

4 20.921 (2) (b) The head of each state agency or the chief executive officer of the  
5 University of Wisconsin Hospitals and Clinics Authority shall deduct from the salary  
6 of any employe the amount certified under s. 7.33 (5) which is received by the employe  
7 for service as an election official while the employe is on a paid leave of absence under  
8 s. 7.33 (3).

9 **SECTION 1193.** 20.923 (4) (a) 1. of the statutes is repealed.

10 **SECTION 1193m.** 20.923 (4) (a) 2. of the statutes is amended to read:

11 20.923 (4) (a) 2. Arts board: executive secretary. This subdivision does not  
12 apply after June 30, 1997, unless the joint committee on finance has approved the  
13 funding report of the arts board under 1995 Wisconsin Act ... (this act), section 9105  
14 (3g) (a).

15 **SECTION 1195.** 20.923 (4) (b) 5. of the statutes is repealed.

16 **SECTION 1196.** 20.923 (4) (c) 1m. of the statutes is repealed.

17 **SECTION 1197.** 20.923 (4) (c) 3. of the statutes is amended to read:

18 20.923 (4) (c) 3. Credit Office of credit unions, commissioner; director of.

19 **SECTION 1200.** 20.923 (4) (c) 4. of the statutes is repealed.

20 **SECTION 1201.** 20.923 (4) (c) 5. of the statutes is repealed.

21 **SECTION 1202.** 20.923 (4) (d) 3. of the statutes is repealed.

22 **SECTION 1203.** 20.923 (4) (d) 4. of the statutes is repealed.

23 **SECTION 1205.** 20.923 (4) (d) 11. of the statutes is repealed.

24 **SECTION 1205d.** 20.923 (4) (d) 12. of the statutes is renumbered 20.923 (4) (e)

25 12.

**SECTION 1205m**

1           **SECTION 1205m.** 20.923 (4) (e) 2m. of the statutes is amended to read:

2           20.923 (4) (e) 2m. Gaming ~~commission: chairperson and members board:~~  
3           executive director.

4           **SECTION 1209.** 20.923 (4) (f) 2m. of the statutes is amended to read:

5           20.923 (4) (f) 2m. ~~Development~~ Commerce, department of: secretary.

6           **SECTION 1210.** 20.923 (4) (f) 3f. of the statutes is created to read:

7           20.923 (4) (f) 3f. Financial institutions, department of: secretary.

8           **SECTION 1211.** 20.923 (4) (f) 9. of the statutes is created to read:

9           20.923 (4) (f) 9. Tourism, department of: secretary.

10          **SECTION 1212.** 20.923 (4) (g) 1g. of the statutes is created to read:

11          20.923 (4) (g) 1g. Education, department of: secretary.

12          **SECTION 1212m.** 20.923 (6) (intro.) of the statutes is amended to read:

13          20.923 (6) SALARIES SET BY APPOINTING AUTHORITIES. (intro.) Salaries for the  
14 following positions may be set by the appointing authority, subject to restrictions  
15 otherwise set forth in the statutes and the compensation plan under s. 230.12 and  
16 subject to the pay range maximum and compensation maximum under s. 230.125,  
17 except where the salaries are a subject of bargaining with a certified representative  
18 of a collective bargaining unit under s. 111.91:

19          **SECTION 1213.** 20.923 (6) (ai) of the statutes is renumbered 20.923 (6) (L) and  
20 amended to read:

21          20.923 (6) (L) ~~Administration~~ Tourism, department of; Kickapoo valley  
22 governing board: executive secretary and staff.

23          **SECTION 1214.** 20.923 (6) (am) of the statutes is amended to read:

24          20.923 (6) (am) Each elective executive officer, other than the state treasurer:  
25 a stenographer.

**SECTION 1217m**

1           **SECTION 1217m.** 20.923 (6) (bh) of the statutes is created to read:

2           20.923 (6) (bh) Historical society: Wisconsin sesquicentennial commission;  
3 staff.

4           **SECTION 1218p.** 20.923 (9) of the statutes is repealed.

5           **SECTION 1219g.** 20.923 (14) of the statutes is amended to read:

6           20.923 (14) SALARY ADMINISTRATION. Except as provided in s. 36.09 (1) (j), any  
7 adjustment of salary for any incumbent in a position specified in subs. (4), (4m), (8),  
8 (9) and (12) is governed by the provisions of the compensation plan concerning  
9 executive salary groups as adopted by the joint committee on employment relations  
10 under s. 230.12 (3) (b).

11           **SECTION 1219i.** 21.19 (3) of the statutes is renumbered 21.19 (3) (a).

12           **SECTION 1219j.** 21.19 (3) (b) of the statutes is created to read:

13           21.19 (3) (b) Notwithstanding s. 13.48 (14) (c), the department, under the  
14 authority and procedures established in par. (a), may sell and convey the Wisconsin  
15 national guard armory located at 1225 E. Henry Clay Street, Whitefish Bay,  
16 Milwaukee County and other properties that the department determines are no  
17 longer needed for military purposes. The proceeds of a sale shall be used first to pay  
18 off all bonds, all or a part of which were used to construct or purchase the property.  
19 Any moneys remaining from the sale shall be paid into the state treasury and  
20 credited to the appropriation under s. 20.465 (2) (g).

21           **SECTION 1219m.** 21.20 of the statutes is amended to read:

22           **21.20 Civil service status.** All full-time state-paid employes of the  
23 department of military affairs shall be under the classified service, except the  
24 adjutant general, ~~the executive assistant to the adjutant general~~, the deputy

**SECTION 1219m**

1 adjutants general for army and air and the administrator of the division of  
2 emergency government.

3 **SECTION 1219w.** 21.49 (2) (e) of the statutes is amended to read:

4 21.49 (2) (e) Delinquent in child support or maintenance payments, as  
5 established by the receipt by the department of a certification under s. ~~46.255~~ 73.255  
6 (7).

7 **SECTION 1220t.** 21.49 (3) (a) of the statutes, as affected by 1995 Wisconsin Act  
8 .... (Assembly Bill 73), is repealed and recreated to read:

9 21.49 (3) (a) Any eligible guard member upon satisfactory completion of a  
10 full-time or part-time course in a qualifying school is eligible for a tuition grant  
11 equal to 50% of the actual tuition charged by the school or 50% of the maximum  
12 resident undergraduate tuition charged by the university of Wisconsin-Madison for  
13 a comparable number of credits, whichever amount is less.

14 **SECTION 1221.** 21.49 (3) (b) 1. of the statutes is amended to read:

15 21.49 (3) (b) 1. Be submitted to the department for approval of payment no later  
16 than ~~6 months~~ 90 days after the completion date of the course;

17 **SECTION 1223.** 21.49 (3) (d) of the statutes is amended to read:

18 21.49 (3) (d) Tuition grants under this section shall be paid out of the  
19 appropriation under s. 20.465 (2) (a). ~~If the amount of funds applied for exceeds the~~  
20 ~~amount available under s. 20.465 (2) (a), the department shall not prorate grants but~~  
21 ~~may deny grants. In such cases, the department shall determine eligibility on the~~  
22 ~~basis of the dates on which applications for tuition grants are received.~~

23 **SECTION 1237.** 23.09 (12) (a) of the statutes is amended to read:

24 23.09 (12) (a) The county board of any county which, by resolution, indicates  
25 its desire to plan and carry out a program of coordinated fish management projects

1 or game management projects may make application to the department for the  
2 allocation and apportionment of funds for state aids appropriated for such purposes  
3 by s. 20.370 (4) ~~(as)~~ (5) (ar).

4 **SECTION 1240.** 23.09 (17m) (title) of the statutes is amended to read:

5 23.09 **(17m)** (title) GRANTS TO COUNTIES FOR THE DEVELOPMENT OF WILDLIFE  
6 HABITAT ON COUNTY FORESTS.

7 **SECTION 1241.** 23.09 (17m) (a) of the statutes is amended to read:

8 23.09 **(17m)** (a) The county board of any county, which by resolution indicates  
9 its desire to improve the natural environment for game and nongame species on  
10 county lands entered under s. 28.11, may make application to the department for the  
11 allocation of funds appropriated for such purposes by s. 20.370 (4) ~~(bq)~~ (5) (as).

12 **SECTION 1242.** 23.09 (17m) (a) of the statutes, as affected by 1995 Wisconsin  
13 Act .... (this act), is amended to read:

14 23.09 **(17m)** (a) The county board of any county, which by resolution indicates  
15 its desire to improve the natural environment for ~~game and nongame species~~ wildlife  
16 on county lands entered under s. 28.11, may make application to the department for  
17 the allocation of funds appropriated for such purposes by s. 20.370 (5) (as).

18 **SECTION 1243.** 23.09 (17m) (b) of the statutes is amended to read:

19 23.09 **(17m)** (b) The annual appropriation for each county shall not exceed 5  
20 cents for each acre entered under s. 28.11, but any funds remaining from the  
21 appropriation made by s. 20.370 (4) ~~(bq)~~ (5) (as) and unallocated to the counties on  
22 March 31 of each year may be allotted to any county in an amount not to exceed an  
23 additional 5 cents per acre under the procedure established in this subsection. These  
24 aids shall be used to undertake management activities provided in the

**SECTION 1243**

1 comprehensive county forest land use plan and included in the annual work plan and  
2 budget.

3 **SECTION 1244.** 23.09 (17m) (b) of the statutes, as affected by 1995 Wisconsin  
4 Act .... (this act), is amended to read:

5 23.09 (17m) (b) The annual ~~appropriation~~ allocation for each county shall not  
6 exceed ~~5~~ 10 cents for each acre entered under s. 28.11, but any funds remaining from  
7 the appropriation made by s. 20.370 (5) (as) and unallocated to the counties on March  
8 31 of each year may be allotted to any county in an amount not to exceed an additional  
9 ~~5~~ 10 cents per acre under the procedure established in this subsection. These aids  
10 shall be used to undertake wildlife management activities provided in the  
11 comprehensive county forest land use plan and included in the annual work plan and  
12 budget.

13 **SECTION 1245.** 23.09 (17m) (c) of the statutes is amended to read:

14 23.09 (17m) (c) ~~Management~~ Wildlife management operations shall be limited  
15 to approved projects designed to benefit ~~both game and nongame species~~ wildlife and  
16 the natural environment.

17 **SECTION 1246.** 23.09 (17m) (d) of the statutes is amended to read:

18 23.09 (17m) (d) Application shall be made ~~in the manner and on forms~~  
19 ~~prescribed by the department.~~ The as part of the comprehensive county forest land  
20 use plan prepared under s. 28.11. Before approving the plan, the department shall  
21 investigate all project proposals to satisfy itself make certain that the project is  
22 feasible, desirable and consistent with ~~such plans~~ the plan. If the department so  
23 finds, it may make ~~advance payment as it determines to be reasonable and proper~~  
24 approves the plan, the department shall pay the aids to the game wildlife

1 management fund account of ~~any~~ the county. The county's wildlife management fund  
2 shall be a nonlapsing account except as provided in pars. (h) and (hg).

3 **SECTION 1247.** 23.09 (17m) (e) of the statutes is repealed.

4 **SECTION 1248.** 23.09 (17m) (f) of the statutes is amended to read:

5 23.09 (17m) (f) Completion of such projects authorized by the department shall  
6 be certified by a representative of the department. All records of receipts and  
7 expenditures from the county ~~game~~ wildlife management fund account shall be  
8 available to the department for inspection and audit at any time.

9 **SECTION 1249.** 23.09 (17m) (g) of the statutes is amended to read:

10 23.09 (17m) (g) Any unauthorized expenditures from the county ~~game~~ wildlife  
11 management fund account shall be restored to such fund upon demand by the  
12 department and if not restored shall become a charge against the county and the  
13 secretary of state shall include such unpaid sums in the state tax levy of the  
14 respective counties in subsequent years.

15 **SECTION 1250.** 23.09 (17m) (h) of the statutes is repealed and recreated to read:

16 23.09 (17m) (h) If the amount of the unencumbered balance in a county's  
17 wildlife management fund account exceeds either of the following, the department  
18 may demand that the county repay to the department the excess amount to the  
19 department:

20 1. The amount that is equal to the sum of the allocations received by the county  
21 for the 3 previous years.

22 2. The amount, as determined by the department, that is required for the  
23 purposes of this subsection.

24 **SECTION 1251.** 23.09 (17m) (hg) of the statutes is created to read:

**SECTION 1251**

1           23.09 (17m) (hg) If the unencumbered balance in a county's wildlife  
2 management fund exceeds both of the amounts specified in par. (h) 1. and 2., the  
3 department may demand that the county repay either excess amount.

4           **SECTION 1252.** 23.09 (17m) (hr) of the statutes is created to read:

5           23.09 (17m) (hr) If the county fails to comply with the department's demand  
6 under par. (h) or (hg), the applicable excess amount shall become a charge against  
7 the county, and the secretary of state shall include the amount in the state tax levy  
8 of the county in subsequent years.

9           **SECTION 1253.** 23.09 (17m) (i) of the statutes is amended to read:

10          23.09 (17m) (i) Expenditures under this subsection on any land withdrawn  
11 from s. 28.11 and the title to which is transferred by the county to other than a public  
12 agency shall be reimbursed to the department in an amount not to exceed the  
13 prorated value of the remaining useful lifetime of the wildlife habitat development.

14          **SECTION 1254.** 23.09 (18) (b) of the statutes is amended to read:

15          23.09 (18) (b) The amount of the payment made in a fiscal year to an eligible  
16 county shall equal the county's proportionate share of the moneys appropriated  
17 under s. 20.370 (4) ~~(au)~~ (5) (br) for the fiscal year. An eligible county's proportionate  
18 share shall equal the number of acres within its boundaries that are entered on the  
19 tax roll under s. 77.04 (1) or 77.84 (1) on July 1 of the fiscal year divided by the total  
20 number of acres that are entered on the tax roll under s. 77.04 (1) or 77.84 (1) on that  
21 same date and that are within the boundaries of counties that are eligible for  
22 payments under this section, multiplied by the amount appropriated under s. 20.370  
23 ~~(4) (au)~~ (5) (br) for the fiscal year.

24          **SECTION 1256.** 23.09 (22) of the statutes is repealed.

25          **SECTION 1257.** 23.09 (23) of the statutes is repealed.

1           **SECTION 1258.** 23.09 (25) (a) of the statutes is amended to read:

2           23.09 **(25)** (a) The department shall administer an off-the-road Type 1  
3 motorcycle recreational aid program from moneys appropriated under s. 20.370 (4)  
4 ~~(bv)~~ (5) (cv). The department shall distribute these funds to towns, villages, cities,  
5 counties and federal agencies for the acquisition, development, operation and  
6 maintenance of off-the-road Type 1 motorcycle trails and facilities. The department  
7 may distribute these funds before July 1, 1989, to towns, villages, cities, counties and  
8 federal agencies for the acquisition, development, operation and maintenance of  
9 all-terrain vehicle areas and trails if these areas and trails are also available for use  
10 by off-the-road Type 1 motorcycles. In addition, the department may expend  
11 moneys appropriated under s. 20.370 (4) ~~(bv)~~ (5) (cv) for the development and  
12 maintenance of existing off-the-road Type 1 motorcycle trails at the Black River  
13 state forest and the Bong state recreation area.

14           **SECTION 1262qm.** 23.0915 (1m) of the statutes is created to read:

15           23.0915 **(1m)** PROHIBITIONS ON EXPENDITURES. (a) 1. The department may not  
16 expend moneys from the appropriation under s. 20.866 (2) (tz) for the acquisition of  
17 land for golf courses or for the development of golf courses.

18           2. Subdivision 1. does not apply to the expenditure of moneys approved under  
19 an application that was made before April 1, 1995, and that was approved by the  
20 department before April 10, 1995.

21           (b) The department may not expend moneys from the appropriation under s.  
22 20.866 (2) (tz) for the acquisition or development of land by a county or other local  
23 governmental unit or political subdivision if the county, local governmental unit or  
24 political subdivision acquires the land involved by condemnation.

**SECTION 1262r**

1           **SECTION 1262r.** 23.0915 (1r) (intro.) of the statutes is renumbered 23.0915 (1r)  
2 (a) (intro.) and amended to read:

3           23.0915 (1r) (a) (intro.) Notwithstanding sub. (1g), for fiscal years 1993-94,  
4 and 1994-95 and 1995-96, the department shall designate for expenditure for each  
5 fiscal year \$1,900,000 of the moneys appropriated under s. 20.866 (2) (tz) by making  
6 the following calculations:

7           **SECTION 1262s.** 23.0915 (1r) (a) and (c) of the statutes are renumbered 23.0915  
8 (1r) (a) 1. and 2.

9           **SECTION 1262t.** 23.0915 (1r) (b) of the statutes is created to read:

10           23.0915 (1r) (b) Notwithstanding sub. (1g), for fiscal year 1995-96, the  
11 department shall designate for expenditure \$1,008,600 of the moneys appropriated  
12 under s. 20.866 (2) (tz) by making the following calculations:

13           1. The department shall set aside \$1,000,000 to be used only for the Frank  
14 Lloyd Wright Monona terrace project as provided in s. 23.195.

15           2. For land acquisition, the department shall designate for expenditure \$8,600  
16 for urban river grants under s. 30.277 and for grants under s. 23.096 for the purposes  
17 under s. 30.277 (2) (a).

18           **SECTION 1264m.** 23.0915 (2) (db) of the statutes is created to read:

19           23.0915 (2) (db) In par. (d), "50% of the designated amount" means 50% of the  
20 higher of the 2 amounts specified in sub. (1) (a), (c), (d), (e), (f), (g), (h), (i), (j) or (k),  
21 except that for fiscal year 1995-96 "50% of the designated amount" means 50% of the  
22 lower of the 2 amounts.

23           **SECTION 1264r.** 23.0915 (2g) of the statutes is amended to read:

24           23.0915 (2g) FUNDS FOR MONONA TERRACE PROJECT. If all of the money set aside  
25 under s. 23.195 for the Frank Lloyd Wright Monona terrace project is not expended

1 before July 1, ~~1996~~ 1998, the department shall make the unexpended moneys  
2 available for expenditure for land acquisition and for urban river grants under s.  
3 30.277. The moneys expended for the Frank Lloyd Wright Monona terrace project  
4 are expended as an amount for land acquisition.

5 **SECTION 1266d.** 23.0915 (4) of the statutes is created to read:

6 23.0915 (4) REVIEW BY JOINT COMMITTEE ON FINANCE. Beginning on December  
7 31, 1995, the department may not encumber or expend from the appropriation under  
8 s. 20.866 (2) (tz) for a given project or activity more than \$250,000 unless the  
9 department first notifies the joint committee on finance in writing of the proposed  
10 encumbrance or expenditure. If the cochairpersons of the committee do not notify  
11 the department within 14 working days after the date of the department's  
12 notification that the committee has scheduled a meeting to review the proposed  
13 encumbrance or expenditure, the department may make the proposed encumbrance  
14 or expenditure. If, within 14 working days after the date of the department's  
15 notification, the cochairpersons of the committee notify the department that the  
16 committee has scheduled a meeting to review the proposed encumbrance or  
17 expenditure, the department may make the proposed encumbrance or expenditure  
18 only upon approval of the committee.

19 **SECTION 1313.** 23.175 (1) (b) of the statutes is amended to read:

20 23.175 (1) (b) "State agency" means any office, department, agency, institution  
21 of higher education, association, society or other body in state government created  
22 or authorized to be created by the constitution or any law which is entitled to expend  
23 moneys appropriated by law, including any authority created under ch. 231, 233 or  
24 234 but not including the legislature or the courts.

25 **SECTION 1323g.** 23.19 (1) (intro.) of the statutes is amended to read:

**SECTION 1323g**

1           23.19 (1) (intro.) The department shall provide in state aid to the city of  
2 Milwaukee up to \$500,000 ~~from the appropriation under s. 20.370 (4) (kb)~~ for a  
3 conservation project for the Menomonee river if the city appropriates funds by June  
4 30, 1991. Both the funds appropriated by the city and the state aid provided by the  
5 department shall be for any of the following stages of the project that may be  
6 undertaken by the city:

7           **SECTION 1323j.** 23.195 (4) of the statutes is amended to read:

8           23.195 (4) If all of the money set aside under this section is not expended before  
9 July 1, ~~1996~~ 1998, the moneys set aside but not expended shall be treated by the  
10 department in the manner provided in s. 23.0915 (2g).

11           **SECTION 1323m.** 23.196 of the statutes is created to read:

12           23.196 **Willow flowage project.** (1) In this section:

13           (a) "Total amount available" means the expenditure limit for the purpose of  
14 acquiring land under s. 23.09 (2) (d) 11., as adjusted under s. 23.0915 (2), less the total  
15 amount the department has expended, encumbered or otherwise committed for that  
16 purpose from the appropriation under s. 20.866 (2) (tz) before July 1, 1996.

17           (b) "Willow flowage project" means the lands in the Willow flowage and  
18 surrounding lands in Oneida County that the department determines are necessary  
19 for the project.

20           (2) (a) The department may acquire and exchange lands for the establishment  
21 of the Willow flowage project. The priority and allocation requirements under s.  
22 23.09 (2dm) do not apply to any acquisition of land under this paragraph for which  
23 moneys appropriated under s. 20.866 (2) (tz) are expended.

24           (b) For the purpose of establishing the Willow flowage project, the department  
25 may expend up to an amount equal to the total amount available for the purchase

1 of land. For purposes of ss. 23.09 (2r) (a) 1. and 23.0915 (1), moneys expended under  
2 this paragraph shall be treated as moneys expended for the lower Wisconsin state  
3 riverway acquisition.

4 (c) Section 23.15 does not apply to the exchange or other transfer of land by the  
5 department for the purpose of establishing the Willow flowage project.

6 **(3)** (a) The board of commissioners of public lands shall sell for cash, at fair  
7 market value, any of the lands under its jurisdiction that are determined by the  
8 department to be necessary to effect the sale of land for the Willow flowage project.

9 (b) The department shall contract for an independent appraisal to determine  
10 the fair market value of the land to be sold under par. (a), and the sale of land under  
11 par. (a) shall be concluded within 90 days after the determination of the fair market  
12 value.

13 (c) Sections 24.07, 24.08, 24.09, 24.10, 24.11, 24.15 and 24.16 do not apply to  
14 the sale of land by the board of commissioners of public land under this subsection.

15 (d) This subsection does not apply after June 30, 1999.

16 **SECTION 1348.** 23.32 (3) of the statutes is created to read:

17 23.32 **(3)** (a) The department may sell, and may enter into contracts to sell,  
18 wetland maps. The fees for the maps shall be as follows:

- 19 1. For each paper map, \$5.
- 20 2. For each aerial photograph, \$10.
- 21 3. For each copy of a digital wetland database covering one township, \$15.

22 (b) The department, by rule, may increase any fee specified in par. (a). Any  
23 increased fee must at least equal the amount necessary to cover the costs of  
24 preparing, producing and selling the wetland maps.

25 **SECTION 1350.** 23.33 (9) (a) of the statutes is amended to read:

**SECTION 1350**

1           23.33 **(9)** (a) *Administration and enforcement.* The department may utilize up  
2 to 50% of the moneys received under sub. (2) for the purposes specified under s.  
3 20.370 (3) (as), ~~(4) (fu)~~ (5) (er) and ~~(iu)~~ (mu) and (8) (ds) including costs associated  
4 with registration, enforcement, safety education, accident reports and analysis, law  
5 enforcement aids to counties, aids administration and other similar costs in  
6 administering and enforcing this section.

7           **SECTION 1351.** 23.33 (9) (b) 1. of the statutes is amended to read:

8           23.33 **(9)** (b) 1. The department shall utilize at least 50% of the moneys received  
9 under sub. (2) for state all-terrain vehicle projects and for aid to towns, villages,  
10 cities, counties or federal agencies for nonstate all-terrain vehicle projects. The  
11 department shall utilize all the moneys credited to the appropriation under s. 20.370  
12 ~~(4) (bz)~~ (5) (ct) for aid to towns, villages, cities, counties or federal agencies for  
13 nonstate all-terrain vehicle projects.

14           **SECTION 1355.** 23.405 of the statutes is renumbered 23.405 (1).

15           **SECTION 1356.** 23.405 (2) of the statutes is created to read:

16           23.405 **(2)** (a) The department may charge the participants in a departmental  
17 environmental education program fees to cover the costs of the program. The amount  
18 charged may not exceed the costs of conducting the program.

19           (b) The fees collected by the department under par. (a) for the use of the  
20 MacKenzie environmental center shall be deposited in the general fund and credited  
21 to the appropriation under s. 20.370 (5) (gb).

22           **SECTION 1358.** 23.50 (1) of the statutes is amended to read:

23           23.50 **(1)** The procedure in ss. 23.50 to 23.85 applies to all actions in circuit  
24 court to recover forfeitures, penalty assessments, jail assessments, applicable  
25 weapons assessments, applicable environmental assessments, applicable wild

1 animal protection assessments, applicable natural resources assessments,  
2 applicable fishing shelter removal assessments, applicable snowmobile registration  
3 restitution payments and applicable natural resources restitution payments for  
4 violations of ss. 77.09, 134.60, 144.421 (2), 144.422 (2), (2m) (c) and (2r), 146.20 (2)  
5 to (5), 147.021, 159.07, 159.08, 159.81, 167.10 (3) and 167.31 (2), subch. VI of ch. 77,  
6 this chapter and chs. 26 to 31 and of ch. 350, and any administrative rules  
7 promulgated thereunder, violations of rules of the Kickapoo valley governing board  
8 under s. ~~16.21~~ 41.41 (7) (k) or violations of local ordinances enacted by any local  
9 authority in accordance with s. 23.33 (11) (am) or 30.77.

10 **SECTION 1359.** 23.53 (1) of the statutes is amended to read:

11 23.53 (1) The citation created under this section shall, in all actions to recover  
12 forfeitures, penalty assessments, jail assessments, applicable weapons assessments,  
13 applicable environmental assessments, applicable wild animal protection  
14 assessments, applicable natural resources assessments, applicable fishing shelter  
15 removal assessments, applicable snowmobile registration restitution payments and  
16 applicable natural resources restitution payments for violations of those statutes  
17 enumerated in s. 23.50 (1), any administrative rules promulgated thereunder, and  
18 any rule of the Kickapoo valley governing board under s. ~~16.21~~ 41.41 (7) (k) be used  
19 by any law enforcement officer with authority to enforce those laws, except that the  
20 uniform traffic citation created under s. 345.11 may be used by a traffic officer  
21 employed under s. 110.07 in enforcing s. 167.31 or by an officer of a law enforcement  
22 agency of a municipality or county or a traffic officer employed under s. 110.07 in  
23 enforcing s. 159.81. In accordance with s. 345.11 (1m), the citation shall not be used  
24 for violations of ch. 350 relating to highway use. The citation may be used for

1 violations of local ordinances enacted by any local authority in accordance with s.  
2 23.33 (11) (am) or 30.77.

3 **SECTION 1360.** 23.56 (1) of the statutes is amended to read:

4 23.56 (1) A person may be arrested for a violation of those statutes enumerated  
5 in s. 23.50 (1), any administrative rules promulgated thereunder, any rule of the  
6 Kickapoo valley governing board under s. ~~16.21~~ 41.41 (7) (k), or any local ordinances  
7 enacted by any local authority in accordance with s. 23.33 (11) (am) or 30.77, after  
8 a warrant that substantially complies with s. 968.04 has been issued. Except as  
9 provided in sub. (2), the person arrested shall be brought without unreasonable delay  
10 before a court having jurisdiction to try the action.

11 **SECTION 1361.** 23.57 (1) (intro.) of the statutes is amended to read:

12 23.57 (1) (intro.) A person may be arrested without a warrant when the  
13 arresting officer has probable cause to believe that the person is committing or has  
14 committed a violation of those statutes enumerated in s. 23.50 (1), any  
15 administrative rules promulgated thereunder, any rule of the Kickapoo valley  
16 governing board under s. ~~16.21~~ 41.41 (7) (k), or any local ordinances enacted by any  
17 local authority in accordance with s. 23.33 (11) (am) or 30.77; and:

18 **SECTION 1362.** 23.58 of the statutes is amended to read:

19 **23.58 Temporary questioning without arrest.** After having identified  
20 himself or herself as an enforcing officer, an enforcing officer may stop a person in  
21 a public place for a reasonable period of time when the officer reasonably suspects  
22 that such person is committing, is about to commit or has committed a violation of  
23 those statutes enumerated in s. 23.50 (1), any administrative rules promulgated  
24 thereunder, any rule of the Kickapoo valley governing board under s. ~~16.21~~ 41.41 (7)  
25 (k), or any local ordinances enacted by any local authority in accordance with s. 23.33

1 (11) (am) or 30.77. Such a stop may be made only where the enforcing officer has  
2 proper authority to make an arrest for such a violation. The officer may demand the  
3 name and address of the person and an explanation of the person's conduct. Such  
4 detention and temporary questioning shall be conducted in the vicinity where the  
5 person was stopped.

6 **SECTION 1363.** 23.62 (1) (intro.) of the statutes is amended to read:

7 23.62 (1) (intro.) Whenever an enforcing officer has probable cause to believe  
8 that a person subject to his or her authority is committing or has committed a  
9 violation of those statutes enumerated in s. 23.50 (1), any administrative rules  
10 promulgated thereunder, any rule of the Kickapoo valley governing board under s.  
11 ~~16.21~~ 41.41 (7) (k), or any local ordinances enacted by any local authority in  
12 accordance with s. 23.33 (11) (am) or 30.77, the officer may proceed in the following  
13 manner:

14 **SECTION 1366m.** 24.60 (1) of the statutes is created to read:

15 24.60 (1) "Consortium" means an association of 2 or more of any of the following  
16 entities for the purpose of implementing, expanding or participating in a distance  
17 education or educational technology project:

18 (a) A school district.

19 (b) A technical college district.

20 (c) A county, during fiscal years 1996-97 to 1999-2000, if the county acts on  
21 behalf of a county library board that has adopted a resolution under s. 24.66 (3m).

22 (d) A city, village or town, during fiscal years 1996-97 to 1999-2000, if the city,  
23 village or town acts on behalf of a municipal library board that has adopted a  
24 resolution under s. 24.66 (3m).

25 **(1g)** "Distance education" has the meaning given in s. 16.992 (1) (b).

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1           **(1r)** “Educational technology” has the meaning given in s. 16.992 (1) (c).

2           **SECTION 1367.** 24.61 (2) (a) 6. of the statutes is created to read:

3           24.61 **(2)** (a) 6. Bonds of the University of Wisconsin Hospitals and Clinics  
4 Authority.

5           **SECTION 1368.** 24.61 (3) (a) 9. of the statutes is created to read:

6           24.61 **(3)** (a) 9. A consortium.

7           **SECTION 1368b.** 24.61 (3) (a) 10. of the statutes is created to read:

8           24.61 **(3)** (a) 10. A cooperative educational service agency representing 2 or  
9 more school districts in the area served by the agency for the purpose of conducting  
10 a distance education project by the school districts.

11           **SECTION 1368c.** 24.61 (3) (b) of the statutes is amended to read:

12           24.61 **(3)** (b) *Terms; conditions.* A municipality or cooperative educational  
13 service agency may ~~borrow from the board or from moneys belonging to the trust~~  
14 ~~funds~~ obtain a state trust fund loan for the sum of money, for the time and upon the  
15 conditions as may be agreed upon between the board and the borrower subject to the  
16 limitations, restrictions and conditions set forth in this subchapter.

17           **SECTION 1369.** 24.61 (3) (c) 2. a. of the statutes is amended to read:

18           24.61 **(3)** (c) 2. a. The school board is subject to an order issued by the state  
19 ~~superintendent~~ department of public instruction education under s. 115.33 (3) after  
20 December 31, 1991, regarding noncompliance with the standard under s. 121.02 (1)  
21 (i).

22           **SECTION 1369m.** 24.61 (3) (d) of the statutes is created to read:

23           24.61 **(3)** (d) *Reserve for loans for educational technology and distance*  
24 *education projects.* In fiscal years 1996-97 to 1999-2000, annually the board shall  
25 reserve \$15,000,000 for loans to school districts, counties, municipalities and

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1 consortia, other than consortia that include one or more technical college districts,  
2 for educational technology and distance education projects under s. 16.992. The  
3 board shall not make any loan to a consortium that includes a county or municipality  
4 for an educational technology or distance education project except from the reserve  
5 established under this paragraph.

6 **SECTION 1370.** 24.61 (5) of the statutes is created to read:

7 24.61 (5) LOANS TO CONSORTIA OR CITIES, VILLAGES OR TOWNS SERVED BY JOINT  
8 LIBRARY BOARDS. Whenever a consortium applies for a loan under sub. (3), or  
9 whenever a group of cities, villages or towns served by a joint county or municipal  
10 library board applies for a loan for an educational technology or distance education  
11 project, the board shall treat the application as a loan to each of the members of the  
12 consortium or each city, village or town served by a county or municipal library board  
13 in an amount equal to the total amount of the loan divided equally by the number  
14 of members of the consortium or the number of cities, villages and towns served by  
15 the library board, unless all members of the consortium or all cities, villages and  
16 towns served by a joint library board agree to a different arrangement specified by  
17 the members or cities, villages and towns on their applications. The procedure for  
18 application, approval and repayment of the loan by each member of a consortium or  
19 group under this subsection shall be the same as provided in this subchapter for  
20 application, approval and repayment of a loan to that member individually, except  
21 that the loan shall not be made unless all members qualify.

22 **SECTION 1370g.** 24.61 (6) of the statutes is created to read:

23 24.61 (6) EDUCATIONAL TECHNOLOGY OR DISTANCE EDUCATION LOANS. The board  
24 shall not make a state trust fund loan to a school district, county, city, village, town  
25 or consortium for an educational technology or distance education project from

1 moneys reserved for such loans under sub. (3) (d), unless the educational technology  
2 board has first notified the board that it has approved the loan under s. 16.992 (3).

3 **SECTION 1370i.** 24.61 (7) of the statutes is created to read:

4 24.61 (7) LOANS TO COOPERATIVE EDUCATIONAL SERVICE AGENCIES. Whenever a  
5 cooperative educational service agency applies for a loan under sub. (3), the board  
6 shall treat the application as a loan to each of the school districts on behalf of which  
7 the loan is sought in an amount equal to the total amount of the loan divided equally  
8 by the number of school districts, unless the cooperative educational service agency  
9 specifies on its application a different arrangement that has been agreed to by all  
10 school districts for which the loan is sought. The board shall not make the loan unless  
11 each school district for which the loan is sought qualifies for a loan in the amount  
12 specified in this subsection, or a different amount if that amount is specified on the  
13 application. If the cooperative educational service agency fails to make a timely  
14 repayment of the principal or payment of the interest on the loan, each school district  
15 for which the loan is made is liable to repay the principal and pay the interest in the  
16 amount determined under this subsection.

17 **SECTION 1371b.** 24.63 (1) of the statutes is amended to read:

18 24.63 (1) (title) ~~MUNICIPAL LOANS~~ LOANS OTHER THAN TO SCHOOL DISTRICTS. State  
19 A state trust fund loans loan, other than those a loan to a school districts district, may  
20 be made for any term not exceeding 20 years, and may be made payable in  
21 instalments and. A state trust fund loan to a municipality other than a school district  
22 shall be in an amount which does not, ~~in connection~~ together with all other  
23 indebtedness of the municipality applying for the loan, exceed 5% of the valuation  
24 of the taxable property within the municipality as equalized for state purposes. If  
25 a state trust fund loan is made to pay off existing indebtedness, it may be advanced

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1 to the borrower in instalments as fast as the indebtedness or the evidence of  
2 indebtedness is canceled.

3 **SECTION 1371d.** 24.63 (2m) of the statutes is created to read:

4 24.63 (2m) COOPERATIVE EDUCATIONAL SERVICE AGENCY LOANS. A state trust fund  
5 loan to a cooperative educational service agency may be made for any term, not  
6 exceeding 20 years, as is agreed upon between the agency and the board, and for a  
7 total amount which, for each school district for which the loan is sought, in the  
8 proportion determined under s. 24.61 (7), together with all other indebtedness of the  
9 school district, does not exceed the school district's allowable indebtedness under s.  
10 67.03 (1).

11 **SECTION 1375b.** 24.63 (4) of the statutes is amended to read:

12 24.63 (4) REPAYMENT BEFORE DUE DATE PERMITTED. Any municipality borrower  
13 after March 15 and prior to August 1 of any year may repay one or more instalments  
14 in advance of the due date, and all interest upon such advance payment shall  
15 thereupon terminate.”.

16 **SECTION 1377.** 24.66 (1) (intro.) of the statutes is amended to read:

17 24.66 (1) FOR ALL MUNICIPALITIES. (intro.) No trust fund loan may be made  
18 unless an application is made to the board under this section. The application shall  
19 state the amount of money required, the purpose to which it is to be applied, and the  
20 times and terms of repayment, whether the loan is sought for an educational  
21 technology or distance education project under s. 24.61 (3) (d), and if so, whether the  
22 educational technology board has approved a grant to pay a portion of the interest  
23 on the loan under s. 16.992 (3) (b) and in the case of a cooperative educational service  
24 agency, the names of the school districts participating in the distance education

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1 project for which the loan is sought. The application shall be accompanied by  
2 satisfactory proof:

3 **SECTION 1377g.** 24.66 (3m) of the statutes is created to read:

4 **24.66 (3m)** FOR EDUCATIONAL TECHNOLOGY OR DISTANCE EDUCATION LOANS. An  
5 application by a county, city, village or town to undertake an educational technology  
6 or distance education project, or by a consortium that includes a county, city, village  
7 or town under s. 24.61 (3) (d) shall be accompanied by a resolution of the county or  
8 municipal library board for that county, city, village or town, or the county or  
9 municipal library board of each county, city, village or town participating in the  
10 consortium, requesting the county, city, village or town to apply for the loan for the  
11 purpose of conducting an educational technology or distance education project.

12 **SECTION 1377h.** 24.66 (3s) of the statutes is created to read:

13 **24.66 (3s)** FOR COOPERATIVE EDUCATIONAL SERVICE AGENCIES. An application for  
14 a loan by a cooperative educational service agency shall be accompanied by a certified  
15 copy of a resolution of the board of control of the agency approving the loan and shall  
16 contain satisfactory proof of the valuation of all taxable property within each school  
17 district for which the loan is sought as equalized for state purposes, of the existing  
18 indebtedness of each such school district and of approval of the application by each  
19 school district in the same manner as provided for a loan to that school district for  
20 the same amount and terms under sub. (3).

21 **SECTION 1377m.** 24.66 (5) (a) of the statutes is amended to read:

22 **24.66 (5) (a)** Every application for a loan under this section by a municipality  
23 shall be accompanied by a certified copy under the hand of the proper clerk of a  
24 recorded resolution adopted by the municipality applying for or approving the loan,  
25 levying, except as provided in par. (b), upon all the taxable property of the

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1 municipality a direct annual tax for the purpose of paying and sufficient to pay the  
2 principal and interest on such the proposed loan as it falls due, and also to pay and  
3 discharge the principal thereof within 20 years from the making of such loan. Such  
4 a levy shall become they become due. In a 1st class city school district, the application  
5 shall be accompanied by a certified copy of a resolution, adopted by the board of  
6 school directors, stating that it is the intention of the board of school directors to  
7 include in its budget transmitted to the common council under s. 119.16 (8) (b) a  
8 written notice specifying the amount of money necessary to pay the principal and  
9 interest on the loan as they become due. Every application for a loan under this  
10 subsection by a cooperative educational service agency shall be accompanied by a  
11 copy of a recorded resolution adopted by the school board of each school district for  
12 which the loan is sought, certified by the school district clerk of that school district,  
13 levying upon all taxable property of the school district a direct annual tax for the  
14 purpose of paying and sufficient to pay the school district's share of the principal and  
15 interest on the proposed loan as they become due. Every application for a loan under  
16 this subsection by a cooperative educational service agency shall be accompanied by  
17 a copy of a recorded resolution adopted by the school board of each school district  
18 for which the loan is sought, certified by the school district clerk of that school  
19 district, levying upon all taxable property of the school district a direct annual tax  
20 for the purpose of paying and sufficient to pay the school district's share of the  
21 principal and interest on the proposed loan as they become due. The levy imposed  
22 by the municipality shall be void and of no effect if the board declines to make the  
23 loan; otherwise it shall remain valid and irrevocable until the loan and all interest  
24 thereon is on the loan are fully paid.

25 **SECTION 1377s.** 24.67 (1) (intro.) of the statutes is amended to read:

1           24.67 (1) (intro.) If the board approves the application, it shall cause  
2 certificates of indebtedness to be prepared in proper form and transmitted to the  
3 municipality or cooperative educational service agency submitting the application.

4 The certificate of indebtedness shall be executed and signed:

5           **SECTION 1377t.** 24.67 (1) (L) of the statutes is created to read:

6           24.67 (1) (L) For a cooperative educational service agency, by the president of  
7 each school district for which the loan is made.

8           **SECTION 1378b.** 24.67 (3) of the statutes is amended to read:

9           24.67 (3) If a ~~unit of government~~ municipality has acted under subs. (1) and  
10 (2), it shall certify that fact to the department of administration. ~~The department~~  
11 Upon receiving a certification from a municipality, or upon direction of the board if  
12 a loan is made to a cooperative educational service agency, the secretary of  
13 administration shall ~~then~~ draw a warrant upon the state treasurer for the amount  
14 of the loan, payable to the treasurer of the municipality or cooperative educational  
15 service agency making the loan or as ~~he or she~~ the treasurer of the municipality or  
16 cooperative educational service agency directs. The certificate of indebtedness shall  
17 then be conclusive evidence of the validity of the indebtedness and that all the  
18 requirements of law concerning the application for the making and acceptance of the  
19 loan have been complied with.

20           **SECTION 1379b.** 24.695 of the statutes is created to read:

21           **24.695 Payment of interest by state.** The board shall, upon request of the  
22 educational technology board, certify to the educational technology board the  
23 amount of interest due on any loan for which the educational technology board has  
24 made a grant for interest payments under s. 16.992 (3) (b). The board shall accept  
25 payment from the educational technology board for the interest payable on any such

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1 loan and shall deduct the amount of any payment received from its certified  
2 statement of the amount payable under s. 24.70 (2) or 24.71 (2) for the year in which  
3 the payment is received. The applicant remains liable for payment of any interest  
4 that is not paid by the educational technology board.

5 **SECTION 1379m.** 24.70 of the statutes is amended to read:

6 **24.70 (title) Collection from municipalities borrowers other than**  
7 **school districts.** (1) APPLICABILITY. This section applies to all outstanding state  
8 trust fund loans to ~~municipalities~~ borrowers other than school districts.

9 (2) CERTIFIED STATEMENT. If a ~~municipality~~ borrower other than a school district  
10 has a state trust fund loan, the board shall transmit to the ~~municipal~~ clerk of the  
11 jurisdiction, or the person signing the application on behalf of the borrower in the  
12 case of a cooperative educational service agency, a certified statement of the amount  
13 due on or before October 1 of each year until the loan is ~~paid~~ repaid. The board shall  
14 submit a copy of each certified statement to the state treasurer. A cooperative  
15 educational service agency shall transmit a copy of the statement to the clerk of each  
16 school district on behalf of which the agency has obtained a loan.

17 (3) AMOUNT ADDED TO MUNICIPAL LEVY. The Upon receipt of a certified statement  
18 by a municipal clerk, the municipal clerk shall then cause the amount to be added  
19 to the municipal levy and collected in the same manner as the municipal tax except  
20 the amount for the state trust fund loan shall be separately designated. Upon receipt  
21 of a certified statement by a school district clerk from a cooperative educational  
22 service agency, the clerk shall cause the amount for which the district is responsible  
23 under s. 24.61 (7) to be added to the school district levy and collected in the same  
24 manner as the school district tax, except that the amount for the loan shall be  
25 separately stated.

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1           **(4) PAYMENT TO STATE TREASURER.** ~~The municipal treasurer~~ of each municipality  
2 shall transmit to the state treasurer on his or her order the full amount levied for  
3 state trust fund loans within 15 days after March 15. Each cooperative educational  
4 service agency shall similarly transmit the annual amount owed on any state trust  
5 fund loan made to the agency by that date. The state treasurer shall notify the board  
6 when he or she receives payment. Any payment not made by March 30 is delinquent  
7 and is subject to a penalty of one percent per month to be paid to the state treasurer  
8 with the delinquent payment.

9           **(6) FAILURE TO MAKE PAYMENTS.** ~~If the municipal treasurer~~ any municipality fails  
10 to remit the amount due by the date specified under sub. (4), the board may file a  
11 certified statement of the amount delinquent with the department of administration.  
12 The department of administration shall collect the amount due, including any  
13 penalty, by deducting that amount from any state payments due the municipality,  
14 shall remit that amount to the state treasurer and shall notify the treasurer and the  
15 board of that action.

16           **SECTION 1386m.** 24.72 of the statutes is amended to read:

17           **24.72 Use of funds.** No money obtained by a ~~municipality~~ borrower from a  
18 state trust fund loan may be applied to or paid out for any purpose except that  
19 specified in the application for the loan without the consent of the board.

20           **SECTION 1387b.** 24.73 of the statutes is amended to read:

21           **24.73 Extension of loan.** All loans made or which may be made from any of  
22 such state trust funds to any ~~municipality~~ borrower may be extended for such time  
23 and upon such terms as may be agreed upon by and between the board and such  
24 borrower; provided, however, that no loan shall be extended upon which there is any  
25 default in the payment of interest at the time of making application therefor, nor to

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1 any period beyond 20 years from its inception, nor at any rate of interest less than  
2 the minimum established by law.

3 **SECTION 1389.** 25.14 (3) of the statutes is amended to read:

4 25.14 (3) The department of administration, upon consultation with the  
5 investment board, shall distribute all earnings, profits or losses of the state  
6 investment fund to each participating fund in the same ratio as each such fund's  
7 average daily balance within the state investment fund bears to the total average  
8 daily balance of all participating funds, except as provided in s. 14.58 (19), ~~except~~  
9 ~~that the department of administration shall credit to the appropriation account~~  
10 ~~under s. 20.585 (1) (js) an amount equal to the amount assessed under s. 25.19 (2)~~  
11 ~~from the earnings or profits of the funds against which an assessment is made and~~  
12 except that the department of administration shall credit to the appropriation  
13 account under s. 20.585 (1) (jt) an amount equal to the amount assessed under s.  
14 25.19 (3) from the earnings or profits of the funds against which an assessment is  
15 made. Such distribution shall be made at such times as the department of  
16 administration may determine, but must be made at least semiannually in each  
17 complete fiscal year of operation.

18 **SECTION 1393m.** 25.16 (3) of the statutes is repealed.

19 **SECTION 1393r.** 25.16 (7) of the statutes is amended to read:

20 25.16 (7) The executive director shall fix the compensation of all employes  
21 appointed by the executive director, subject to restrictions set forth in the  
22 compensation plan under s. 230.12, the pay range maximum and compensation  
23 maximum under s. 230.125 or any applicable collective bargaining agreement in the  
24 case of employes in the classified service, but the investment board may provide for

1 bonus compensation to employes in the unclassified service as authorized under s.  
2 25.156 (6).

3 **SECTION 1394m.** 25.17 (1) (gi) of the statutes is created to read:

4 25.17 (1) (gi) Heritage state parks and forests trust fund (s. 25.295);

5 **SECTION 1395.** 25.17 (1) (i) of the statutes is created to read:

6 25.17 (1) (i) Information technology investment fund (s. 25.61);

7 **SECTION 1396.** 25.17 (3) (b) 9. of the statutes is created to read:

8 25.17 (3) (b) 9. Bonds issued by the University of Wisconsin Hospitals and  
9 Clinics Authority.

10 **SECTION 1399.** 25.19 (1) of the statutes is amended to read:

11 25.19 (1) The state treasurer shall be the treasurer of the investment board and  
12 shall give an additional bond in such amount and with such corporate sureties as is  
13 required and approved by the board, the cost of which shall be borne by the board.

14 **(1m)** Any of the securities purchased by the investment board for any of the  
15 funds whose investment is under the control of the board may be deposited by the  
16 board ~~or the state treasurer~~ in vaults or other safe depositories ~~outside of the office~~  
17 ~~of the state treasurer,~~ and either in or outside of this state, ~~but a safekeeping receipt~~  
18 ~~shall be delivered to the state treasurer for all securities so deposited. Every such~~  
19 ~~safekeeping receipt shall describe the securities covered thereby and be payable on~~  
20 ~~demand, without conditions, to the investment board or to any designated fund~~  
21 ~~under the control of the board or to the state treasurer.~~

22 **SECTION 1400.** 25.19 (2) of the statutes is repealed.

23 **SECTION 1401.** 25.29 (1) (a) of the statutes is amended to read:

24 25.29 (1) (a) All Except as provided in s. 25.295, all moneys accruing to the state  
25 for or in behalf of the department under chs. 26, 27, 28, 29 and 350, subchs. I and VI

**SECTION 1401**

1 of ch. 77 and ss. 23.09 to 23.42, 23.50 to 23.99, 30.50 to 30.55, 70.58 and 71.10 (5),  
2 including grants received from the federal government or any of its agencies except  
3 as otherwise provided by law.

4 **SECTION 1402.** 25.29 (1) (e) of the statutes is amended to read:

5 25.29 (1) (e) An amount equal to the amounts expended under s. 20.370 ~~(1) (kw)~~  
6 (7) (aq).

7 **SECTION 1403.** 25.29 (3) (b) of the statutes is amended to read:

8 25.29 (3) (b) As provided in s. 20.370 ~~(4)~~ (5) (aq).

9 **SECTION 1405e.** 25.295 of the statutes is created to read:

10 **25.295 Heritage state parks and forests trust fund.** (1) There is  
11 established a separate nonlapsible trust fund designated as the heritage state parks  
12 and forests trust fund, to consist of:

13 (a) All gifts, grants or bequests or other contributions made to the heritage  
14 state parks and forests trust fund. The department of natural resources may convert  
15 any noncash gift, grant, bequest or other contribution into cash.

16 (b) Notwithstanding s. 23.15 (4), all moneys received by the department of  
17 natural resources from utility easements on property located in the state park  
18 system, a southern state forest, as defined in s. 27.016 (1) (c), or a state recreation  
19 area under ss. 23.09 (10), 27.01 (2) (g) and 28.02 (5).

20 (c) All moneys received by the department of natural resources that are not fees  
21 collected under s. 27.01 (7) to (10) from rentals of real property or equipment that is  
22 part of the state park system, a southern state forest, as defined in s. 27.016 (1) (c),  
23 or a state recreation area.

24 **SECTION 1405r.** 25.31 (3) of the statutes is amended to read:

**SECTION 1405r**

1           25.31 (3) Third: The income shall be disbursed from the state treasury only  
2 upon warrants issued on certifications by the department of health and social  
3 services corrections upon the recommendation of the superintendent or other  
4 managing officer of such school or other institution.

5           **SECTION 1406.** 25.36 (1) of the statutes is amended to read:

6           25.36 (1) Except as provided in sub. (2), all moneys appropriated or transferred  
7 by law shall constitute the veterans trust fund which shall be used exclusively for the  
8 veterans programs under ss. 20.485 (2) (m), (mn), (tm), (u), (v), (vo), (w) and, (z) and  
9 (zm), 45.01, 45.25, 45.351 (1) and (2), ~~45.352~~, 45.353, 45.356, 45.357, 45.396, 45.397  
10 and 45.43 (7) and administered by the department of veterans affairs, including all  
11 moneys received from the federal government for the benefit of veterans or their  
12 dependents; all moneys paid as interest on and repayment of loans under the  
13 post-war rehabilitation fund; soldiers rehabilitation fund, veterans housing funds  
14 as they existed prior to July 1, 1961; all moneys paid as interest on and repayment  
15 of loans under this fund; all moneys paid as expenses for, interest on and repayment  
16 of veterans trust fund stabilization loans; and all gifts of money received by the board  
17 of veterans affairs for the purposes of this fund.

18           **SECTION 1407.** 25.40 (1) (a) 2. of the statutes is amended to read:

19           25.40 (1) (a) 2. Other revenues specified in ch. 218 derived from the issuance  
20 of licenses under the authority of the ~~commissioner~~ division of banking which shall  
21 be paid into the general fund.

22           **SECTION 1408b.** 25.40 (1) (a) 5. of the statutes is repealed.

23           **SECTION 1408r.** 25.40 (1) (a) 12. of the statutes is created to read:

24           25.40 (1) (a) 12. Fees collected under s. 341.45 (1g) (a) that are required under  
25 s. 341.45 (4m) to be deposited in the petroleum inspection fund.

**SECTION 1411**

1           **SECTION 1411.** 25.40 (2) (b) 12. of the statutes is repealed.

2           **SECTION 1411g.** 25.40 (2) (b) 13. of the statutes is amended to read:

3           25.40 (2) (b) 13. Section 20.399 (1) ~~(r)~~ (v).

4           **SECTION 1411r.** 25.40 (2) (b) 13. of the statutes, as affected by 1995 Wisconsin  
5 Act .... (this act), is renumbered 25.40 (2) (b) 15m. and amended to read:

6           25.40 (2) (b) 15m. Section ~~20.399 (1)~~ 20.445 (6) (v).

7           **SECTION 1412d.** 25.40 (2) (b) 15g. of the statutes is created to read:

8           25.40 (2) (b) 15g. Section 20.445 (1) (uy).

9           **SECTION 1413.** 25.40 (2) (b) 17. of the statutes is repealed.

10          **SECTION 1414.** 25.43 (3) of the statutes is amended to read:

11          25.43 (3) Except for the purpose of investment as provided in s. 25.17 (2) (d),  
12 the clean water fund may be used only for the purposes authorized under ss. 20.320  
13 (1) (r), (s) and (t), 20.370 (2) (mt) and (mx) ~~and (4) (iv) and (ix)~~, (6) (mu) and (mx) and  
14 (8) (mr), 20.505 (1) (v) and (x), 144.241 and 144.2415.

15          **SECTION 1415.** 25.46 (17m) of the statutes is created to read:

16          25.46 (17m) All moneys received under s. 144.968 (2) for cooperative remedial  
17 action.

18          **SECTION 1417.** 25.465 (7) of the statutes is amended to read:

19          25.465 (7) The fees imposed under s. 94.705 ~~(1)~~ and (4).

20          **SECTION 1418.** 25.50 (1) (d) of the statutes is amended to read:

21          25.50 (1) (d) "Local government" means any county, town, village, city, power  
22 district, sewerage district, drainage district, town sanitary district, public inland  
23 lake protection and rehabilitation district, public library system, school district or  
24 technical college district in this state, any commission, committee, board or officer  
25 of any governmental subdivision of this state, any court of this state, other than the

1 court of appeals or the supreme court, or any authority created under s. 231.02,  
2 233.02 or 234.02.

3 **SECTION 1420.** 25.61 of the statutes is created to read:

4 **25.61 Information technology investment fund.** There is created a  
5 separate nonlapsible trust fund designated as the information technology  
6 investment fund consisting of all revenues accruing to the state from fees assessed  
7 under ss. 16.701, 16.702 and 16.855 (22) and from gifts, grants and bequests made  
8 for information technology development purposes and moneys transferred to the  
9 fund from other funds.

10 **SECTION 1420u.** 25.75 (1) (am) of the statutes is repealed.

11 **SECTION 1420v.** 25.75 (2) of the statutes is amended to read:

12 25.75 (2) CREATION. There is created a separate nonlapsible trust fund known  
13 as the lottery fund, to consist of gross lottery revenues received by the ~~commission~~  
14 department of revenue.

15 **SECTION 1420w.** 25.75 (3) (b) 1. of the statutes is amended to read:

16 25.75 (3) (b) 1. Compensation paid to retailers under s. 565.10 (14) shall be  
17 included regardless of whether the compensation is deducted by the retailer prior to  
18 transmitting lottery ticket and lottery share revenues to the ~~commission~~ department  
19 of revenue.

20 **SECTION 1428.** 26.11 (7) of the statutes is created to read:

21 26.11 (7) (a) Notwithstanding s. 20.001 (3) (c), if the sum of the unencumbered  
22 balances in the appropriation accounts under s. 20.370 (1) (cs) and (mz) exceeds  
23 \$500,000 on June 30 of any fiscal year, the amount in excess of \$500,000 shall lapse  
24 from the appropriation account under s. 20.370 (1) (cs) to the conservation fund,  
25 except as provided in par. (b).

1 (b) Notwithstanding s. 20.001 (3) (c), if the amount in the appropriation account  
2 under s. 20.370 (1) (cs) is insufficient for the amount that must lapse under par. (a),  
3 the remainder that is necessary for the lapse shall lapse from the appropriation  
4 account under s. 20.370 (1) (mz).

5 **SECTION 1430m.** 26.37 of the statutes is created to read:

6 **26.37 Lake states wood utilization consortium.** (1) The department of  
7 natural resources and the department of development shall jointly develop a plan to  
8 establish a lake states wood utilization consortium to provide research, development  
9 and demonstration grants to enhance the forest products industry in Wisconsin and  
10 other states. The plan shall do all of the following:

11 (a) Define the powers, duties and responsibilities of the consortium.

12 (b) Establish an implementation committee for the consortium. Members of  
13 the committee may include one or more representatives from the department of  
14 natural resources, the department of development and the forest products industry.

15 (c) Specify eligibility requirements for the grants and criteria for awarding the  
16 grants, including how the grants are to be distributed to each state participating in  
17 the consortium.

18 (d) Require that the grants require matching funds or in-kind contributions  
19 by industrial recipients of the grants.

20 (e) Require the implementation committee to identify an organization that can  
21 administer and award the grants and oversee the grant program.

22 (f) Require the consortium to actively pursue funding from the states of  
23 Michigan and Minnesota of \$200,000 annually from each state for 3 years.

24 (g) Require the consortium to actively pursue federal and other funding  
25 sources.

**SECTION 1430m**

1           **(2)** The department of natural resources may not expend moneys from the  
2 appropriations under s. 20.370 (5) (ax) or (6) (bt) unless the department of natural  
3 resources and the department of development first submit to the joint committee on  
4 finance the plan required under sub. (1). If the cochairpersons of the joint committee  
5 on finance do not notify the department of natural resources within 14 working days  
6 after the date of the departments' submittal of the plan that the committee has  
7 scheduled a meeting to review the plan, the plan may be implemented and moneys  
8 may be expended as proposed by the department of natural resources. If, within 14  
9 days after the date of the departments' submittal of the plan, the cochairpersons of  
10 the committee notify the department of natural resources that the committee has  
11 scheduled a meeting to review the plan, moneys may be expended only after the plan  
12 has been approved by the committee.

13           **SECTION 1471.** 27.01 (7) (f) 1. of the statutes is amended to read:

14           27.01 **(7)** (f) 1. Except as provided in par. (gm), the fee for an annual vehicle  
15 admission sticker is \$15 \$18 for each vehicle which has Wisconsin registration  
16 plates, except that no fee is charged for a sticker issued under s. 29.1475 (6).

17           **SECTION 1472.** 27.01 (7) (f) 2. of the statutes is amended to read:

18           27.01 **(7)** (f) 2. Except as provided in subds. 3. and 4. and par. (gm) 4., the fee  
19 for a daily vehicle admission sticker is \$4 \$5 for any vehicle which has Wisconsin  
20 registration plates.

21           **SECTION 1473.** 27.01 (7) (g) 1. of the statutes is amended to read:

22           27.01 **(7)** (g) 1. Except as provided in par. (gm), the fee for an annual vehicle  
23 admission sticker for any vehicle which has a registration plate or plates from  
24 another state is \$24 \$25.

**SECTION 1474**

1           **SECTION 1474.** 27.01 (7) (g) 1. of the statutes, as affected by 1995 Wisconsin Act  
2 .... (this act), is repealed and recreated to read:

3           27.01 (7) (g) 1. Except as provided in par. (gm), the fee for an annual vehicle  
4 admission sticker is \$25 for any vehicle which has a registration plate or plates from  
5 another state, except that no fee is charged for a sticker issued under s. 29.1475 (6).

6           **SECTION 1475.** 27.01 (7) (g) 2. of the statutes is amended to read:

7           27.01 (7) (g) 2. Except as provided in subds. 3. and 4., the fee for a daily vehicle  
8 admission sticker for any vehicle which has a registration plate or plates from  
9 another state is ~~\$6~~ \$7.

10          **SECTION 1478.** 27.01 (7) (gm) 3. of the statutes is amended to read:

11          27.01 (7) (gm) 3. Notwithstanding par. (f) 1., the fee for an annual vehicle  
12 admission sticker for a vehicle that has Wisconsin registration plates and that is  
13 owned by a resident senior citizen, as defined in s. 29.01 (12m), is ~~\$6.50~~ \$9.

14          **SECTION 1479.** 27.01 (7) (gm) 4. of the statutes is amended to read:

15          27.01 (7) (gm) 4. Notwithstanding par. (f) 2., the fee for a daily vehicle  
16 admission sticker for a vehicle that has Wisconsin registration plates and that is  
17 owned by a resident senior citizen, as defined in s. 29.01 (12m), is ~~\$2~~ \$3.

18          **SECTION 1494.** 27.01 (11) (d) of the statutes is amended to read:

19          27.01 (11) (d) *Reservation applications.* The department may accept  
20 reservation applications from residents and nonresidents beginning on ~~the first~~  
21 ~~working day after January 1~~ 10 of each year.

22          **SECTION 1496.** 27.01 (11) (e) of the statutes is amended to read:

23          27.01 (11) (e) *Early reservation applications.* The department may refuse to  
24 accept reservation applications postmarked or made in person prior to ~~the first~~  
25 ~~working day after January 1~~ 10 of each year or the department may treat these

1 applications as if they were postmarked or made on January 7 15 and shall process  
2 these applications together with reservation applications actually postmarked or  
3 made in person on that date.

4 **SECTION 1499m.** 27.01 (11) (g) of the statutes is amended to read:

5 27.01 (11) (g) (title) *Processing; prior to January 8th 16.* ~~From the first working~~  
6 ~~day after January 1 of each year to January 7~~ Beginning on January 10 and ending  
7 on January 15 of each year, reservation applications shall be processed in order  
8 according to the date on which they were made and all reservations for a given date  
9 shall be processed by random selection. Except as provided under par. (e),  
10 reservation applications made by mail shall be treated as if they were made on the  
11 postmark date and shall be processed with reservations made in person on that date.

12 **SECTION 1500.** 27.01 (11) (h) of the statutes is amended to read:

13 27.01 (11) (h) (title) *Processing; after January 7 15.* After January 7 15,  
14 reservation applications shall be processed in order according to when they are  
15 received. Reservation applications submitted by mail are considered to be received  
16 when they are actually received by the appropriate office of the department.

17 **SECTION 1501m.** 27.01 (11) (i) of the statutes is created to read:

18 27.01 (11) (i) *Cooperation with tourism.* The department of natural resources  
19 and the division of tourism in the department of development shall work jointly to  
20 establish an automated campground reservation system.

21 **SECTION 1501r.** 27.01 (11) (i) of the statutes, as affected by 1995 Wisconsin Act  
22 .... (this act), is amended to read:

23 27.01 (11) (i) *Cooperation with tourism.* The department of natural resources  
24 and the ~~division~~ department of tourism ~~in the department of development~~ shall work  
25 jointly to establish an automated campground reservation system.

1           **SECTION 1506.** 27.013 of the statutes is repealed.

2           **SECTION 1509m.** 27.014 of the statutes is created to read:

3           **27.014 Liability of vehicle owners. (1) LIABILITY.** (a) If the department  
4 finds a vehicle in a vehicle admission area, as defined in s. 27.01 (7) (a) 3., that does  
5 not have a valid sticker affixed to it and the department cannot locate the operator  
6 of the vehicle, the owner of the vehicle shall be presumed liable for a violation of s.  
7 27.01 (7) (b).

8           (b) Notwithstanding par. (a), no owner of a vehicle involved in a violation of s.  
9 27.01 (7) (b) may be convicted under this section if the person who, at the time of the  
10 violation, is operating the vehicle or who has the vehicle under his or her control has  
11 been convicted for the violation under par. (a) or s. 27.01 (7) (b).

12           (c) Service may be made by certified mail addressed to the vehicle owner's  
13 last-known address.

14           **(2) DEFENSES.** The following are defenses to the imposition of liability under  
15 sub. (1):

16           (a) That a report that the vehicle was stolen was given to the department before  
17 the violation occurred or within a reasonable time after the violation occurred.

18           (b) If the owner of the vehicle provides the department with the name and  
19 address of the person operating the vehicle or having the vehicle under his or her  
20 control at the time of the violation and sufficient information for the department to  
21 determine that probable cause does not exist to believe that the owner of the vehicle  
22 was operating the vehicle at the time of the violation, then the owner of the vehicle  
23 shall not be liable under sub. (1) or s. 27.01 (7) (b).

24           (c) If the vehicle is owned by a lessor of vehicles and at the time of the violation  
25 the vehicle was in the possession of a lessee, and the lessor provides the department

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1 with the information required under s. 343.46 (3), then the lessee and not the lessor  
2 shall be liable under sub. (1) or s. 27.01 (7) (b).

3 (d) If the vehicle is owned by a dealer, as defined in s. 340.01 (11) (intro.) but  
4 including the persons specified in s. 340.01 (11) (a) to (d), and at the time of the  
5 violation the vehicle was being operated by or was under the control of any person  
6 on a trial run, and if the dealer provides the department with the name, address and  
7 operator's license number of the person operating the vehicle, then that person, and  
8 not the dealer, shall be liable under sub. (1) or s. 27.01 (7) (b).

9 **SECTION 1510b.** 27.015 of the statutes is renumbered 27.019.

10 **SECTION 1510m.** 27.016 of the statutes is created to read:

11 **27.016 State parks and forests grant program. (1)** In this section:

12 (a) "Endowment fund" means an endowment, trust or other segregated fund  
13 for the benefit of a specific state park, southern state forest or state recreation area.

14 (b) "Friends group" has the meaning given in s. 23.098 (1).

15 (c) "Southern state forest" means a state forest that is located within the region  
16 specified in s. 25.29 (7) (a).

17 (2) (a) The department shall establish a grant program under which friends  
18 groups that qualify under par. (b) may receive matching grants for the operation and  
19 maintenance of state parks, southern state forests or state recreation areas.

20 (b) To qualify for a grant under this section, a friends group shall have  
21 established an endowment fund for the benefit of a state park, a southern state forest  
22 or a state recreation area and shall have entered into a written agreement with the  
23 department as required by the department by rule.

24 (3) The department shall promulgate rules to establish criteria to be used in  
25 determining which friends groups and which activities related to the maintenance

**SECTION 1510m**

1 or operation of state parks, southern state forests or state recreation areas are  
2 eligible for these grants.

3 (4) The department may not expend more than \$30,000 as grants under this  
4 section for a given friends group, state park, southern state forest or state recreation  
5 area in a fiscal year.

6 (5) The amount of a grant under this section shall equal 50% of the amount of  
7 matching funds that are provided by the friends group for the grant. A friends group  
8 may only use the interest generated by the endowment fund for purposes of providing  
9 the matching funds. The matching funds and the grant may be used only for the  
10 operation and maintenance of the state park, southern state forest or state  
11 recreation area that the endowment fund was established to benefit.

12 (6) Annually, on or before January 1, the department shall review all  
13 applications received under this section in the previous year and shall make the  
14 grants that it approves from the appropriation under s. 20.370 (1) (eq). If insufficient  
15 funds are available to pay all approved grants, the board shall prorate the available  
16 funds among the applicants in proportion to the approved grant amounts.

17 (7) Beginning in fiscal year 1996-97 and for each fiscal year thereafter, any  
18 moneys not encumbered or expended for grants under sub. (6) from the appropriation  
19 under s. 20.370 (1) (eq) may be used by the department for the operation and  
20 maintenance of the state parks, of the southern state forests and of state recreation  
21 areas.

22 **SECTION 1527.** 28.11 (5) (a) of the statutes is amended to read:

23 28.11 (5) (a) A comprehensive county forest land use plan shall be prepared for  
24 a 10-year period by the county forestry committee with the assistance of technical  
25 personnel from the department and other interested agencies, and shall be approved

1 by the county board and the department. The plan shall include land use  
2 designations, land acquisition, forest protection, annual allowable timber harvests,  
3 recreational developments, fish and game ~~wildlife~~ wildlife management activities, roads,  
4 silvicultural operations and operating policies and procedures; it shall include a  
5 complete inventory of the county forest and shall be documented with maps, records  
6 and priorities showing in detail the various projects to be undertaken during the plan  
7 period. The plan may include an application for aids under s. 23.09 (17m). The  
8 application will be considered an annual application for these aids during the  
9 10-year period of the plan. The initial plan shall be completed within 2 years from  
10 October 2, 1963 and may be revised as changing conditions require and shall be  
11 revised upon expiration of the plan period.

12 **SECTION 1528.** 28.11 (5m) of the statutes is amended to read:

13 28.11 **(5m)** GRANTS FOR COUNTY FOREST ADMINISTRATORS. The department may  
14 make grants, from the appropriation under s. 20.370 (4) ~~(av)~~ (5) (bw), to counties  
15 having lands entered under sub. (4) to fund up to 50% of the salary of one professional  
16 forester in the position of county forest administrator or assistant county forest  
17 administrator. The department may not make a grant under this subsection for a  
18 year for which the department has not approved the annual work plan that was  
19 approved by the county board under sub. (5) (b).

20 **SECTION 1529.** 28.11 (8) (a) of the statutes is amended to read:

21 28.11 **(8)** (a) *Acreage payments.* As soon after April 20 of each year as feasible,  
22 the department shall pay to each town treasurer 30 cents per acre, based on the  
23 acreage of such lands as of the preceding June 30, as a grant out of the appropriation  
24 made by s. 20.370 (4) ~~(ar)~~ (5) (bv) on each acre of county lands entered under this  
25 section.

1           **SECTION 1530.** 28.11 (8) (b) 1. of the statutes is amended to read:

2           28.11 **(8)** (b) 1. A county having established and maintaining a county forest  
3 under this section is eligible to receive from the state from the appropriations under  
4 s. 20.370 ~~(4) (at) and (aw)~~ (5) (bq) and (bs) an annual payment as a noninterest  
5 bearing loan to be used for the purchase, development, preservation and  
6 maintenance of the county forest lands and the payment shall be credited to a county  
7 account to be known as the county forestry aid fund. A county board may, by a  
8 resolution adopted during the year and transmitted to the department by December  
9 31, request to receive a payment of not more than 50 cents for each acre of land  
10 entered and designated as "county forest land". The department shall review the  
11 request and approve the request if the request is found to be consistent with the  
12 comprehensive county forest land use plan. If any lands purchased from the fund  
13 are sold, the county shall restore the purchase price to the county forestry aid fund.  
14 The department shall pay to the county the amount due to it on or before March 31  
15 of each year, based on the acreage of the lands as of the preceding June 30. If the  
16 amounts in the appropriations under s. 20.370 ~~(4) (at) and (aw)~~ (5) (bq) and (bs) are  
17 not sufficient to pay all of the amounts approved by the department under this  
18 subdivision, the department shall pay eligible counties on a prorated basis.

19           **SECTION 1531.** 28.11 (8) (b) 2. of the statutes is amended to read:

20           28.11 **(8)** (b) 2. The department may allot additional interest free forestry aid  
21 loans on a project basis to individual counties to permit the counties to undertake  
22 meritorious and economically productive forestry operations, including land  
23 acquisitions. These additional aids may not be used for the construction of  
24 recreational facilities or for fish and game management projects. Application shall  
25 be made in the manner and on forms prescribed by the department and specify the

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1 purpose for which the additional aids will be used. The department shall make an  
2 investigation as it deems necessary to satisfy itself that the project is feasible,  
3 desirable and consistent with the comprehensive plan. If the department so finds,  
4 it may make allotments in such amounts as it determines to be reasonable and  
5 proper and charge the allotments to the forestry fund account of the county. These  
6 allotments shall be credited by the county to the county forestry aid fund. After  
7 determining the loans as required under subd. 1., the department shall make the  
8 remainder of the amounts appropriated under s. 20.370 ~~(4) (at) and (aw)~~ (5) (bq) and  
9 (bs) for that fiscal year available for loans under this subdivision. The department  
10 shall also make loans under this subdivision from the appropriations under s. 20.370  
11 ~~(4) (ax)~~ (5) (bt) and ~~(ay)~~ (bu).

12 **SECTION 1532.** 28.11 (9) (am) of the statutes is amended to read:

13 28.11 **(9)** (am) The acreage loan severance share payments shall be deposited  
14 in the conservation fund and credited to the appropriation under s. 20.370 ~~(4) (aw)~~  
15 (5) (bq), and the project loan severance share payments shall be deposited in the  
16 conservation fund and credited to the appropriation under s. 20.370 ~~(4) (ay)~~ (5) (bu).

17 **SECTION 1533.** 28.11 (9) (ar) 1. of the statutes is amended to read:

18 28.11 **(9)** (ar) 1. Notwithstanding s. 20.001 (3) (c), if the sum of the  
19 unencumbered balances in the appropriations under s. 20.370 ~~(4) (aw), (ax)~~ (5) (bq),  
20 (bt) and ~~(ay)~~ (bu) exceeds \$400,000 on June 30 of any fiscal year, the amount in excess  
21 of \$400,000 shall lapse from the appropriation under s. 20.370 ~~(4) (aw)~~ (5) (bq) to the  
22 conservation fund, except as provided in subd. 2.

23 **SECTION 1534.** 28.11 (9) (ar) 2. of the statutes is amended to read:

24 28.11 **(9)** (ar) 2. Notwithstanding s. 20.001 (3) (c), if the amount in the  
25 appropriation under s. 20.370 ~~(4) (aw)~~ (5) (bq) is insufficient for the amount that must

1 lapse under subd. 1., the remainder that is necessary for the lapse shall lapse from  
2 the appropriation under s. 20.370 (4) ~~(ay)~~ (5) (bu).

3 **SECTION 1535.** 29.05 (2) of the statutes is amended to read:

4 29.05 (2) ADDITIONAL ARREST POWERS. In addition to the arrest powers under  
5 sub. (1), a conservation warden who has completed a program of law enforcement  
6 training approved by the law enforcement standards board, has been certified as  
7 qualified to be a law enforcement officer under s. 165.85 (4) (b) 1. and has complied  
8 with any applicable requirements under s. 165.85 (4) (bn) 1. while on duty and in  
9 uniform or on duty and upon display of proper credentials may assist another law  
10 enforcement agency as defined under s. 165.83 (1) (b) including making an arrest at  
11 the request of the agency, may arrest a person pursuant to an arrest warrant  
12 concerning the commission of a felony or may arrest a person who has committed a  
13 crime in the presence of the warden. If the conservation warden makes an arrest  
14 without the presence of another law enforcement agency, the conservation warden  
15 shall cause the person arrested to be delivered to the chief of police or sheriff in the  
16 jurisdiction where the arrest is made, along with the documents and reports  
17 pertaining to the arrest. The conservation warden shall be available as a witness for  
18 the state. A conservation warden may not conduct investigations for violations of  
19 state law except as authorized in sub. (3) and ss. ~~16.21~~ 41.41 (12) and 23.11 (4). A  
20 conservation warden acting under the authority of this subsection is considered an  
21 employe of the department and is subject to its direction, benefits and legal  
22 protection. The authority granted in this section does not apply to county  
23 conservation wardens or special conservation wardens.

24 **SECTION 1536m.** 29.09 (9m) of the statutes is renumbered 29.09 (9m) (a).

25 **SECTION 1537.** 29.09 (9m) (a) 1m. of the statutes is created to read:

1           29.09 (9m) (a) 1m. Bonus deer hunting permit.

2           **SECTION 1537m.** 29.09 (9m) (b) of the statutes is created to read:

3           29.09 (9m) (b) If a person applies jointly for a hunter's choice deer hunting  
4 permit and a bonus deer hunting permit, the person shall pay a single processing fee.  
5 A person who applies for a bonus deer hunting permit is exempt from paying an  
6 additional processing fee if the person has already applied for a hunter's choice deer  
7 hunting permit for the same season. If the department authorizes the issuing of  
8 more than one bonus deer hunting permit to a person in a single season under s.  
9 29.1075 (2), the person is exempt from paying an additional processing fee for an  
10 application for the 2nd or subsequent bonus deer hunting permit.

11           **SECTION 1538.** 29.09 (9r) of the statutes is created to read:

12           29.09 (9r) HANDLING FEES FOR APPLICATIONS FOR CERTAIN APPROVALS. (a) In  
13 addition to any other fee imposed under s. 29.092, the department may collect  
14 handling fees for the approvals that the department itself issues. The handling fees  
15 shall cover the costs associated with paying for approvals that are requested by mail,  
16 telephone or electronic means.

17           (b) If the department collects handling fees under par. (a), it shall promulgate  
18 rules to designate the approvals to which the fees shall apply and to establish the  
19 amounts of the fees. The fees may not be more than the amounts necessary to cover  
20 the handling costs of issuing the approvals. In this paragraph, "handling costs"  
21 includes credit transaction fees, mailing costs and personnel costs that are necessary  
22 to process the credit transaction.

23           (c) Any fees collected under this subsection shall be deposited in the  
24 conservation fund and credited to the appropriation account under s. 20.370 (1) (Lu).

**SECTION 1538m**

1           **SECTION 1538m.** 29.092 (2) (a) of the statutes, as affected by 1993 Wisconsin  
2 Act 153, is amended to read:

3           29.092 (2) (a) *Resident small game.* Except as provided in sub. (3v) (a) 1. and  
4 (am), the fee for a resident small game hunting license is \$10.25.

5           **SECTION 1556.** 29.092 (2) (o) of the statutes is amended to read:

6           29.092 (2) (o) *Deer tag and back tag.* There is no fee for a deer tag or back tag  
7 issued with a resident deer hunting license, resident archer hunting license,  
8 nonresident deer hunting license, nonresident archer hunting license, resident  
9 sports license, nonresident sports license, resident conservation patron license or  
10 nonresident conservation patron license.

11           **SECTION 1560.** 29.092 (3) (f) of the statutes is amended to read:

12           29.092 (3) (f) *Resident disabled person.* ~~There is no~~ The fee for a an annual  
13 fishing license issued to a resident disabled person under s. 29.145 (1c) is \$6.25.

14           **SECTION 1571.** 29.092 (3v) (am) of the statutes is created to read:

15           29.092 (3v) (am) The fee for a resident annual small game hunting license  
16 issued to a resident who is at least 12 years old but less than 18 years old is \$6.25.

17           **SECTION 1574.** 29.092 (4) (am) of the statutes is created to read:

18           29.092 (4) (am) *Nonresident sports license.* The minimum fee for a nonresident  
19 sports license is \$222.25. Any applicant, at the applicant's option, may pay a greater  
20 or additional fee for this license.

21           **SECTION 1576.** 29.092 (4) (bn) of the statutes is created to read:

22           29.092 (4) (bn) *Nonresident conservation patron license.* The fee for a  
23 nonresident conservation patron license is \$523.25. Any applicant, at the applicant's  
24 option, may pay a greater or additional fee for this license.

25           **SECTION 1580.** 29.092 (11) (g) of the statutes is amended to read:

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1           29.092 (11) (g) (title) *Wild Resident wild ginseng harvest license*. The fee for  
2 a resident wild ginseng harvest license is \$5 ~~\$15~~, except that there is no fee for a  
3 license issued to a ~~person~~ resident for cutting, rooting up, gathering or destroying  
4 wild ginseng only on the ~~person's~~ resident's own land.

5           **SECTION 1581.** 29.092 (11) (gm) of the statutes is created to read:

6           29.092 (11) (gm) *Nonresident wild ginseng harvest license*. The fee for a  
7 nonresident wild ginseng harvest license is \$30.

8           **SECTION 1582.** 29.092 (11) (h) of the statutes is amended to read:

9           29.092 (11) (h) (title) *Wild Resident wild ginseng dealer license, class A*. The  
10 fee for a class A resident wild ginseng dealer license is \$100.

11           **SECTION 1583.** 29.092 (11) (i) of the statutes is created to read:

12           29.092 (11) (i) *Resident wild ginseng dealer license, class B*. The fee for a class  
13 B resident wild ginseng dealer license is \$500.

14           **SECTION 1584.** 29.092 (11) (j) of the statutes is created to read:

15           29.092 (11) (j) *Resident wild ginseng dealer license, class C*. The fee for a class  
16 C resident wild ginseng dealer license is \$1,000.

17           **SECTION 1585.** 29.092 (11) (k) of the statutes is created to read:

18           29.092 (11) (k) *Nonresident wild ginseng dealer license*. The fee for a  
19 nonresident wild ginseng dealer license is \$1,000.

20           **SECTION 1586m.** 29.092 (12m) of the statutes is created to read:

21           29.092 (12m) **INCIDENTAL TAKE PERMIT**. The fee for an incidental take permit  
22 issued under s. 29.415 (6m) is \$100.

23           **SECTION 1589m.** 29.092 (13) (b) of the statutes is amended to read:

24           29.092 (13) (b) *Duplicate archer hunting, sports or conservation patron license*.  
25 The fee for a duplicate resident archer hunting license, nonresident archer hunting

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1 license, resident sports license, nonresident sports license, resident conservation  
2 patron license or nonresident conservation patron license is \$6.50 if the duplicate  
3 license includes any deer tags and \$4.25 if the duplicate license is issued after the  
4 open season for hunting deer and does not include any deer tags.

5 **SECTION 1593g.** 29.092 (13m) of the statutes is renumbered 29.092 (13m) (a)  
6 and amended to read:

7 29.092 (13m) (a) The processing fee for an application for a hunter's choice deer  
8 hunting permit, a bonus deer hunting permit, a wild turkey hunting license, a  
9 Canada goose hunting permit, a bobcat hunting and trapping permit, an otter  
10 trapping permit or a fisher trapping permit is \$2.75.

11 **SECTION 1593r.** 29.092 (13m) (b) of the statutes is created to read:

12 29.092 (13m) (b) The processing fee for a joint application for a hunter's choice  
13 deer hunting permit and a bonus deer hunting permit if the person applies jointly  
14 for the 2 permits is \$2.75.

15 **SECTION 1594m.** 29.092 (14) (a) of the statutes is amended to read:

16 29.092 (14) (a) *Surcharge generally.* In addition to the fees specified under  
17 subs. (2) (a) and (c) to (k), (3v) (a) 1. and (am) and (4) (a), a person who applies for a  
18 resident small game, resident deer, resident bear, resident archer, nonresident  
19 annual small game, nonresident 5-day small game, nonresident deer, nonresident  
20 bear, nonresident fur-bearing animal, nonresident archer license or resident sports  
21 license shall pay a wildlife damage surcharge of \$1.

22 **SECTION 1595m.** 29.092 (14) (a) of the statutes, as affected by 1995 Wisconsin  
23 Act .... (this act), is repealed and recreated to read:

24 29.092 (14) (a) *Surcharge generally.* In addition to the fees specified under  
25 subs. (2) (a) and (c) to (k), (3v) (a) 1. and (am) and (4) (a) and (am), a person who

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1 applies for a resident small game, resident deer, resident bear, resident archer,  
2 nonresident annual small game, nonresident 5-day small game, nonresident deer,  
3 nonresident bear, nonresident fur-bearing animal, nonresident archer license,  
4 resident sports license, or nonresident sports license shall pay a wildlife damage  
5 surcharge of \$1.

6 **SECTION 1601m.** 29.092 (14) (b) of the statutes is amended to read:

7 29.092 (14) (b) *Addition of surcharge.* The wildlife damage surcharge shall be  
8 added to the fee provided in sub. (2) (a) or (c) to (k), (3v) (a) 1. or (am) or (4) (a).

9 **SECTION 1602m.** 29.092 (14) (b) of the statutes, as affected by 1995 Wisconsin  
10 Act .... (this act), is amended to read:

11 29.092 (14) (b) *Addition of surcharge.* The wildlife damage surcharge shall be  
12 added to the fee provided in sub. (2) (a) or (c) to (k), (3v) (a) 1. or (am) or (4) (a) or (am).

13 **SECTION 1603.** 29.092 (15m) of the statutes is created to read:

14 29.092 (15m) HANDLING FEES FOR CERTAIN APPROVAL APPLICATIONS. The handling  
15 fee for an approval designated by rule under s. 29.09 (9r) (b) is the amount  
16 established under s. 29.09 (9r) (b).

17 **SECTION 1604.** 29.093 (2) (a) of the statutes is amended to read:

18 29.093 (2) (a) *General effective period.* Except as provided under pars. (b) and  
19 (e) to (cg), a hunting license is valid from April 1 or the date of issuance, whichever  
20 is later, until March 31 of the following year.

21 **SECTION 1605.** 29.093 (2) (b) of the statutes is amended to read:

22 29.093 (2) (b) *Archer hunting license; issuance after the beginning of the open*  
23 *season for hunting deer.* Except as provided in par. (i) 2., a resident archer hunting  
24 license, a nonresident archer hunting license, a resident conservation patron license  
25 or a nonresident conservation patron license issued during the open season for the

1 hunting of deer with a bow and arrow does not authorize such hunting until 3 days  
2 after it is issued, excluding the date of issuance.

3 **SECTION 1607.** 29.093 (2) (d) of the statutes is amended to read:

4 29.093 (2) (d) *Wild turkey hunting stamp.* A wild turkey hunting stamp is valid  
5 ~~for the one-year period specified on the stamp~~ from the date of issuance until  
6 December 31 of the year in which the stamp was issued.

7 **SECTION 1608.** 29.093 (2) (g) of the statutes is amended to read:

8 29.093 (2) (g) *Restriction on the issuance of deer hunting licenses during the*  
9 *open season.* Except as provided under par. (i) 1., no resident deer hunting license,  
10 nonresident deer hunting license, resident sports license, nonresident sports license,  
11 resident conservation patron license or nonresident conservation patron license may  
12 be issued during the open season for the hunting of deer with firearms.

13 **SECTION 1609.** 29.093 (2) (i) 2. of the statutes is amended to read:

14 29.093 (2) (i) 2. A resident archer hunting license or a resident conservation  
15 patron license issued during the open season for hunting deer with a bow and arrow  
16 authorizes such hunting beginning on the date of issuance if issued to a person who  
17 is a member of the U.S. armed forces who exhibits proof that he or she is in active  
18 service with the armed forces and that he or she is stationed in this state or is a  
19 resident of this state on furlough or leave.

20 **SECTION 1610.** 29.093 (3) (c) of the statutes is amended to read:

21 29.093 (3) (c) *Resident disabled person fishing license.* A permanent fishing  
22 license issued before the effective date of this paragraph .... [revisor inserts date], to  
23 a disabled person under s. 29.145 (1c) is valid from the date of issuance and remains  
24 valid until March 31, 1996, as long as the licensee is continues to be a resident and  
25 continues to meet the requirement of s. 29.145 (1c) (a), (b) or (c).

**SECTION 1610r**

1           **SECTION 1610r.** 29.093 (10) (b) of the statutes is amended to read:

2           29.093 (10) (b) *Endangered species permit.* A permit issued under s. 29.415 (6)  
3 or (6m) is valid for the period designated by the department.

4           **SECTION 1611.** 29.093 (11) (c) of the statutes is amended to read:

5           29.093 (11) (c) *Wild ginseng dealer license.* A nonresident wild ginseng dealer  
6 license or a class A, class B or class C wild ginseng dealer license is valid from July  
7 1 or the date of issuance, whichever is later, until the following June 30.

8           **SECTION 1612.** 29.103 (7) of the statutes is created to read:

9           29.103 (7) USE OF MONEYS FROM FEES. The fees collected from the sale of wild  
10 turkey hunting stamps under this section shall be deposited in the conservation fund  
11 and credited to the appropriation account under s. 20.370 (1) (ht).

12           **SECTION 1615.** 29.1075 (3) of the statutes is amended to read:

13           29.1075 (3) USE OF FEES. The fees received from issuing permits under this  
14 section shall be deposited into the conservation fund and credited to the  
15 appropriation under s. 20.370 (4) ~~(gq)~~ (5) (fq).

16           **SECTION 1617.** 29.145 (1c) (intro.) of the statutes is amended to read:

17           29.145 (1c) (title) ~~PERMANENT FISHING~~ FISHING LICENSE FOR DISABLED PERSONS.  
18 (intro.) The department shall issue a ~~permanent~~ an annual disabled person fishing  
19 license to any resident who applies for this license and who does one of the following:

20           **SECTION 1618.** 29.147 (1) of the statutes is amended to read:

21           29.147 (1) A resident sports license shall be issued subject to s. 29.09 by the  
22 department or by a county clerk to any resident who is over the age of 12 years, a U.S.  
23 citizen, and who applies for this license and pays the minimum fee. A nonresident  
24 sports license shall be issued subject to s. 29.09 by the department or by a county  
25 clerk to any person who is not a resident and who meets these requirements.

**SECTION 1619**

1           **SECTION 1619.** 29.147 (2) of the statutes is amended to read:

2           29.147 (2) A resident sports license confers upon the licensee all the combined  
3 privileges conferred by a resident small game hunting license, resident fishing  
4 license and resident deer hunting license subject to all the duties, conditions,  
5 limitations and restrictions prescribed in this chapter and by department order.

6           **SECTION 1620.** 29.147 (2m) of the statutes is created to read:

7           29.147 (2m) A nonresident sports license confers upon the licensee all the  
8 combined privileges conferred by a nonresident small game hunting license,  
9 nonresident fishing license and nonresident deer hunting license subject to all the  
10 duties, conditions, limitations and restrictions prescribed in this chapter and by  
11 department order.

12           **SECTION 1621.** 29.1475 (1) of the statutes is amended to read:

13           29.1475 (1) ISSUANCE. A resident conservation patron license shall be issued  
14 subject to s. 29.09 by the department to any resident 14 years old or older who applies  
15 for ~~this~~ the license. A nonresident conservation patron license shall be issued subject  
16 to s. 29.09 by the department to any person 14 years old or older who is not a resident  
17 and who applies for the license.

18           **SECTION 1622.** 29.1475 (2) of the statutes is amended to read:

19           29.1475 (2) (title) AUTHORIZATION; RESIDENT HUNTING, FISHING AND TRAPPING  
20 PRIVILEGES. A resident conservation patron license confers upon the licensee all the  
21 combined privileges conferred by a resident small game hunting license, resident  
22 deer hunting license, resident wild turkey hunting license, resident bear hunting  
23 license, resident archer hunting license, waterfowl hunting stamp, pheasant  
24 hunting stamp, a wild turkey hunting stamp, resident annual fishing license,

1 sturgeon spearing license, an inland waters trout stamp, a Great Lakes trout and  
2 salmon stamp and trapping license.

3 **SECTION 1623.** 29.1475 (2m) of the statutes is created to read:

4 29.1475 (2m) AUTHORIZATION; NONRESIDENT HUNTING AND FISHING PRIVILEGES. A  
5 nonresident conservation patron license confers upon the licensee all the combined  
6 privileges conferred by a nonresident small game hunting license, nonresident deer  
7 hunting license, nonresident wild turkey hunting license, nonresident bear hunting  
8 license, nonresident archer hunting license, waterfowl hunting stamp, pheasant  
9 hunting stamp, a wild turkey hunting stamp, nonresident annual fishing license,  
10 sturgeon spearing license, an inland waters trout stamp and a Great Lakes trout and  
11 salmon stamp.

12 **SECTION 1624.** 29.1475 (6) of the statutes is amended to read:

13 29.1475 (6) ADMISSION STICKER. At the same time the department issues a  
14 conservation patron license, it may issue an annual resident or nonresident vehicle  
15 admission sticker or a special sticker for admission to state parks and similar areas.  
16 Alternatively or in addition, the department may issue an annual resident or  
17 nonresident vehicle admission sticker or a special sticker for admission to state  
18 parks and similar areas to a person who has a conservation patron license on location  
19 at the state park or similar area. A person who is issued a sticker under this  
20 subsection shall affix the sticker by its own adhesive to the interior surface of the  
21 lower left-hand corner of the windshield of the vehicle. A sticker issued under this  
22 section is not considered part of a conservation patron license for the purpose of  
23 issuing a duplicate and no duplicate sticker shall be issued unless the license holder  
24 provides evidence that the vehicle upon which the sticker is affixed is no longer

1 usable or that the vehicle was transferred to another person and the license holder  
2 presents the original sticker or remnants of it to the department.

3 **SECTION 1625.** 29.149 (5) of the statutes is amended to read:

4 29.149 (5) USE OF MONEYS FROM FEES. The department shall expend the receipts  
5 from the sale of inland waters trout stamps on improving and maintaining trout  
6 habitat in ~~the inland trout waters of the state, conducting trout surveys in inland~~  
7 trout waters and administering this section.

8 **SECTION 1626.** 29.15 (2) of the statutes is amended to read:

9 29.15 (2) REQUIREMENT. No person may fish for trout or salmon in the outlying  
10 trout and salmon waters of the state unless the person is issued a resident or  
11 nonresident 2-day sports fishing license, unless the person is issued a conservation  
12 patron license under s. 29.1475 or unless the person is issued a Great Lakes trout  
13 and salmon stamp which is affixed by the stamp's adhesive to the person's fishing  
14 license or sports license.

15 **SECTION 1627.** 29.155 (1m) of the statutes is amended to read:

16 29.155 (1m) The department shall, in cooperation with and with the assistance  
17 of the department of ~~development~~ tourism, publicize the special events and programs  
18 sponsored or approved under sub. (1g) or (1h).

19 **SECTION 1631.** 29.41 (3) of the statutes is amended to read:

20 29.41 (3) Possess the raw skin of any muskrat, mink, otter, fisher or pine  
21 marten at any time unless the person is the holder of a scientific collector permit, fur  
22 dealer license, trapping license or resident conservation patron license of current  
23 issue. No license is required for a person breeding, raising and producing domestic  
24 fur-bearing animals in captivity as defined in s. 29.579 or for a person authorized

**SECTION 1631**

1 to take muskrats on a cranberry marsh under a permit issued to the person by the  
2 department.

3 **SECTION 1631c.** 29.415 (1) of the statutes is amended to read:

4 29.415 (1) PURPOSE. The legislature finds that certain wild animals and wild  
5 plants are endangered or threatened and are entitled to preservation and protection  
6 as a matter of general state concern. The federal endangered species act of 1973 and  
7 the Lacey act together provide for the protection of wild animals and wild plants  
8 threatened with worldwide extinction by prohibiting the importation of endangered  
9 or threatened wild animals and wild plants and by restricting and regulating  
10 interstate and foreign commerce in wild animals and wild plants taken in violation  
11 of state, federal and foreign laws. The states, however, must also assume their  
12 responsibility for conserving these wild animals and wild plants and for restricting  
13 the taking, possession, transportation, processing or sale of endangered or  
14 threatened wild animals and wild plants within their respective jurisdictions to  
15 assure their continued survival and propagation for the aesthetic, recreational and  
16 scientific purposes of future generations. The legislature finds that by ~~eliminating~~  
17 restricting the taking, possession or marketing of endangered species in this state  
18 and by establishing a program for conservation and restoration of these endangered  
19 or threatened species, their potential for continued existence will be strengthened.  
20 The legislature further finds that the activities of both individual persons and  
21 governmental agencies are tending to destroy the few remaining whole  
22 plant-animal communities in this state. Since these communities represent the only  
23 standard against which the effects of change can be measured, their preservation is  
24 of highest importance, and the legislature urges all persons and agencies to fully  
25 consider all decisions in this light.

**SECTION 1631e**

1           **SECTION 1631e.** 29.415 (2) (a) of the statutes is renumbered 29.415 (2) (am).

2           **SECTION 1631f.** 29.415 (2) (ac) of the statutes is created to read:

3           29.415 (2) (ac) “Agency” means a board, commission, committee, department,  
4           except the department of natural resources, or officer in the state government, except  
5           the governor, a district attorney or a military or judicial officer.

6           **SECTION 1631j.** 29.415 (2) (ag) of the statutes is created to read:

7           29.415 (2) (ag) “Agency action” means any action authorized, funded or  
8           implemented by an agency.

9           **SECTION 1631k.** 29.415 (2) (bn) of the statutes is created to read:

10          29.415 (2) (bn) “Whole plant–animal community” means a group of species  
11          living together in a particular area, time and habitat.

12          **SECTION 1631ki.** 29.415 (4) (intro.) of the statutes is amended to read:

13          29.415 (4) PROHIBITION. (intro.) Except as provided in sub. (6r) or as permitted  
14          by departmental rule or permit:

15          **SECTION 1631L.** 29.415 (6m) of the statutes is created to read:

16          29.415 (6m) INCIDENTAL TAKE PERMITS. (a) The department may issue a permit,  
17          under such terms and conditions as it may prescribe, authorizing a taking that  
18          otherwise is prohibited by this section if the taking is not for the purpose of, but will  
19          be only incidental to, the carrying out of a lawful activity.

20          (b) The department may not issue a permit under this subsection unless an  
21          applicant for the permit submits to the department a conservation plan and an  
22          implementing agreement. The conservation plan shall include all of the following:

23                1. A description of the impact that will likely occur to endangered species or  
24                threatened species specified by the department’s endangered and threatened species  
25                list.

1           2. The steps that the applicant will take to minimize and mitigate the impact  
2 that the endangered species or the threatened species will suffer.

3           3. A description of the funding that the applicant will have available to  
4 implement the steps specified under subd. 2.

5           4. A description of the alternative actions to the taking that the applicant has  
6 considered and the reasons that these alternatives will not be utilized.

7           5. Any other measures that the department may determine to be necessary or  
8 appropriate.

9           (d) An application for a permit under this subsection may contain more than  
10 one applicant.

11           (f) Upon receipt of an application for a permit and the accompanying  
12 conservation plan and implementing agreement for a proposed taking, the  
13 department shall publicize the application by announcing the application receipt  
14 and by giving a brief description of the proposed taking. The publicity shall be  
15 distributed to the news media in the vicinity of the proposed taking. The department  
16 shall establish a procedure for receipt of public comment on the proposed taking.

17           (g) After having considered the public comment received on the proposed  
18 taking, the department shall issue the permit if the department finds, based on the  
19 permit application, the conservation plan and the implementation agreement, that  
20 the taking will meet all of the following requirements:

21           1. The taking will not be for the purpose of, but will be only incidental to, the  
22 carrying out a lawful activity.

23           2. The applicant will, to the maximum extent practicable, minimize and  
24 mitigate the impact caused by the taking.

**SECTION 1631L**

1           3. The applicant will ensure that adequate funding for the conservation plan  
2 will be provided.

3           4. The taking will not appreciably reduce the likelihood of the survival or  
4 recovery of the endangered species or threatened species, the whole plant-animal  
5 community of which it is a part or the habitat that is critical to its existence.

6           5. Any measures required under par. (b) 5. will be met.

7           (gm) The department may require that an applicant make additional  
8 assurances that the requirements under par. (g) 1. to 5. will be met before issuing a  
9 permit under par. (g).

10          (h) The department shall impose on the permit terms or conditions that the  
11 department finds necessary or appropriate to ensure that the requirements under  
12 par. (g) 1. to 5. will be met. These terms or conditions may include reporting and  
13 monitoring requirements.

14          (i) The department shall revoke a permit issued under this subsection if it finds  
15 that an applicant fails to comply with the terms and conditions of the permit.

16          (j) A permit issued by the department is not required if a permit under 16 USC  
17 1539 has been issued and the department determines that that the federal permit,  
18 along with its conservation plan and implementing agreement, comply with the  
19 requirements under this subsection.

20          (k) This subsection does not apply to interagency activities under sub. (6r).

21          **SECTION 1631Li.** 29.415 (6r) of the statutes is created to read:

22          29.415 **(6r)** CONSULTATION. (a) An agency shall notify the department at the  
23 earliest opportunity of the location, nature and extent of a proposed activity the  
24 agency may conduct, approve or fund that may affect an endangered or threatened

1 species. The department may allow the taking, exportation, transportation or  
2 possession of an endangered or threatened species if all of the following apply:

3 1. The activity is accomplished in accordance with interagency consultation  
4 procedures established by the department and the agency for the purpose of  
5 minimizing any adverse effect on the endangered or threatened species.

6 2. The activity is not likely to jeopardize the continued existence and recovery  
7 of the endangered or threatened species, the whole plant-animal community of  
8 which it is a part or is not likely to result in the destruction or adverse modification  
9 of a habitat that is critical to the continued existence of the endangered species or  
10 the threatened species, as determined by the department under par. (b).

11 3. The benefit to public health, safety or welfare justifies the activity.

12 (b) For purposes of par. (a) 2., the department shall determined whether a habit  
13 is critical to the continued existence of an endangered or threatened species by  
14 considering the endangered species' or threatened species' global and state element  
15 ranking as defined by natural heritage inventory methodology.

16 (c) The department shall notify the agency if the department determines that  
17 there is reasonable cause for the department to determine that an activity is not  
18 being carried out in compliance with this subsection or with any environmental  
19 protection requirements developed through interagency consultation procedures. If  
20 the secretary of natural resources and the head, as defined in s. 15.01 (8), of the  
21 agency or the state officer are unable to agree upon methods or time schedules to be  
22 used to correct the alleged noncompliance, the department may bring any action or  
23 initiate any other proceedings to enforce compliance with this subsection.

24 (d) The department and the agency shall exchange information and cooperate  
25 in the planning and implementation of any activity relating to the taking,

**SECTION 1631Li**

1 exportation, transportation or possession of any endangered species or threatened  
2 species in order to alleviate, to the extent practicable under the circumstances, any  
3 potential adverse effect on the endangered species or the threatened species.

4 (e) Cooperation between the department and an agency under par. (d) may  
5 include conducting reasonable surveys upon the request of the department, unless  
6 the department determines that the requirements of public health, safety or welfare  
7 outweigh the need for the surveys.

8 (f) Except as may be required under s. 1.11, no public notice or hearing is  
9 required in connection with interagency consultation and cooperation under this  
10 subsection.

11 **SECTION 1631m.** 29.525 of the statutes is repealed.

12 **SECTION 1632.** 29.544 (3) of the statutes is amended to read:

13 29.544 (3) LICENSE REQUIRED EXCEPTIONS; WILD RICE IDENTIFICATION CARD. Every  
14 person over the age of 16 and under the age of 65 shall obtain the appropriate wild  
15 rice license to harvest or deal in wild rice but no license to harvest is required of the  
16 members of the immediate family of a licensee or of a recipient of old-age assistance  
17 ~~or general relief~~ or members of their immediate families. The department shall issue  
18 a wild rice identification card to each member of a licensee's immediate family, to a  
19 recipient of old-age assistance ~~or general relief~~ and to each member of the recipient's  
20 family. The term "immediate family" includes husband and wife and minor children  
21 having their abode and domicile with the parent or legal guardian.

22 **SECTION 1633.** 29.547 (1) (a) of the statutes is amended to read:

23 29.547 (1) (a) "Dealer" means a person who ~~buys~~ purchases for purposes of  
24 resale at least 8 ounces of wild ginseng annually in a license year.

25 **SECTION 1634.** 29.547 (1) (am) of the statutes is created to read:

**SECTION 1634**

1           29.547 (1) (am) “License year” means the period beginning on July 1 of a given  
2 year and ending on the following June 30.

3           **SECTION 1635.** 29.547 (1) (b) of the statutes is amended to read:

4           29.547 (1) (b) “Wild ginseng” means ginseng an unprocessed plant, dry root, or  
5 live root or seed of the species *Panax quinquefolius* that is not grown or nurtured by  
6 a person.

7           **SECTION 1636.** 29.547 (4) of the statutes is renumbered 29.547 (4) (intro.) and  
8 amended to read:

9           29.547 (4) PURCHASE WITH KNOWLEDGE. (intro.) No person may purchase wild  
10 ginseng if the person knows the ginseng was cut, rooted up or gathered between  
11 November 1 and the following September 1. No ~~person~~ dealer may purchase wild  
12 ginseng if the person any of the following applies:

13           (b) The dealer knows that the vendor does not have a license to harvest ginseng  
14 or that the vendor has violated this section or a rule promulgated under this section.

15           **SECTION 1637.** 29.547 (4) (a) of the statutes is created to read:

16           29.547 (4) (a) The dealer fails to inspect the vendor’s wild ginseng harvest  
17 license or wild ginseng dealer license.

18           **SECTION 1638.** 29.547 (6) (a) of the statutes is amended to read:

19           29.547 (6) (a) *Requirement.* No person may cut, root up, gather or destroy wild  
20 ginseng unless the person has a valid wild ginseng harvest license issued by the  
21 department. The department shall promulgate rules for issuing wild ginseng  
22 harvest licenses. The department may promulgate rules on the quantity of wild  
23 ginseng that each person may harvest, and restrictions on areas where wild ginseng  
24 may be harvested and on the methods which may be used to harvest wild ginseng.

25           **SECTION 1639.** 29.547 (7) (title) of the statutes is amended to read:

1           29.547 (7) (title) WILD GINSENG DEALER LICENSE LICENSES.

2           **SECTION 1640.** 29.547 (7) of the statutes is renumbered 29.547 (7) (a) (intro.)  
3 and amended to read:

4           29.547 (7) (a) (title) License required. (intro.) No ~~person resident~~ may engage  
5 ~~in business act~~ as a dealer and ~~no dealer may purchase wild ginseng in this state~~  
6 unless he or she has ~~a~~ one of the following valid wild ginseng dealer license licenses  
7 issued by the department.:

8           (c) (title) Rules. The department may establish by rule the procedure for  
9 issuing ~~a~~ wild ginseng dealer license licenses.

10          **SECTION 1641.** 29.547 (7) (a) 1. of the statutes is created to read:

11          29.547 (7) (a) 1. A class A resident wild ginseng dealer license authorizes the  
12 purchase for purposes of resale of not more than 100 pounds dry weight of wild  
13 ginseng in a license year.

14          **SECTION 1642.** 29.547 (7) (a) 2. of the statutes is created to read:

15          29.547 (7) (a) 2. A class B resident wild ginseng dealer license authorizes the  
16 purchase for purposes of resale of not more than 1,000 pounds dry weight of wild  
17 ginseng in a license year.

18          **SECTION 1643.** 29.547 (7) (a) 3. of the statutes is created to read:

19          29.547 (7) (a) 3. A class C resident wild ginseng dealer license authorizes the  
20 purchase for purposes of resale of any amount of wild ginseng in a license year.

21          **SECTION 1644.** 29.547 (7) (b) of the statutes is created to read:

22          29.547 (7) (b) *Nonresident wild ginseng dealer license.* A person who is not a  
23 resident may not act as a dealer in this state unless he or she has a valid nonresident  
24 wild ginseng dealer license issued by the department.

25          **SECTION 1645.** 29.547 (8) (title) of the statutes is amended to read:

**SECTION 1645**

1           29.547 (8) (title) SHIPMENT AND CERTIFICATION OF ORIGIN OF WILD GINSENG.

2           **SECTION 1646.** 29.547 (8) (a) of the statutes is amended to read:

3           29.547 (8) (a) (title) *Certificate required Wild ginseng originating in this state.*

4           ~~Except as provided under par. (b), no~~ No person may ship out of this state wild  
5           ginseng ~~out of~~ that originates in this state unless the wild ginseng is accompanied  
6           by a valid and completed shipping certificate of origin issued under this subsection.

7           **SECTION 1647.** 29.547 (8) (b) of the statutes is repealed.

8           **SECTION 1648.** 29.547 (8) (bn) of the statutes is created to read:

9           29.547 (8) (bn) *Wild ginseng originating in another state.* 1. No person may  
10          ship out of this state to a foreign country wild ginseng that originates in another state  
11          unless the wild ginseng is accompanied by a valid certificate of origin issued by that  
12          other state. No person may ship out of this state wild ginseng that originates in  
13          another state under a certificate of origin issued under this subsection.

14          2. No resident may purchase for purposes of resale wild ginseng that originates  
15          in another state unless the wild ginseng is accompanied by a valid certificate of origin  
16          from the other state.

17          3. If a dealer who is a resident receives wild ginseng that originated in another  
18          state and if a certificate of origin issued by that state does not accompany the wild  
19          ginseng, the dealer shall return the wild ginseng to the sender within 30 days after  
20          its receipt.

21          **SECTION 1649.** 29.547 (8) (c) of the statutes is amended to read:

22          29.547 (8) (c) *Issuance of certificates.* The department shall promulgate a rule  
23          establishing the procedure for issuing certificates of origin. The department may  
24          issue shipping certificates of origin only to a person who has a valid wild ginseng

**SECTION 1649**

1 harvest license or a valid wild ginseng dealer license. ~~No person except the person~~  
2 ~~to whom the shipping certificate is issued may use or possess the shipping certificate.~~

3 **SECTION 1650.** 29.547 (8) (d) of the statutes is amended to read:

4 29.547 (8) (d) *Effective period; cancellations; return.* Unless canceled, a  
5 shipping certificate of origin is valid for the period indicated on the certificate's face.  
6 The department may cancel a shipping certificate of origin at any time. ~~Any person~~  
7 ~~to whom shipping certificates of origin are issued shall return all unused shipping~~  
8 ~~certificates to the department within 10 days after the expiration of the period~~  
9 ~~indicated on the certificates or within 10 days after the department cancels the~~  
10 ~~certificates.~~

11 **SECTION 1651.** 29.547 (8) (e) of the statutes is amended to read:

12 29.547 (8) (e) *Validity.* A shipping certificate of origin is valid only if it has not  
13 expired or been canceled by the department, is fully completed and contains no false  
14 information. A shipping certificate of origin issued under this subsection is valid  
15 only for wild ginseng originating from in this state.

16 **SECTION 1652.** 29.547 (8) (f) of the statutes is amended to read:

17 29.547 (8) (f) *Prohibitions.* ~~No person may ship wild ginseng originating from~~  
18 ~~another state under a shipping certificate issued under this subsection.~~ No person  
19 may use an expired or canceled shipping certificate of origin, falsify information on  
20 a shipping certificate, ~~use a shipping certificate without fully completing it of origin,~~  
21 maintain false records ~~or copies of shipping~~ of certificates of origin or fail to maintain  
22 records or comply with rules promulgated by the department concerning shipping  
23 certificates of origin.

24 **SECTION 1653.** 29.547 (9) (a) of the statutes is amended to read:

**SECTION 1653**

1           29.547 (9) (a) *Purchases.* A dealer who purchases wild ginseng shall maintain  
2 records of the quantity purchased, the name and wild ginseng license number of the  
3 vendor and other information required by the department.

4           **SECTION 1654.** 29.547 (9) (b) of the statutes is amended to read:

5           29.547 (9) (b) *Sales and shipments.* A dealer shall maintain records required  
6 under sub. (8) this section and shall keep records and reports of sales, shipments and  
7 transactions as required by the department.

8           **SECTION 1655.** 29.598 (7) (d) 2. of the statutes is amended to read:

9           29.598 (7) (d) 2. The department shall pay participating counties under subd.  
10 1. from the appropriation under s. 20.370 (4) ~~(gb)~~ (5) (fa) and from the appropriation  
11 under s. 20.370 (4) ~~(gq)~~ (5) (fq) after first deducting from s. 20.370 (4) ~~(gq)~~ (5) (fq)  
12 payments made for county administrative costs under sub. (2) (d) and payments  
13 made for wildlife damage abatement assistance under sub. (5) (c). If the amount in  
14 the appropriation under s. 20.370 (4) ~~(gb)~~ (5) (fa) and the amount remaining after  
15 these deductions from the appropriation under s. 20.370 (4) ~~(gq)~~ (5) (fq) are not  
16 sufficient to pay the full amount required under subd. 1., the department shall pay  
17 participating counties on a prorated basis.

18           **SECTION 1656.** 29.599 (4) (a) of the statutes is amended to read:

19           29.599 (4) (a) *Costs reimbursed.* Except as provided under par. (c), the  
20 department may pay each participating county or municipality up to 100% of the  
21 county's or municipality's actual costs that are directly attributable to providing  
22 additional law enforcement services during the spearfishing season. The  
23 department shall make any aid payments from the appropriations under s. 20.370  
24 (4) ~~(ga)~~ (5) (ea) by September 30 of the calendar year in which the county or

1 municipality files an application under sub. (2) (c). The department may not make  
2 an aid payment unless the payment is approved by the secretary of administration.

3 **SECTION 1657.** 29.599 (4) (c) of the statutes is amended to read:

4 29.599 (4) (c) *Prorated payments allowed.* If the total amount of reimbursable  
5 costs under par. (a) exceeds the amount available for payments under s. 20.370 (4)  
6 ~~(ga)~~ (5) (ea), the department may prorate payments to participating counties and  
7 municipalities.

8 **SECTION 1657ym.** 30.12 (3) (c) of the statutes is amended to read:

9 30.12 (3) (c) The department may promulgate rules deemed necessary to carry  
10 out the purposes of par. (a) 6., including rules to establish minimum standards to  
11 govern the architectural and aesthetic features of boat shelters and the number of  
12 boat shelters that may be constructed adjacent to a parcel of land. The rules may not  
13 govern the aesthetic features or color of boat shelters. The standards shall be  
14 designed to assure the structural soundness and durability of a boat shelter and to  
15 minimize the visual intrusiveness of a boat shelter with respect to the surrounding  
16 body of water and shoreline. A municipality may enact ordinances not inconsistent  
17 with this section or with rules promulgated under this section regulating the  
18 architectural and aesthetic features of boat shelters.

19 **SECTION 1657zm.** 30.121 (3m) (title) of the statutes is amended to read:

20 30.121 (3m) (title) EXCEPTION; CERTAIN SINGLE-STORY BOATHOUSES.

21 **SECTION 1657zq.** 30.121 (3r) of the statutes is created to read:

22 30.121 (3r) EXCEPTION; DAMAGES AFTER JANUARY 1, 1984. Subsections (2) and (3)  
23 do not apply to the repair or reconstruction of a damaged boathouse if the boathouse  
24 was damaged by violent wind, vandalism or fire and if the damage occurs after  
25 January 1, 1984.

**Section 1657zt**

1           **Section 1657zt.** 30.121 (6) of the statutes is amended to read:

2           30.121 **(6)** RULES. The department may promulgate rules deemed necessary  
3 to carry out the purposes of this section. The rules may not govern the aesthetic  
4 features or color of boathouses.

5           **SECTION 1658.** 30.126 (5) (h) of the statutes is amended to read:

6           30.126 **(5)** (h) *May not have improper toilets.* No person may construct, place  
7 or maintain a fishing raft on authorized portions of the Wolf river if the fishing raft  
8 is equipped with a toilet which permits toilet waste to be disposed of in the waterway.  
9 A toilet on a fishing raft shall comply with rules of the department of industry, labor  
10 ~~and human relations~~ development as if the toilet were on a boat.

11           **SECTION 1658m.** 30.203 (9) of the statutes is amended to read:

12           30.203 **(9)** FUNDING. Funding for this project shall be paid from the  
13 appropriations under ss. 20.370 (1) (mu) and 20.866 (2) (tr) and (tu).

14           **SECTION 1662.** 30.28 (title) of the statutes is amended to read:

15           **30.28** (title) **Fee Fees for permits and, approvals, determinations and**  
16 **hearings.**

17           **SECTION 1663.** 30.28 (1) of the statutes is amended to read:

18           30.28 **(1)** (title) FEES REQUIRED. The department shall charge a permit or  
19 approval fee for carrying out its duties and responsibilities under ss. 30.10 to 30.205  
20 and 30.21 to 30.27 ~~except that the department may not charge a fee for an approval~~  
21 ~~granted under s. 30.12 (3) (a) 3.~~ The permit or approval fee shall accompany the  
22 permit application or request for approval ~~and shall be refunded if the permit or~~  
23 ~~approval is not granted.~~

24           **SECTION 1664.** 30.28 (2) of the statutes is repealed and recreated to read:

1           30.28 (2) AMOUNT OF FEES. (a) For fees charged for permits and approvals under  
2 ss. 30.10 to 30.205 and 30.21 to 30.27, the department shall classify the types of  
3 permits and approvals based on the estimated time spent by the department in  
4 reviewing, investigating and making determinations whether to grant the permits  
5 or approvals. The department shall then set the fees as follows:

6           1. For a permit or approval with an estimated time of less than 3 hours, the fee  
7 shall be \$30.

8           2. For a permit or approval with an estimated time of more than 3 hours but  
9 less than 9 hours, the fee shall be \$100.

10          3. For a permit or approval with an estimated time of more than 9 hours, the  
11 fee shall be \$300.

12          (c) For conducting a hearing on an application for which notice is provided  
13 under s. 30.02 (3), the person requesting the hearing shall pay a fee of \$25.

14          **SECTION 1665.** 30.28 (2m) of the statutes is created to read:

15          30.28 (2m) ADJUSTMENTS IN FEES. (a) The department shall refund a permit or  
16 approval fee if the applicant requests a refund before the department determines  
17 that the application for the permit or approval is complete. The department may not  
18 refund a permit or approval fee after the department determines that the application  
19 is complete.

20          (b) If the applicant applies for a permit or requests an approval after the project  
21 is begun or after it is completed, the department shall charge an amount equal to  
22 twice the amount of the fee that it would have charged under this section.

23          (c) If more than one fee under sub. (2) (a) or s. 31.39 (2) (a) or 144.0252 is  
24 applicable to a project, the department shall charge only the highest fee of those that  
25 are applicable.

1 (d) The department, by rule, may increase any fee specified in sub. (2).

2 **SECTION 1666.** 30.28 (3) (title) of the statutes is created to read:

3 30.28 (3) (title) EXEMPTIONS.

4 **SECTION 1667.** 30.28 (3) of the statutes is renumbered 30.28 (3) (a) and  
5 amended to read:

6 30.28 (3) (a) This section does not apply to projects funded in whole or in part  
7 by any federal agency, or state agency, ~~county, city, village, town, county utility~~  
8 ~~district, town sanitary district, public inland lake protection and rehabilitation~~  
9 ~~district, metropolitan sewerage district or federally recognized Native American~~  
10 ~~tribal governing body.~~

11 **SECTION 1668.** 30.28 (3) (b) of the statutes is created to read:

12 30.28 (3) (b) This section does not apply to a permit issued under s. 30.12 (3)  
13 (a) 2., 2m. or 3.

14 **SECTION 1670.** 30.32 (9) of the statutes is amended to read:

15 30.32 (9) OPTIONAL CONTRACT PROVISIONS. The officer or agency in charge of  
16 negotiating the contract may insert in the specifications of the work reasonable and  
17 lawful conditions as to hours of labor and the residence and character of workers to  
18 be employed by the contractor and especially, so far as is practicable in the judgment  
19 of such officer or agency, such reasonable and lawful conditions as will tend to confine  
20 employment on such work, in whole or in part, to permanent and bona fide residents  
21 of this state. The officer or agency may do any part of such work by day labor under  
22 such conditions as it prescribes. The officer or agency may demand of such bidders  
23 and contractors that all contracts shall be let subject to chs. ~~101, 102, 103~~ and 105,  
24 to the end that the officer or agency and municipality shall be held harmless. The

1 officer or agency may reject any or all bids or parts thereof for any such work or  
2 supplies or materials.

3 **SECTION 1674m.** 30.42 (1) (e) of the statutes is amended to read:

4 30.42 (1) (e) For each county named in s. ~~15.345 (6)~~ 15.445 (3) (b), assign a  
5 department employe whose office is in the county to serve as a liaison representative  
6 on issues concerning the riverway.

7 **SECTION 1682.** 30.52 (3) (b) of the statutes is amended to read:

8 30.52 (3) (b) *Fee for boats under 16 feet.* The fee for the issuance or renewal of  
9 a certificate of number for a boat less than 16 feet in length is ~~\$6.50~~ \$11.

10 **SECTION 1683.** 30.52 (3) (c) of the statutes is amended to read:

11 30.52 (3) (c) *Fee for boats 16 feet or more but less than 26 feet.* The fee for the  
12 issuance or renewal of a certificate of number for a boat 16 feet or more but less than  
13 26 feet in length is ~~\$8.50~~ \$16.

14 **SECTION 1684.** 30.52 (3) (d) of the statutes is amended to read:

15 30.52 (3) (d) *Fee for boats 26 feet or more but less than 40 feet.* The fee for the  
16 issuance or renewal of a certificate of number for a boat 26 feet or more but less than  
17 40 feet in length is ~~\$10.50~~ \$30.

18 **SECTION 1685.** 30.52 (3) (e) of the statutes is amended to read:

19 30.52 (3) (e) *Fee for boats 40 feet or longer.* The fee for the issuance or renewal  
20 of a certificate of number for a boat 40 feet or more in length is ~~\$12.50~~ \$50.

21 **SECTION 1686.** 30.52 (3) (f) of the statutes is amended to read:

22 30.52 (3) (f) *Fee for nonmotorized sailboats.* Notwithstanding pars. (b) to (e),  
23 the fee for the issuance or renewal of a certificate of number for a sailboat which is  
24 not a motorboat is ~~\$6.50~~ \$10.

25 **SECTION 1687.** 30.52 (3) (i) of the statutes is amended to read:

1           30.52 (3) (i) *Fleet fees.* A person owning or holding 3 or more boats may, at the  
2 person's option, pay a fleet rate for these boats instead of the fees which otherwise  
3 would be payable under pars. (b) to (g). Notwithstanding pars. (b) to (g), the fee for  
4 the issuance or renewal of certificates of number or registrations for boats under the  
5 fleet rate is ~~\$9~~ \$18 plus 50% of the fees which would otherwise be applicable for the  
6 boats under pars. (b) to (g).

7           **SECTION 1691.** 30.71 of the statutes is amended to read:

8           **30.71 Boats equipped with toilets.** No person may, while maintaining or  
9 operating any boat equipped with toilets on inland waters or outlying waters of this  
10 state, as defined in s. 29.01 (9) and (11), dispose of any toilet wastes in any manner  
11 into the inland or outlying waters of this state. The department of ~~industry, labor~~  
12 ~~and human relations~~ development may promulgate rules necessary to carry out the  
13 purposes of this section.

14           **SECTION 1693.** 30.92 (4) (a) of the statutes is amended to read:

15           30.92 (4) (a) The department shall develop and administer, with the approval  
16 of the commission, a financial assistance program for governmental units, including  
17 itself, and qualified lake associations for the construction and ~~maintenance~~  
18 rehabilitation of capital improvements related to recreational boating facilities, for  
19 the ~~maintenance and operation~~ improvement of locks and facilities which provide  
20 access between waterways and for the projects specified in par. (b) 8. No financial  
21 assistance under this section may be provided to the Fox river management  
22 commission for feasibility studies of construction projects or for construction  
23 projects. No financial assistance under this section may be provided to the  
24 department other than for projects for access to inland lakes without a public access  
25 facility.

1           **SECTION 1694.** 30.92 (4) (b) 2. of the statutes is amended to read:

2           30.92 (4) (b) 2. The department may cost-share, with the approval of the  
3 commission, with a qualified lake association or an affected governmental unit,  
4 including itself, at a rate of up to 50% of any construction, ~~management, operation,~~  
5 acquisition, ~~maintenance~~ rehabilitation, feasibility study or other project costs or  
6 any combination of these costs, for the recreational boating project if the costs are the  
7 type that qualify for funding under this section. The department may pay, with the  
8 approval of the commission, an additional 10% of the costs of a construction project  
9 if a the municipality conducts a boating safety enforcement and education program  
10 approved by the department.

11           **SECTION 1695.** 30.92 (4) (b) 7. of the statutes is amended to read:

12           30.92 (4) (b) 7. Projects qualifying for funds available for recreational boating  
13 aids under this section include, but are not limited to, construction, rehabilitation  
14 and improvement of harbors of refuge on the Great Lakes; accommodation of  
15 motor-powered recreational watercraft; construction, rehabilitation and  
16 improvement of public access and related facilities on inland waters where  
17 motor-powered recreational watercraft are permitted; and ~~management,~~  
18 ~~maintenance and operation~~ improvement of locks and facilities that provide access  
19 between waterways for the operators of recreational watercraft.

20           **SECTION 1697.** 30.94 (6m) of the statutes is amended to read:

21           30.94 (6m) STATE AID. Notwithstanding s. 30.92 (4) (a), the department shall  
22 provide in each fiscal year funds from the appropriation under s. 20.370 (4) ~~(d)~~ (5)  
23 (hu) to the commission for the management, operation, restoration and repair of the  
24 Fox river navigational system if Brown county, Calumet county, Fond du Lac county,

1 Outagamie county and Winnebago county contribute matching funds for the  
2 management and operation of the Fox river navigational system.

3 **SECTION 1698.** 30.95 (title) of the statutes is renumbered 31.309 (title) and  
4 amended to read:

5 **31.309 (title) Portage levee system.**

6 **SECTION 1699.** 30.95 (1) of the statutes is renumbered 31.309 (1) (a) and  
7 amended to read:

8 31.309 (1) (a) The department shall provide a grant of ~~\$600,000 in fiscal year~~  
9 ~~1993-94 and of \$600,000 in fiscal year 1994-95~~ in the 1995-97 fiscal biennium from  
10 the appropriation under s. 20.370 (4) ~~(bu)~~ (5) (cq) to the city of Portage for the amount  
11 necessary for the renovation and repair of the city of Portage levee in the Portage  
12 levee system. The grant under this ~~section~~ paragraph may not exceed ~~\$1,200,000~~  
13 \$800,000 in fiscal year 1995-96 and \$800,000 in fiscal year 1996-97.

14 **SECTION 1700.** 30.95 (2) of the statutes is repealed.

15 **SECTION 1701.** 31.307 (4) of the statutes is amended to read:

16 31.307 (4) For purposes of s. 30.92 (4) (b) 6., moneys expended from the  
17 appropriation under s. 20.370 (4) ~~(bu)~~ (5) (cq) for the study under sub. (1) shall be  
18 considered as amounts expended for projects considered necessary without regard  
19 to location.

20 **SECTION 1702.** 31.309 (1) (title) of the statutes is created to read:

21 31.309 (1) (title) CITY OF PORTAGE LEVEE.

22 **SECTION 1703.** 31.309 (1) (b) of the statutes is created to read:

23 31.309 (1) (b) When the department determines that the renovation and repair  
24 described under par. (a) are complete, the city of Portage shall assume the

1 maintenance of the city of Portage levee in the Portage levee system in a manner that  
2 will best protect the surrounding area from the overflow of the Wisconsin River.

3 **SECTION 1704.** 31.309 (2) (title) of the statutes is created to read:

4 31.309 (2) (title) LEWISTON AND CALEDONIA LEVEES.

5 **SECTION 1705.** 31.309 (2) (b) of the statutes is created to read:

6 31.309 (2) (b) The department may expend in fiscal year 1995-96, from the  
7 appropriation under s. 20.370 (5) (cq), up to \$400,000 for a study concerning the  
8 future of strengthening and maintaining the Lewiston and Caledonia levees in the  
9 Portage levee system. The study shall include a management plan for these 2 levees.

10 **SECTION 1706.** 31.36 (4) of the statutes is renumbered 31.309 (2) (a) and  
11 amended to read:

12 31.309 (2) (a) The department shall ~~construct, strengthen and maintain the~~  
13 Lewiston and Caledonia levees in the Portage levee system in such a manner as that  
14 will best protect the vicinity surrounding area from the overflow of the Wisconsin  
15 river.

16 **SECTION 1707.** 31.39 (title) of the statutes is amended to read:

17 **31.39 (title) Fee Fees for permits and, approvals and hearings.**

18 **SECTION 1708.** 31.39 (1) of the statutes is amended to read:

19 31.39 (1) (title) FEEES REQUIRED. The department shall charge a permit or  
20 approval fee for carrying out its duties and responsibilities under ss. 31.02 to 31.185  
21 and 31.33 to 31.38. The permit or approval fee shall accompany the permit  
22 application or request for approval ~~and shall be refunded if the permit is not granted.~~

23 **SECTION 1709.** 31.39 (2) of the statutes is repealed and recreated to read:

24 31.39 (2) AMOUNT OF FEES. (a) For fees charged for permits and approvals under  
25 ss. 31.02 to 31.185 and 31.33 to 31.38, the department shall classify the types of

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1 permits and approvals based on the estimated time spent by the department in  
2 reviewing, investigating and making determinations whether to grant the permits  
3 or approvals. The department shall then set the fees as follows:

4 1. For a permit or approval with an estimated time of less than 3 hours, the fee  
5 shall be \$30.

6 2. For a permit or approval with an estimated time of more than 3 hours but  
7 less than 9 hours, the fee shall be \$100.

8 3. For a permit or approval with an estimated time of more than 9 hours, the  
9 fee shall be \$300.

10 (b) For conducting a hearing on an application for which notice is provided  
11 under s. 31.06 (1), the person requesting the hearing for the permit or approval shall  
12 pay a fee of \$25.

13 **SECTION 1710.** 31.39 (2m) of the statutes is created to read:

14 31.39 (2m) ADJUSTMENTS IN FEES. (a) The department shall refund a permit or  
15 approval fee if the applicant requests a refund before the department determines  
16 that the application for the permit or approval is complete. The department may not  
17 refund a permit or approval fee after the department determines that the application  
18 is complete.

19 (b) If the applicant applies for a permit or requests an approval after the project  
20 is begun or after it is completed, the department shall charge an amount equal to  
21 twice the amount of the fee that it would have charged under this section.

22 (c) If more than one fee under sub. (2) (a) or s. 30.28 (2) (a) or 144.0252 is  
23 applicable to a project, the department shall charge only the highest fee of those that  
24 are applicable.

25 (d) The department, by rule, may increase any fee specified in sub. (2).

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1           **SECTION 1711.** 31.39 (3) of the statutes is amended to read:

2           31.39 (3) (title) EXEMPTIONS. This section does not apply to any federal agency,  
3 or state agency, county, city, village, town, county utility district, town sanitary  
4 district, public inland lake protection and rehabilitation district, metropolitan  
5 sewerage district, the Dane county lakes and watershed commission or any federally  
6 recognized Native American tribal governing body.

7           **SECTION 1712c.** 32.05 (8) (a) of the statutes is repealed and recreated to read:

8           32.05 (8) (a) In this subsection:

9           1. “Comparable replacement business” has the meaning given in s. 32.19 (2) (c).

10          2. “Condemnor” has the meaning given in s. 32.185.

11          **SECTION 1712e.** 32.05 (8) (c) of the statutes is amended to read:

12          32.05 (8) (c) The condemnor may not require the persons who occupied the  
13 premises on the date that title vested in the condemnor to vacate until a comparable  
14 replacement property is made available, except that whenever a business is  
15 condemned for transportation purposes, the condemnor may require the persons  
16 who occupied the business on the date that title vested in the condemnor to vacate  
17 without providing a comparable replacement business. This paragraph does not  
18 apply to any person who waives his or her right to receive relocation benefits or  
19 services under s. 32.197 or who is not a displaced person, as defined under s. 32.19  
20 (2) (e), unless the acquired property is part of a program or project receiving federal  
21 financial assistance.

22          **SECTION 1713.** 32.19 (2) (b) of the statutes is amended to read:

23          32.19 (2) (b) “Comparable dwelling” means one which, when compared with the  
24 dwelling being taken, is substantially equal concerning all major characteristics and  
25 functionally equivalent with respect to: the number and size of rooms and closets,

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1 area of living space, type of construction, age, state of repair, size and utility of any  
2 garage or other outbuilding, type of neighborhood and accessibility to public services  
3 and places of employment. "Comparable dwelling" shall meet all of the standard  
4 building requirements and other code requirements of the local governmental body  
5 and shall also be decent, safe and sanitary and within the financial means of the  
6 displaced person, as defined by the department of ~~industry, labor and human~~  
7 ~~relations~~ development.

8 **SECTION 1714.** 32.19 (2) (e) 1. b. of the statutes is amended to read:

9 32.19 (2) (e) 1. b. As a result of rehabilitation, demolition or other displacing  
10 activity, as determined by the department of ~~industry, labor and human relations~~  
11 development, if the person is a tenant-occupant of a dwelling, business or farm  
12 operation and the displacement is permanent.

13 **SECTION 1715.** 32.19 (3) (b) 1. of the statutes is amended to read:

14 32.19 (3) (b) 1. Dwellings. Any displaced person who moves from a dwelling  
15 and who elects to accept the payments authorized by this paragraph in lieu of the  
16 payments authorized by par. (a) may receive an expense and dislocation allowance,  
17 determined according to a schedule established by the department of ~~industry, labor~~  
18 ~~and human relations~~ development.

19 **SECTION 1716.** 32.19 (3) (b) 2. of the statutes is amended to read:

20 32.19 (3) (b) 2. Business and farm operations. Any displaced person who moves  
21 or discontinues his or her business or farm operation, is eligible under criteria  
22 established by the department of ~~industry, labor and human relations~~ development  
23 by rule and elects to accept payment authorized under this paragraph in lieu of the  
24 payment authorized under par. (a), may receive a fixed payment in an amount  
25 determined according to criteria established by the department of ~~industry, labor~~

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1 ~~and human relations~~ development by rule, except that such payment shall not be less  
2 than \$1,000 nor more than \$20,000. A person whose sole business at the  
3 displacement dwelling is the rental of such property to others is not eligible for a  
4 payment under this subdivision.

5 **SECTION 1717.** 32.19 (3) (c) of the statutes is amended to read:

6 32.19 (3) (c) *Optional payment for businesses.* Any displaced person who moves  
7 his or her business, and elects to accept the payment authorized in par. (a), may, if  
8 otherwise qualified under par. (b) 2., elect to receive the payment authorized under  
9 par. (b) 2., minus whatever payment the displaced person received under par. (a), if  
10 the displaced person discontinues the business within 2 years of the date of receipt  
11 of payment under par. (a), provided that the displaced person meets eligibility  
12 criteria established by the department of ~~industry, labor and human relations~~  
13 development by rule. In no event may the total combined payment be less than  
14 \$1,000 nor more than \$20,000.

15 **SECTION 1718.** 32.19 (4) (a) 2. of the statutes is amended to read:

16 32.19 (4) (a) 2. The amount of increased interest expenses and other debt  
17 service costs incurred by the owner to finance the purchase of another property  
18 substantially similar to the property taken, if at the time of the taking the land  
19 acquired was subject to a bona fide mortgage or was held under a vendee's interest  
20 in a bona fide land contract, and such mortgage or land contract had been executed  
21 in good faith not less than 180 days prior to the initiation of negotiations for the  
22 acquisition of such property. The computation of the increased interest costs shall  
23 be determined according to rules promulgated by the department of ~~industry, labor~~  
24 and human relations development.

25 **SECTION 1719.** 32.19 (4) (b) (intro.) of the statutes is amended to read:

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1           32.19 (4) (b) *Tenants and certain others.* (intro.) In addition to amounts  
2 otherwise authorized by this subchapter, the condemnor shall make a payment to  
3 any individual or family displaced from any dwelling which was actually and  
4 lawfully occupied by such individual or family for not less than 90 days prior to the  
5 initiation of negotiations for the acquisition of such property or, if displacement is not  
6 a direct result of acquisition, such other event as determined by the department of  
7 ~~industry, labor and human relations~~ development by rule. For purposes of this  
8 paragraph, a nonprofit corporation organized under ch. 181 may, if otherwise  
9 eligible, be considered a displaced tenant. Subject to the limitations under par. (bm),  
10 such payment shall be either:

11           **SECTION 1720.** 32.19 (4m) (a) 2. of the statutes is amended to read:

12           32.19 (4m) (a) 2. The amount, if any, which will compensate such owner  
13 displaced person for any increased interest and other debt service costs which such  
14 person is required to pay for financing the acquisition of any replacement property,  
15 if the property acquired was encumbered by a bona fide mortgage or land contract  
16 which was a valid lien on the property for at least one year prior to the initiation of  
17 negotiations for its acquisition. The amount under this subdivision shall be  
18 determined according to rules promulgated by the department of ~~industry, labor and~~  
19 human relations development.

20           **SECTION 1721.** 32.19 (4m) (b) (intro.) of the statutes is amended to read:

21           32.19 (4m) (b) *Tenant-occupied business or farm operation.* (intro.) In addition  
22 to amounts otherwise authorized by this subchapter, the condemnor shall make a  
23 payment to any tenant displaced person who has owned and occupied the business  
24 operation, or owned the farm operation, for not less than one year prior to initiation  
25 of negotiations for the acquisition of the real property on which the business or farm

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1 operation lies or, if displacement is not a direct result of acquisition, such other event  
2 as determined by the department of ~~industry, labor and human relations~~  
3 development, and who actually rents or purchases a comparable replacement  
4 business or farm operation for the displaced business or farm operation within 2  
5 years after the date the person vacates the acquired property. At the option of the  
6 tenant displaced person, such payment shall be either:

7 **SECTION 1722.** 32.19 (4m) (b) 1. of the statutes is amended to read:

8 32.19 (4m) (b) 1. The amount, not to exceed \$30,000, which is necessary to lease  
9 or rent a comparable replacement business or farm operation for a period of 4 years.  
10 The payment shall be computed by determining the average monthly rent paid for  
11 the property from which the person was displaced for the 12 months prior to the  
12 initiation of negotiations or, if displacement is not a direct result of acquisition, such  
13 other event as determined by the department of ~~industry, labor and human relations~~  
14 development and the monthly rent of a comparable replacement business or farm  
15 operation, and multiplying the difference by 48; or

16 **SECTION 1723.** 32.197 of the statutes is amended to read:

17 **32.197 Waiver of relocation assistance.** An owner-occupant of property  
18 being acquired may waive his or her right to receive any relocation payments or  
19 services under this subchapter if the property being acquired is not contiguous to any  
20 property which may be acquired by the condemnor and is not part of a previously  
21 identified or proposed project where it is reasonable to conclude that acquisition by  
22 the condemnor may occur in the foreseeable future. Prior to the execution of any  
23 waiver under this section, the condemnor shall provide to the owner-occupant, in  
24 writing, full information about the specific payments and services being waived by  
25 the owner-occupant. The department of ~~industry, labor and human relations~~

1 development shall by rule establish procedures for relocation assistance waivers  
2 under this section to ensure that the waivers are voluntarily and knowledgeably  
3 executed.

4 **SECTION 1724.** 32.20 of the statutes is amended to read:

5 **32.20 Procedure for collection of itemized items of compensation.**

6 Claims for damages itemized in ss. 32.19 and 32.195 shall be filed with the  
7 condemnor carrying on the project through which condemnee's or claimant's claims  
8 arise. All such claims must be filed after the damages upon which they are based  
9 have fully materialized but not later than 2 years after the condemnor takes physical  
10 possession of the entire property acquired or such other event as determined by the  
11 department of ~~industry, labor and human relations~~ development by rule. If such  
12 claim is not allowed within 90 days after the filing thereof, the claimant has a right  
13 of action against the condemnor carrying on the project through which the claim  
14 arises. Such action shall be commenced in a court of record in the county wherein  
15 the damages occurred. In causes of action, involving any state commission, board or  
16 other agency, excluding counties, the sum recovered by the claimant shall be paid out  
17 of any funds appropriated to such condemning agency. Any judgment shall be  
18 appealable by either party and any amount recovered by the body against which the  
19 claim was filed, arising from costs, counterclaims, punitive damages or otherwise  
20 may be used as an offset to any amount owed by it to the claimant, or may be collected  
21 in the same manner and form as any other judgment.

22 **SECTION 1725.** 32.25 (1) of the statutes is amended to read:

23 32.25 (1) Except as provided under sub. (3) and s. 85.09 (4m), no condemnor  
24 may proceed with any activity that may involve the displacement of persons,  
25 business concerns or farm operations until the condemnor has filed in writing a

1 relocation payment plan and relocation assistance service plan and has had both  
2 plans approved in writing by the department of ~~industry, labor and human relations~~  
3 development.

4 **SECTION 1725i.** 32.25 (2) (b) of the statutes is amended to read:

5 32.25 (2) (b) Assist owners of displaced business concerns ~~and farm operations~~  
6 in obtaining and becoming established in suitable replacement business locations ~~or~~  
7 replacement farms, except that whenever a condemnor intends to condemn a  
8 business for transportation purposes, the condemnor is not required to identify  
9 specific locations in the plan.

10 **SECTION 1725j.** 32.25 (2) (c) of the statutes is amended to read:

11 32.25 (2) (c) Assist displaced owners or renters in the location of comparable  
12 dwellings and assist persons displaced from farm operations in the location of  
13 comparable replacement farm operations.

14 **SECTION 1726.** 32.25 (2) (h) of the statutes is amended to read:

15 32.25 (2) (h) Assure that, within a reasonable time prior to displacement, there  
16 will be available, to the extent that may reasonably be accomplished, housing  
17 meeting the standards established by the department of ~~industry, labor and human~~  
18 ~~relations~~ development for decent, safe and sanitary dwellings. The housing, so far  
19 as practicable, shall be in areas not generally less desirable in regard to public  
20 utilities, public and commercial facilities and at rents or prices within the financial  
21 means of the families and individuals displaced and equal in number to the number  
22 of such displaced families or individuals and reasonably accessible to their places of  
23 employment.

24 **SECTION 1727.** 32.26 (title) of the statutes is amended to read:

1           **32.26** (title) **Authority of the department of industry, labor and human**  
2 **relations development.**

3           **SECTION 1728.** 32.26 (1) of the statutes is amended to read:

4           32.26 (1) In addition to all other powers granted in this subchapter, the  
5 department of ~~industry, labor and human relations~~ development shall formulate  
6 local standards for decent, safe and sanitary dwelling accommodations.

7           **SECTION 1729.** 32.26 (2) (a) of the statutes is amended to read:

8           32.26 (2) (a) The department of ~~industry, labor and human relations~~  
9 development shall promulgate rules to implement and administer ss. 32.19 to 32.27.

10          **SECTION 1730.** 32.26 (2) (b) of the statutes is amended to read:

11          32.26 (2) (b) The department of ~~industry, labor and human relations~~  
12 development and the department of transportation shall establish  
13 interdepartmental liaison procedures for the purpose of cooperating and exchanging  
14 information to assist the department of ~~industry, labor and human relations~~  
15 development in promulgating rules under par. (a).

16          **SECTION 1731.** 32.26 (3) of the statutes is amended to read:

17          32.26 (3) The department of ~~industry, labor and human relations~~ development  
18 may make investigations to determine if the condemnor is complying with ss. 32.19  
19 to 32.27. The department may seek an order from the circuit court requiring a  
20 condemnor to comply with ss. 32.19 to 32.27 or to discontinue work on that part of  
21 the project which is not in substantial compliance with ss. 32.19 to 32.27. The court  
22 shall give hearings on these actions precedence on the court's calendar.

23          **SECTION 1732.** 32.26 (4) of the statutes is amended to read:

24          32.26 (4) Upon the request of the department of ~~industry, labor and human~~  
25 relations development, the attorney general shall aid and prosecute all necessary

1 actions or proceedings for the enforcement of this subchapter and for the punishment  
2 of all violations of this subchapter.

3 **SECTION 1733.** 32.26 (5) of the statutes is amended to read:

4 32.26 (5) Any displaced person may, prior to commencing court action against  
5 the condemnor under s. 32.20, petition the department of ~~industry, labor and human~~  
6 ~~relations~~ development for review of his or her complaint, setting forth in the petition  
7 the reasons for his or her dissatisfaction. The department may conduct an informal  
8 review of the situation and attempt to negotiate an acceptable solution. If an  
9 acceptable solution cannot be negotiated within 90 days, the department shall notify  
10 all parties, and the petitioner may then proceed under s. 32.20. The informal review  
11 procedure provided by this subsection is not a condition precedent to the filing of a  
12 claim and commencement of legal action pursuant to s. 32.20. In supplying  
13 information required by s. 32.25 (2) (d), the condemnor shall clearly indicate to each  
14 displaced person his or her right to proceed under this paragraph and under s. 32.20,  
15 and shall supply full information on how the displaced person may contact the  
16 department of ~~industry, labor and human relations~~ development.

17 **SECTION 1734.** 32.26 (6) of the statutes is amended to read:

18 32.26 (6) The department of ~~industry, labor and human relations~~ development,  
19 with the cooperation of the attorney general, shall prepare pamphlets in simple  
20 language and in readable format describing the eminent domain laws of this state,  
21 including the reasons for condemnation, the procedures followed by condemnors,  
22 how citizens may influence the condemnation process and the rights of property  
23 owners and citizens affected by condemnation. The department shall make copies  
24 of the pamphlets available to all condemnors, who may be charged a price for the  
25 pamphlets sufficient to recover the costs of production.

1           **SECTION 1735.** 32.26 (7) of the statutes is amended to read:

2           32.26 (7) The department of industry, labor and human relations development  
3 shall provide technical assistance on relocation plan development and  
4 implementation to any condemnor carrying out a project which may result in the  
5 displacement of any person.

6           **SECTION 1736.** 34.01 (2) (a) of the statutes is amended to read:

7           34.01 (2) (a) Any loss of public moneys, which have been deposited in a  
8 designated public depository in accordance with this chapter, resulting from the  
9 failure of any public depository to repay to any public depositor the full amount of  
10 its deposit because the ~~commissioner~~ office of credit unions, administrator of federal  
11 credit unions, ~~commissioner of banking~~, U.S. comptroller of the currency, federal  
12 home loan bank board, U.S. office of thrift supervision, federal deposit insurance  
13 corporation, resolution trust corporation, division of banking or ~~commissioner~~  
14 division of savings and loan has taken possession of the public depository or because  
15 the public depository has, with the consent and approval of the ~~commissioner~~ office  
16 of credit unions, administrator of federal credit unions, ~~commissioner of banking~~,  
17 U.S. office of thrift supervision, federal deposit insurance corporation, resolution  
18 trust corporation, division of banking or ~~commissioner~~ division of savings and loan,  
19 adopted a stabilization and readjustment plan or has sold a part or all of its assets  
20 to another credit union, bank, savings bank or savings and loan association which  
21 has agreed to pay a part or all of the deposit liability on a deferred payment basis or  
22 because the depository is prevented from paying out old deposits because of rules of  
23 the ~~commissioner~~ office of credit unions, administrator of federal credit unions,  
24 ~~commissioner of banking~~, U.S. comptroller of the currency, federal home loan bank  
25 board, U.S. office of thrift supervision, federal deposit insurance corporation,

1 resolution trust corporation, division of banking or ~~commissioner~~ division of savings  
2 and loan.

3 **SECTION 1737.** 34.03 (intro.) of the statutes is amended to read:

4 **34.03** (title) **Powers of the ~~commissioner~~ division of banking.** (intro.)

5 The ~~commissioner~~ division of banking may do any of the following:

6 **SECTION 1738.** 34.03 (2) of the statutes is amended to read:

7 34.03 (2) Require any public depository or the trustees of segregated trusts  
8 created by banks for the benefit of public depositors to furnish information upon  
9 request. Any public depository which refuses or neglects to give any information so  
10 requested shall be excluded from the right to receive public deposits. Information  
11 obtained under this subsection may not be disclosed by the ~~commissioner~~ division of  
12 banking unless disclosed as provided in s. 220.06.

13 **SECTION 1739.** 34.03 (3) of the statutes is amended to read:

14 34.03 (3) Take such action as ~~he or she~~ the division deems necessary or  
15 appropriate for the protection, collection, compromise or settlement of any claim  
16 against or in favor of the appropriation under s. ~~20.124~~ 20.144 (1) (a).

17 **SECTION 1739m.** 34.03 (4) of the statutes is amended to read:

18 34.03 (4) Exercise all powers reasonably necessary and proper to the full and  
19 complete performance of ~~his or her~~ the division's functions under this chapter,  
20 including but not limited to ordinary powers granted corporations.

21 **SECTION 1742.** 34.08 (1) of the statutes is amended to read:

22 34.08 (1) Except as provided in sub. (2), the appropriation in s. ~~20.124~~ 20.144  
23 (1) (a) shall be used to repay public depositors for losses until the appropriation is  
24 exhausted.

25 **SECTION 1743.** 34.08 (2) of the statutes is amended to read:

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1           34.08 (2) Payments under sub. (1) shall be made in the order in which  
2           satisfactory proofs of loss are received by the ~~commissioner~~ division of banking. The  
3           payment made to any public depositor for all losses of the public depositor in any  
4           individual public depository may not exceed \$400,000 above the amount of deposit  
5           insurance provided by an agency of the United States or by the Wisconsin credit  
6           union savings insurance corporation at the public depository which experienced the  
7           loss. Upon a satisfactory proof of loss, the ~~commissioner~~ division of banking shall  
8           direct the department of administration to draw its warrant payable from the  
9           appropriation under s. ~~20.124~~ 20.144 (1) (a) and the state treasurer shall pay the  
10          warrant under s. 14.58 (4) in favor of the public depositor that has submitted the  
11          proof of loss.

12           **SECTION 1744.** 34.08 (3) of the statutes is amended to read:

13           34.08 (3) Losses become fixed as of the date of loss. A public depositor  
14          experiencing a loss shall, within 60 days of the loss, assign its interest in the deposit,  
15          to the extent of the amount paid under this section, to the ~~commissioner~~ division of  
16          banking. Upon failure to make the assignment, the public depositor shall forfeit its  
17          right to payment under this section. Any recovery made by the ~~commissioner~~  
18          division of banking under the assignment shall be repaid to the appropriation under  
19          s. ~~20.124~~ 20.144 (1) (a).

20           **SECTION 1745.** 34.09 of the statutes is amended to read:

21           **34.09 Financial institutions eligible as public depositories.** Every  
22          federal or state credit union, state bank, federal or state savings and loan  
23          association, savings and trust company and federal or state savings bank and every  
24          national bank located in this state which complies in all respects as to public deposits  
25          with this chapter and will accept payments made by the state under s. 16.412 may

1 be designated as a public depository and may receive and hold public deposits,  
2 subject to this chapter. The ~~commissioner~~ division of banking shall have the same  
3 powers and duties with regard to making and continuing public deposits in national  
4 banks, federal and state credit unions, federal and state savings banks and federal  
5 and state savings and loan associations as the powers and duties exercised and  
6 performed by the ~~commissioner~~ division of banking with regard to public deposits in  
7 state banks.

8 **SECTION 1746.** 34.10 of the statutes is amended to read:

9 **34.10 Reorganization and stabilization of financial institutions.**

10 Whenever the ~~commissioner~~ office of credit unions, administrator of federal credit  
11 unions, ~~commissioner of banking~~, U.S. comptroller of the currency, federal home loan  
12 bank board, U.S. office of thrift supervision, federal deposit insurance corporation,  
13 resolution trust corporation, division of banking or ~~commissioner~~ division of savings  
14 and loan has taken charge of a credit union, bank, savings bank or savings and loan  
15 association with a view of restoring its solvency, pursuant to law, or with a view of  
16 stabilizing and readjusting the structure of any national or state credit union, bank,  
17 savings bank or savings and loan association located in this state, and has approved  
18 a reorganization plan or a stabilization and readjustment agreement entered into  
19 between the credit union, bank, savings bank or savings and loan association and  
20 depositors and unsecured creditors, or when a credit union, bank, savings bank or  
21 savings and loan association, with the approval of the ~~commissioner~~ office of credit  
22 unions, administrator of federal credit unions, ~~commissioner of banking~~, U.S.  
23 comptroller of the currency, federal home loan bank board, U.S. office of thrift  
24 supervision, federal deposit insurance corporation, resolution trust corporation,  
25 division of banking or ~~commissioner~~ division of savings and loan proposes to sell its

**SECTION 1746**

1 assets to another credit union, bank, savings bank or savings and loan association  
2 which agrees to assume a part or all of the deposit liability of such selling credit  
3 union, bank, savings bank or savings and loan association and to pay the same on  
4 a deferred payment basis, the governing board of the public depositor may, on the  
5 approval of the ~~commissioner~~ division of banking, join in the execution of any  
6 reorganization plan, or any stabilization and readjustment agreement, or any  
7 depositor's agreement relative to a proposed sale of assets if, in its judgment and that  
8 of the ~~commissioner~~ division of banking, the reorganization plan or stabilization and  
9 readjustment agreement or proposed sale of assets is in the best interest of all  
10 persons concerned. The joining in any reorganization plan, or any stabilization and  
11 readjustment agreement, or any proposed sale of assets which meets the approval  
12 of the ~~commissioner~~ division of banking does not waive any rights under this chapter.

13 **SECTION 1747.** 34.11 of the statutes is amended to read:

14 **34.11 Penalties.** Any person who wilfully violates ss. 34.01 to 34.10, or any  
15 orders or rules promulgated by the ~~commissioner~~ division of banking under said  
16 sections, shall for each such offense be fined not more than \$500 or imprisoned not  
17 more than 6 months, or both.

18 **SECTION 1748.** 35.03 (4) of the statutes is amended to read:

19 35.03 (4) Direct the manner, form, style, quantity and method, when these are  
20 not expressly prescribed by law, of ~~public printing~~ for state agencies except printing  
21 of the first class; and provide editorial services to state agencies in the preparation  
22 of copy for the printer.

23 **SECTION 1749.** 35.24 (1) (a) of the statutes is amended to read:

24 35.24 (1) (a) The Blue Book shall contain the biographies and pictures of state  
25 officers, senators and representatives to the assembly and officers of each house,

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1 information pertaining to the organization of Wisconsin state government, and  
2 statistical and other information of the same general character as that heretofore  
3 published, but so selected and condensed as will limit the number of pages to 1,000  
4 or less. In making such selection the legislative reference bureau is directed to  
5 consult freely with the ~~state superintendent~~ secretary of education and the director  
6 of the historical society, and insofar as possible, make the book useful for civics  
7 classes in schools.

8 **SECTION 1749m.** 35.29 (1m) of the statutes is created to read:

9 35.29 (1m) No state agency may distribute any materials printed under sub.  
10 (1) directly to any member of the legislature, except in the manner provided in this  
11 subsection. If a state agency wishes to make available any materials under sub. (1)  
12 to members of the legislature, the agency shall send a notice to all members briefly  
13 describing the materials. If a member notifies the state agency that the member  
14 wishes to receive a copy of specified materials, the agency may then distribute the  
15 materials to that member.

16 **SECTION 1750.** 35.84 (figure) column B line 43 of the statutes is amended to  
17 read:

18 35.84 (figure) Column B Statutes, Soft Covers; s. 35.18  
19 43. Public Defender Board ..... 340 378

20 **SECTION 1751.** 35.84 (figure) column C line 43 of the statutes is amended to  
21 read:

22 35.84 (figure) Column C Annotations; s. 35.23  
23 43. Public Defender Board ..... 41 44

24 **SECTION 1752.** 35.84 (figure) column D line 43 of the statutes is amended to  
25 read:

**SECTION 1752**

1           35.84 (figure) Column D Laws of Wisconsin; s. 35.15

2           43. Public Defender Board ..... 41 44

3           **SECTION 1753.** 35.84 (figure) column J line 43 of the statutes is amended to  
4 read:

5           35.84 (figure) Column J Opinions of Attorney General; s. 35.28; s. 165.015 (1)

6           43. Public Defender Board ..... 41 44

7           **SECTION 1754.** 35.84 (figure) column K line 43 of the statutes is amended to  
8 read:

9           35.84 (figure) Column K Supreme Court Reports; s. 35.28; s. 751.11

10          43. Public Defender Board ..... 41 44

11          **SECTION 1755.** 35.86 (1) of the statutes is amended to read:

12          35.86 (1) The director of the historical society may procure the exchange of  
13 public documents produced by federal, state, county, local and other agencies as may  
14 be desirable to maintain or enlarge its historical, literary and statistical collections,  
15 and may make such distributions of public documents, with or without exchange, as  
16 may accord with interstate or international comity. The state law librarian shall  
17 procure so many of such exchanges as the state law librarian is authorized by law  
18 to make, and the department of health and social services, ~~commissioner~~ division of  
19 banking, department of public instruction, legislative reference bureau, and the  
20 legislative council staff, may procure by exchange such documents from other states  
21 and countries as may be needed for use in their respective offices. Any other state  
22 agency wishing to initiate a formal exchange program in accordance with this section  
23 may do so by submitting a formal application to the department and by otherwise  
24 complying with this section.

**SECTION 1755m**

1           **SECTION 1755m.** 35.87 of the statutes is renumbered 35.87 (1) and amended  
2 to read:

3           35.87 (1) The legislature may provide as a service to paid subscribers routine  
4 distribution of copies of all bills, joint resolutions, amendments, acts, journals,  
5 bulletins of proceedings and hearing bulletins printed for the legislature. The

6           (2) If the service is provided, the biennial fee, effective January 1 of each  
7 odd-numbered year, for subscription to the complete legislative document  
8 distribution service shall be based on 20% of prior session actual printing costs of  
9 such documents, including but not limited to the costs of typesetting, purchasing,  
10 paper, printing, duplication, collating and binding, as determined by the legislative  
11 reference bureau and the department. Portions \$500. If the service is provided, the  
12 joint committee on legislative organization may authorize portions of the service may  
13 be made available for a to be provided separately, and may prescribe a biennial fee  
14 equal to a percentage of the fee for the total service, based on the respective  
15 percentages of total printing costs for each portion so provided. The sum of the  
16 biennial fees for all portions of the service provided separately may not be less than  
17 \$500. Actual postage or delivery costs shall be added to the fee for those subscribers  
18 who do not pick up their documents.

19           (4) The joint committee on legislative organization shall determine the  
20 operational responsibility for the service authorized under this section, including the  
21 procedure for sale of the service, distribution of documents and the collection of fees.  
22 The officer designated by the legislature shall pay deposit all moneys received for  
23 subscriptions to the service into the general fund.

24           **SECTION 1755n.** 35.87 (3) of the statutes is created to read:

**SECTION 1755n**

1           35.87 (3) If the service is provided, the chief of the legislative reference bureau  
2 shall review the fee prescribed in this section on a biennial basis and, no later than  
3 December 1 of each even-numbered year, shall recommend to the joint committee  
4 any revision to the fee that the chief determines to be appropriate. The joint  
5 committee may thereafter recommend to the legislature revision of the fee prescribed  
6 in this subsection. The joint committee shall promptly transmit a copy of its  
7 recommendation to the secretary of administration.

8           **SECTION 1755p.** 36.05 (9s) of the statutes is created to read:

9           36.05 (9s) "Mainframe" means a large scale, central computer maintained by  
10 the board for multipurpose functions.

11           **SECTION 1755r.** 36.09 (1) (j) of the statutes is amended to read:

12           36.09 (1) (j) Except where such matters are a subject of bargaining with a  
13 certified representative of a collective bargaining unit under s. 111.91 and subject to  
14 the pay range maximum and compensation maximum under s. 230.125, the board  
15 shall establish salaries for persons not in the classified staff prior to July 1 of each  
16 year for the next fiscal year, and shall designate the effective dates for payment of  
17 the new salaries. In the first year of the biennium, payments of the salaries  
18 established for the preceding year shall be continued until the biennial budget bill  
19 is enacted. If the budget is enacted after July 1, payments shall be made following  
20 enactment of the budget to satisfy the obligations incurred on the effective dates, as  
21 designated by the board, for the new salaries, subject only to the appropriation of  
22 funds by the legislature and s. 20.928 (3). This Except as provided in s. 230.125, this  
23 paragraph does not limit the authority of the board to establish salaries for new  
24 appointments. The board may not increase the salaries of employes specified in ss.  
25 20.923 (5) and (6) (m) and 230.08 (2) (d) under this paragraph unless the salary

1 increase conforms to the proposal as approved under s. 230.12 (3) (e) or the board  
2 authorizes the salary increase to correct salary inequities under par. (h), to fund job  
3 reclassifications or promotions, or to recognize competitive factors. The board may  
4 not increase the salary of any position identified in s. 20.923 (4) (j) or (4m) under this  
5 paragraph unless the salary increase conforms to the compensation plan for  
6 executive salary group positions as approved under 230.12 (3) (b) or the board  
7 authorizes the salary increase to correct a salary inequity or to recognize competitive  
8 factors. The granting of salary increases to recognize competitive factors does not  
9 obligate inclusion of the annualized amount of the increases in the appropriations  
10 under s. 20.285 (1) for subsequent fiscal bienniums. No later than October 1 of each  
11 year, the board shall report to the joint committee on finance and the departments  
12 of administration and employment relations concerning the amounts of any salary  
13 increases granted to recognize competitive factors, and the institutions at which they  
14 are granted, for the 12-month period ending on the preceding June 30.

15 **SECTION 1755v.** 36.09 (1) (k) 1. of the statutes is amended to read:

16 36.09 (1) (k) 1. The Subject to the pay range maximum and compensation  
17 maximum under s. 230.125, the board shall, with respect to academic staff, correct  
18 pay inequities based on gender or race.

19 **SECTION 1757.** 36.11 (1) (b) of the statutes is amended to read:

20 36.11 (1) (b) The Except as provided in this paragraph, the board may  
21 purchase, have custody of, hold, control, possess, lease, grant easements and enjoy  
22 any lands, buildings, books, records and all other property of any nature which may  
23 be necessary and required for the purposes, objects and uses of the system authorized  
24 by law, ~~except that the.~~ Any lease is subject to the powers of the University of  
25 Wisconsin Hospitals and Clinics Authority under s. 233.03 (13) and the rights of the

1 authority under any lease agreement, as defined in s. 233.01 (6). The board shall not  
2 permit a facility that would be privately owned or operated to be constructed on  
3 state-owned land without obtaining prior approval of the building commission  
4 under s. 13.48 (12). The board may sell or dispose of such property as provided by  
5 law, or any part thereof when in its judgment it is for the best interests of the system  
6 and the state, except that. All purchases and sales of real property shall be subject  
7 to the approval of the building commission. The provision of all leases of real  
8 property to be occupied by the board shall be the responsibility of the department of  
9 administration under s. 16.84 (5).

10 **SECTION 1757g.** 36.11 (3) (d) of the statutes is amended to read:

11 36.11 (3) (d) 1. Except as provided in subd. 2., the board shall require that a \$25  
12 ~~\$28~~ fee accompany each application for admittance from persons seeking admittance  
13 to any school within the system as new freshmen or as transfer students from outside  
14 the system. The board may exempt from the fee under this subdivision, on the basis  
15 of financial need, a maximum of 5% of the applications in any school year.

16 2. The board shall require that a \$35 ~~\$38~~ fee accompany each application for  
17 admittance to a graduate school, law school or medical school within the system.

18 **SECTION 1757r.** 36.11 (3) (d) 3. of the statutes is created to read:

19 36.11 (3) (d) 3. Of the fee received with each application under subds. 1. and  
20 2., the board shall provide \$3 for the support of the higher education location program  
21 under s. 36.25 (36).

22 **SECTION 1758.** 36.11 (6) (a) 2. of the statutes is amended to read:

23 36.11 (6) (a) 2. Make grants equivalent in value to the payment of incidental  
24 fees to disabled residents of the state who are recommended and supervised by the

1 department of ~~health and social services~~ industry, labor and human relations under  
2 s. 47.02.

3 **SECTION 1758c.** 36.11 (6) (b) of the statutes is amended to read:

4 36.11 (6) (b) The board may not make a grant under par. (a) to a person if it  
5 receives a certification under s. ~~46.255~~ 73.255 (7) that the person is delinquent in  
6 child support or maintenance payments.

7 **SECTION 1758m.** 36.11 (6) (c) of the statutes is created to read:

8 36.11 (6) (c) By April 10, 1996, and annually thereafter, the board shall develop  
9 and submit to the education commission for its review under s. 39.285 (1) a proposed  
10 formula for the awarding of grants under s. 39.435, except for grants awarded under  
11 s. 39.435 (2) or (5), for the upcoming academic year to students enrolled in the system.

12 **SECTION 1759.** 36.11 (26) of the statutes is amended to read:

13 36.11 (26) BUILDING PROGRAM PLANNING AND APPROVAL. The board shall establish  
14 a process for submission of building projects to the building commission for approval.  
15 No building project for the system may be submitted by the board to the building  
16 commission unless the project is developed and approved by the board in conformity  
17 with this subsection. This subsection does not apply to building projects of the  
18 University of Wisconsin Hospitals and Clinics Authority.

19 **SECTION 1761.** 36.11 (28) of the statutes is created to read:

20 36.11 (28) LEASE AGREEMENT WITH THE UNIVERSITY OF WISCONSIN HOSPITALS AND  
21 CLINICS AUTHORITY. Subject to 1995 Wisconsin Act .... (this act), section 9159 (2) (k),  
22 the board shall negotiate and enter into a lease agreement with the University of  
23 Wisconsin Hospitals and Clinics Authority that meets the requirements under s.  
24 233.04 (7) and shall comply with s. 233.04 (7g).

25 **SECTION 1761m.** 36.11 (28m) of the statutes is created to read:

**SECTION 1761m**

1           **36.11 (28m)** AFFILIATION AGREEMENT WITH THE UNIVERSITY OF WISCONSIN  
2 HOSPITALS AND CLINICS AUTHORITY. Subject to 1995 Wisconsin Act .... (this act), section  
3 9159 (2) (k), the board shall negotiate and enter into an affiliation agreement with  
4 the University of Wisconsin Hospitals and Clinics Authority that meets the  
5 requirements under s. 233.04 (7m) and shall comply with s. 233.04 (7p).

6           **SECTION 1762.** 36.11 (29) of the statutes is created to read:

7           **36.11 (29)** OTHER AGREEMENTS WITH THE UNIVERSITY OF WISCONSIN HOSPITALS  
8 AND CLINICS AUTHORITY. The board may enter into joint purchasing contracts and  
9 other contracts, rental agreements and cooperative agreements and other necessary  
10 arrangements with the University of Wisconsin Hospitals and Clinics Authority  
11 which may be necessary and convenient for the missions, objects and uses of the  
12 University of Wisconsin Hospitals and Clinics Authority authorized by law.  
13 Purchasing contracts and agreements are subject to s. 16.73 (5).

14           **SECTION 1762g.** 36.11 (29m) of the statutes is created to read:

15           **36.11 (29m)** REPORT ON EXPENDITURES. Beginning in the 1996-97 fiscal year,  
16 annually the board shall report to the department of administration and the joint  
17 committee on finance the amount of expenditures from the appropriations under s.  
18 20.285 (1) (h) and (iz) and (3) (iz) in the previous fiscal year that were in excess of the  
19 dollar amounts shown in the appropriation schedule under s. 20.005 (3) for those  
20 appropriations in the previous fiscal year.

21           **SECTION 1762w.** 36.11 (30) of the statutes is created to read:

22           **36.11 (30)** INFORMATION TECHNOLOGY REPORTS. The board shall prepare and  
23 submit reports to the joint committee on information policy upon request of the  
24 committee under s. 13.58 (5) (b) 3.

25           **SECTION 1762x.** 36.11 (31) of the statutes is created to read:

1           36.11 (31) INFORMATION TECHNOLOGY STRATEGIC PLAN. The board shall adopt,  
2           revise biennially and submit to the cochairpersons of the joint committee on  
3           information policy, the governor and the secretary of administration, no later than  
4           September 15 of each even-numbered year, a strategic plan for the utilization of  
5           information technology to carry out the functions of the board. The plan shall  
6           address the business needs of the system and shall identify all resources relating to  
7           information technology which the board desires to acquire, contingent upon funding  
8           availability, the priority for such acquisitions and the justification for such  
9           acquisitions. The plan shall also identify any changes in the functioning of the  
10          system under the plan.

11           **SECTION 1762y.** 36.11 (32) of the statutes is created to read:

12          36.11 (32) COMPUTER SERVICES DATA COLLECTION. The board shall collect and  
13          maintain data necessary to calculate numerical measures of the efficiency and  
14          effectiveness of the mainframe computer services provided by the board at the  
15          University of Wisconsin-Madison.

16           **SECTION 1762z.** 36.25 (3m) (d) of the statutes is amended to read:

17          36.25 (3m) (d) The At the commencement of each gubernatorial term of office,  
18          the board shall appoint a solid waste research council under s. 15.04 (1) (c) consisting  
19          of the chancellor of each institution that has faculty with expertise in solid waste  
20          disposal or his or her designee. The council shall advise the board concerning the  
21          awarding of funds for research projects under par. (c) proposed by institutions.

22           **SECTION 1767.** 36.25 (12) (b) of the statutes is amended to read:

23          36.25 (12) (b) All property used by the Wisconsin psychiatric institute  
24          established under s. 46.044, except real property used by the institute and except  
25          property of the ~~university of Wisconsin hospital and clinics~~ University of Wisconsin

1 Hospitals and Clinics, is transferred to the board which shall hold such property for  
2 the use of the psychiatric research institute.

3 **SECTION 1768.** 36.25 (13) (title) of the statutes is repealed.

4 **SECTION 1769.** 36.25 (13) (a) of the statutes is repealed.

5 **SECTION 1770g.** 36.25 (13) (b) of the statutes is renumbered 233.04 (3b) (a) and  
6 amended to read:

7 233.04 **(3b)** (a) ~~The board shall maintain~~ Except as provided in par. (b),  
8 maintain, control and supervise the use of ~~such hospitals~~ the University of Wisconsin  
9 Hospitals and Clinics, for the purposes of:

10 1. Delivering comprehensive, high-quality health care to patients using the  
11 hospitals and to those seeking care from its programs, including a commitment to  
12 provide such care for the medically indigent.

13 2. ~~Instructing medical~~ Providing an environment suitable for instructing  
14 medical and other health professions students, physicians, nurses and members of  
15 other health-related disciplines.

16 3. Sponsoring and supporting research in the delivery of health care to ~~promote~~  
17 further the welfare of the patients treated and applying the advances in health  
18 knowledge to alleviate human suffering, promote health and prevent disease.

19 4. Assisting health programs and personnel throughout the state and region  
20 in the delivery of health care.

21 **SECTION 1771.** 36.25 (13) (c) of the statutes is repealed.

22 **SECTION 1772.** 36.25 (13) (d) of the statutes is repealed.

23 **SECTION 1772f.** 36.25 (14) of the statutes is amended to read:

24 36.25 **(14)** GRADUATE STUDENT FINANCIAL AID. The board shall establish a grant  
25 program for minority and disadvantaged graduate students enrolled in the system.

1 The grants shall be awarded from the appropriation under s. 20.285 (4) (b). The  
2 board shall give preference in awarding grants under this subsection to residents of  
3 this state. The board may not make a grant under this subsection to a person if it  
4 receives a certification under s. ~~46.255~~ 73.255 (7) that the person is delinquent in  
5 child support or maintenance payments.

6 **SECTION 1772m.** 36.25 (16) of the statutes is repealed.

7 **SECTION 1773.** 36.25 (30) (intro.) of the statutes is amended to read:

8 **36.25 (30) HAZARDOUS POLLUTION PREVENTION PROGRAM.** (intro.) The board shall  
9 establish in the extension a hazardous pollution prevention program to promote  
10 hazardous pollution prevention, as defined in s. 144.955 (1) (c). In cooperation with  
11 the department of natural resources, the department of development and the  
12 hazardous pollution prevention board council, the program shall do all of the  
13 following:

14 **SECTION 1774.** 36.25 (30) (b) of the statutes is repealed.

15 **SECTION 1775.** 36.25 (30) (c) of the statutes is amended to read:

16 **36.25 (30) (c)** Assist the hazardous pollution prevention board council in  
17 preparing the report under s. ~~144.955 (3) (f)~~ 560.19 (4) (d).

18 **SECTION 1775e.** 36.25 (30e) of the statutes is created to read:

19 **36.25 (30e) RECYCLING MARKET DEVELOPMENT BOARD.** The board shall assign to  
20 extension personnel the responsibility for managing the attachment of the recycling  
21 market development board to the system.

22 **SECTION 1775f.** 36.25 (30e) of the statutes, as created by 1995 Wisconsin Act  
23 .... (this act), is repealed.

24 **SECTION 1775h.** 36.25 (30g) of the statutes is created to read:

**SECTION 1775h**

1           **36.25 (30g)** RECYCLING MARKET DEVELOPMENT PROGRAM. The board shall  
2 establish in the extension, in cooperation with the recycling market development  
3 board, a program of education and technical assistance related to recycling market  
4 development. The program shall serve waste generators, as defined in s. 159.40 (4);  
5 solid waste scrap brokers, dealers and processors; business entities that use or could  
6 use recovered materials or that produce or could produce products from recovered  
7 materials and persons who provide support services to those business entities; and  
8 the general public.

9           **SECTION 1775hd.** 36.25 (30m) (intro.) of the statutes is renumbered 36.25  
10 (30m) and amended to read:

11           **36.25 (30m)** (title) AGRICULTURAL TECHNOLOGY AND FAMILY FARM INSTITUTE  
12 PROGRAMS. The board shall may establish an agricultural technology and family farm  
13 institute programs in the college of agriculture and life sciences at the university of  
14 Wisconsin-Madison to do all of the following:

15           **SECTION 1775hf.** 36.25 (30m) (a) to (d) of the statutes are repealed.

16           **SECTION 1775hi.** 36.25 (33) of the statutes is amended to read:

17           **36.25 (33)** QUALITY IMPROVEMENT AWARDS. From the appropriation under s.  
18 20.285 (1) (a), the board annually may award up to \$500 each to no more than 10  
19 system employes who make suggestions that result in significant quality  
20 improvements for the system relating to supplies and expenses. The At the  
21 commencement of each gubernatorial term of office, the board shall appoint a council  
22 under s. 15.04 (1) (c) to nominate recipients for the awards. The board shall not make  
23 more than one award to an employe in the same fiscal year. An award is not part of  
24 an employe's base pay.

25           **SECTION 1775j.** 36.25 (36) of the statutes is created to read:

1           36.25 (36) HIGHER EDUCATION LOCATION PROGRAM. The board shall maintain in  
2 the extension a higher education location program to provide information on  
3 undergraduate admission requirements, degree programs, enrollment, student  
4 financial aid, student housing and admission forms.

5           **SECTION 1775k.** 36.25 (37) of the statutes is created to read:

6           36.25 (37) AREA HEALTH EDUCATION CENTER. The board shall maintain at the  
7 University of Wisconsin-Madison an area health education center to support  
8 community-based primary care training programs.

9           **SECTION 1775m.** 36.27 (1) (a) of the statutes is amended to read:

10           36.27 (1) (a) Subject to ~~par.~~ pars. (c) and (d), the board may establish for  
11 different classes of students differing tuition and fees incidental to enrollment in  
12 educational programs or use of facilities in the system. Except as otherwise provided  
13 in this section, the board may charge any student who is not exempted by this section  
14 a nonresident tuition. The board may establish special rates of tuition and fees for  
15 the extension and summer sessions and such other studies or courses of instruction  
16 as the board deems advisable.

17           **SECTION 1775q.** 36.27 (1) (d) of the statutes is created to read:

18           36.27 (1) (d) The board may not require students to pay that portion of any fee  
19 for the support of noninstructional student activities that is allocated to student  
20 organizations that engage in lobbying, as defined in s. 13.62 (10), or that employ an  
21 individual to lobby or attempt to lobby congress. This paragraph does not apply to  
22 United Council of UW Student Governments, Inc., or to the duly elected student  
23 government at each institution and center within the system.

24           **SECTION 1775r.** 36.27 (4) (a) of the statutes is amended to read:

1           36.27 (4) (a) In the 1993-94 ~~and 1994-95~~ to 1996-97 academic years, the board  
2 may annually exempt from nonresident tuition, but not from incidental or other fees,  
3 up to 200 students enrolled at the university of Wisconsin-Parkside as juniors or  
4 seniors in programs identified by that institution as having surplus capacity and up  
5 to 150 students enrolled at the university of Wisconsin-Superior in programs  
6 identified by that institution as having surplus capacity.

7           **SECTION 1776m.** 36.34 (1) (b) of the statutes is amended to read:

8           36.34 (1) (b) The board shall establish a grant program for minority  
9 undergraduates enrolled in the system. The board shall designate all grants under  
10 this subsection as Lawton grants. Grants shall be awarded from the appropriation  
11 under s. 20.285 (4) (dd). The board may not make a grant under this subsection to  
12 a person if it receives a certification under s. ~~46.255~~ 73.255 (7) that the person is  
13 delinquent in child support or maintenance payments.

14           **SECTION 1777.** 36.39 (2) of the statutes is amended to read:

15           36.39 (2) Complimentary and reduced price tickets ~~required~~ permitted by rules  
16 of intercollegiate athletic conferences in which the system participates if the  
17 chancellor of the institution participating in the athletic event has approved the  
18 furnishing of such tickets; and

19           **SECTION 1778.** 36.47 of the statutes is repealed.

20           **SECTION 1779.** 36.50 (title) and (1) (intro.) of the statutes are renumbered  
21 196.497 (title) and (1) (intro.).

22           **SECTION 1780.** 36.50 (1) (a) of the statutes is repealed.

23           **SECTION 1781.** 36.50 (1) (b) to (d) of the statutes are renumbered 196.497 (1)  
24 (b) to (d).

1           **SECTION 1782.** 36.50 (2) of the statutes is renumbered 196.497 (2) and amended  
2 to read:

3           196.497 (2) COORDINATION. (a) *Initial agency to be contacted.* The ~~board~~  
4 commission shall serve as the initial agency in this state to be contacted by the  
5 federal department of energy or any other federal agency on any matter related to  
6 the long-term disposal of high-level radioactive waste or transuranic waste.

7           (b) *Receipt of information.* The ~~board~~ commission shall serve as the initial  
8 agency in this state to receive any report, study, document, information or  
9 notification of proposed plans from the federal department of energy or any other  
10 federal agency on any matter related to the long-term disposal of high-level  
11 radioactive waste or transuranic waste. Notification of proposed plans include  
12 notification of proposals to conduct field work, on-site evaluation, on-site testing or  
13 similar activities.

14           (c) *Dissemination of information.* The ~~board~~ commission shall disseminate or  
15 arrange with the federal department of energy or other federal agency to disseminate  
16 information received under par. (b) to appropriate state agencies, local units of  
17 government, regional planning commissions, American Indian tribal governing  
18 bodies, the general public, interested citizen groups and persons who have requested  
19 in writing to receive this information.

20           (d) *Response.* The ~~board~~ commission shall respond to contacts under par. (a)  
21 and information received under par. (b) if a response is appropriate. The ~~board~~  
22 commission shall consult with ~~the radioactive waste policy council and the~~  
23 ~~radioactive waste technical council and with~~ appropriate state agencies, local units  
24 of government, regional planning commissions, American Indian tribal governing  
25 bodies, the general public and interested citizen groups in preparing this response.

**SECTION 1782**

1 ~~The radioactive waste policy council and the radioactive waste technical council shall~~  
2 ~~prepare written comments for use in this response if requested to do so by the board.~~

3 **SECTION 1783.** 36.50 (3) of the statutes is renumbered 196.497 (3) and amended  
4 to read:

5 196.497 (3) ADVOCATE. The ~~board~~ commission shall serve as an advocate on  
6 behalf of the citizens of this state before the federal department of energy and other  
7 federal agencies on matters related to the long-term disposal of radioactive waste  
8 and transuranic waste.

9 **SECTION 1784.** 36.50 (4) of the statutes is repealed.

10 **SECTION 1785.** 36.50 (5) to (7) of the statutes are renumbered 196.497 (5) to (7)  
11 and amended to read:

12 196.497 (5) REVIEW OF APPLICATIONS FOR FEDERAL FUNDS. The ~~board~~ commission  
13 shall review any application to the federal department of energy or other federal  
14 agency by a state agency, local unit of government or regional planning commission  
15 for funds for any program related to the long-term disposal of high-level radioactive  
16 waste or transuranic waste. If the ~~board~~ commission finds that the application is not  
17 consistent with the ~~board's~~ commission's policy related to the long-term disposal of  
18 high-level radioactive waste or transuranic waste or that the application is not in  
19 the best interest of the state, the ~~board~~ commission shall forward its findings to the  
20 governor, the joint committee on finance and the federal agency to which the  
21 application for funds is being made. If the ~~board~~ commission finds that the  
22 application of a state agency is not consistent with the ~~board's~~ commission's policy  
23 related to the long-term disposal of high-level radioactive waste or transuranic  
24 waste or that the application of a state agency is not in the best interest of the state,  
25 the findings forwarded to the governor shall include a recommendation that the

1 governor act under s. 16.54 (1) and stipulate conditions for the acceptance of the  
2 funds which are necessary to safeguard the interests of the state.

3 (6) MONITOR FEDERAL ACTIVITY. The ~~board~~ commission shall monitor activity in  
4 congress and the federal government related to the long-term disposal of high-level  
5 radioactive waste and transuranic waste. The ~~board~~ commission may advise the  
6 congressional delegation from this state of action which is needed to protect the  
7 interests of the state.

8 (7) REQUEST ATTORNEY GENERAL TO INTERVENE. If appropriate the ~~board~~  
9 commission shall request the attorney general to intervene in federal proceedings to  
10 protect the state's interests and present the state's point of view on matters related  
11 to the long-term disposal of high-level radioactive waste or transuranic waste.

12 SECTION 1786. 36.50 (8) (title) of the statutes is renumbered 196.497 (8) (title).

13 SECTION 1787. 36.50 (8) (a) and (b) of the statutes are renumbered 196.497 (8)  
14 (a) and (b) and amended to read:

15 196.497 (8) (a) *Negotiations with the federal department of energy.* The ~~board~~  
16 commission shall serve as the agency in this state to negotiate written agreements  
17 and modifications to these agreements, with the federal department of energy on any  
18 matter related to the long-term disposal of high-level radioactive waste or  
19 transuranic waste.

20 (b) *Negotiations with other federal agencies.* The ~~board~~ commission shall serve  
21 as the agency in this state to negotiate written agreements and modifications to these  
22 agreements, with any federal agency other than the federal department of energy on  
23 any matter related to the long-term disposal of high-level radioactive waste or  
24 transuranic waste.

25 SECTION 1788. 36.50 (8) (c) of the statutes is repealed.

**SECTION 1789**

1           **SECTION 1789.** 36.50 (8) (d) of the statutes is renumbered 196.497 (8) (d) and  
2 amended to read:

3           196.497 (8) (d) *Hearings.* The ~~board~~ commission shall conduct ~~more than one~~  
4 public ~~hearing~~ hearings on any proposed agreement or modification to an agreement  
5 negotiated under par. (a) or (b). The ~~board~~ commission shall provide 30 days' notice  
6 of the date and location of hearings conducted under this paragraph. The ~~board~~  
7 commission shall prepare a written summary of testimony presented at hearings  
8 conducted under this paragraph and shall consider the need for modifications to the  
9 negotiated agreement as a result of the hearings.

10           **SECTION 1790.** 36.50 (8) (e) of the statutes is repealed.

11           **SECTION 1791.** 36.50 (8) (f) of the statutes is renumbered 196.497 (8) (f).

12           **SECTION 1792.** 36.50 (8) (g) of the statutes is renumbered 196.497 (8) (g) and  
13 amended to read:

14           196.497 (8) (g) *Technical revisions.* The ~~board~~ commission may negotiate what  
15 in the ~~board's~~ commission's judgment are technical revisions to any agreement  
16 approved under sub. (10).

17           **SECTION 1793.** 36.50 (8) (h) of the statutes is repealed.

18           **SECTION 1794.** 36.50 (8) (i) of the statutes is renumbered 196.497 (8) (i).

19           **SECTION 1795.** 36.50 (9) of the statutes is renumbered 196.497 (9), and 196.497  
20 (9) (a), (b) (intro.) and 5. to 11. and (c) (intro.), 2., 4. and 5., as renumbered, are  
21 amended to read:

22           196.497 (9) (a) *Separate agreements.* The ~~board~~ commission may negotiate  
23 separate agreements with the federal department of energy concerning different  
24 stages of the process of evaluating and selecting a site for the long-term disposal of  
25 high-level radioactive waste or transuranic waste. The ~~board~~ commission shall

1 negotiate a separate agreement with the federal department of energy for the final  
2 stages of the selection of any site for the long-term disposal of high-level radioactive  
3 waste or transuranic waste.

4 (b) *Contents.* (intro.) Any agreement negotiated by the ~~board~~ commission with  
5 the federal department of energy under sub. (8) (a) shall include all of the following:

6 5. A requirement that the federal department of energy and any of its  
7 contractors or subcontractors shall provide the ~~board~~ commission with all reports  
8 and documents the ~~board~~ commission requests and any other relevant reports and  
9 documents in a timely manner and in accordance with any applicable law, regulation  
10 or rule. The requirement shall specify that the federal department of energy may not  
11 charge a fee for searching for or for supplying reports and documents requested by  
12 the ~~board~~ commission. The requirement shall specify that the federal department  
13 of energy shall provide the ~~board~~ commission with all reports and documents the  
14 ~~board~~ commission requests and any other relevant reports and documents from  
15 contractors and subcontractors after the reports and documents are submitted to the  
16 federal department of energy regardless of whether the reports and documents have  
17 received the department of energy's final approval.

18 6. A requirement that, upon request by the ~~board~~ commission, the federal  
19 department of energy shall provide the data, methods and underlying assumptions  
20 used in the preparation of reports and documents in accordance with any applicable  
21 law, regulation or rule.

22 7. A requirement that the federal department of energy shall notify the ~~board~~  
23 commission of any grants related to the long-term disposal of high-level radioactive  
24 waste and transuranic waste from the federal department of energy to any person  
25 in this state.

1           8. A requirement that the federal department of energy shall notify the board  
2 commission in a timely manner of any proposed field work, on-site evaluation,  
3 on-site testing or similar activities it or any contractor or subcontractor intends to  
4 conduct and a requirement that the federal department of energy shall allow the  
5 board commission to monitor these activities by designating a reasonable number of  
6 persons to observe the activities or by any other appropriate means.

7           9. A requirement that the federal department of energy shall provide the board  
8 commission in a timely manner with a copy of any requests for proposals and final  
9 contracts issued by the federal department of energy relating to the evaluation,  
10 selection or construction of a site for the long-term disposal of high-level radioactive  
11 waste or transuranic waste in this state.

12           10. A provision that the federal department of energy shall agree to provide  
13 funds to be used to ~~provide educational programs under sub. (4) and to review the~~  
14 activities of the federal department of energy and its contractors and subcontractors  
15 which relate to assessing the suitability of the state for the long-term disposal of  
16 high-level radioactive waste or transuranic waste.

17           11. A process for resolving disputes between the board commission and the  
18 federal department of energy including disputes concerning alleged violations of the  
19 written agreement and disputes concerning technical assessments made by the  
20 federal department of energy. The process for resolving disputes concerning  
21 technical assessments made by the federal department of energy may involve a  
22 process of scientific review and mediation.

23           (c) *Objection to site selection.* (intro.) Any agreement negotiated by the board  
24 commission with the federal department of energy under sub. (8) (a) shall include a  
25 list of reasons for which the board commission may object to the selection of a site

1 within this state for the long-term disposal of high-level radioactive waste and  
2 transuranic waste. These reasons shall include the following:

3 2. The federal department of energy fails to address to the satisfaction of the  
4 ~~board~~ commission the potential socioeconomic effects of the site or of the  
5 transportation of waste to the site.

6 4. If, in the judgment of the ~~board~~ commission, the federal department of energy  
7 fails to comply with criteria, regulations or standards of other federal agencies  
8 concerning the long-term disposal of high-level radioactive waste or transuranic  
9 waste including criteria which excludes a proposed site from consideration because  
10 of previous mining or drilling of any type within the area which could be affected by  
11 the construction of the site or by the heat resulting from the disposal of high-level  
12 radioactive waste or transuranic waste at the site.

13 5. If, in the judgment of the ~~board~~ commission, the federal department of energy  
14 fails to use generally accepted scientific and technical practices in evaluating the  
15 suitability of a site for the long-term disposal of high-level radioactive waste or  
16 transuranic waste.

17 **SECTION 1796.** 36.50 (10) of the statutes is renumbered 196.497 (10), and  
18 196.497 (10) (a) to (c), as renumbered, are amended to read:

19 196.497 (10) (a) *Submission.* The ~~board~~ commission shall submit any written  
20 agreement or modification to an agreement negotiated under sub. (8) (a) or (b),  
21 approved by the ~~board~~ commission and approved by the federal department of energy  
22 or other federal agency to the speaker of the assembly and the president of the senate.  
23 The ~~board~~ commission shall submit with the agreement or modification a written  
24 summary of the hearings held under sub. (8) (d).

1 (b) *Introduction of bill.* Upon request of the ~~board~~ commission, the speaker of  
2 the assembly or the president of the senate shall introduce a bill to approve the  
3 agreement or modification to an agreement. The bill is not subject to s. 16.47 (2).

4 (c) *Legislative action required.* Within 120 days after the bill is introduced the  
5 appropriate committees in each house of the legislature shall authorize an  
6 extraordinary session of the legislature to commence within the 120 days and to  
7 extend until the legislature passes the bill or passes a joint resolution which  
8 disapproves of the agreement or modification and returns the agreement or  
9 modification to the ~~board~~ commission for renegotiation. If the 120-day period  
10 extends beyond the date specified in s. 13.02 (1), the 120-day period is deemed to  
11 commence on the first day the succeeding legislature convenes, unless a bill or joint  
12 resolution is passed prior to that time.

13 **SECTION 1797.** 36.50 (11) of the statutes is renumbered 196.497 (11), and  
14 196.497 (11) (a), as renumbered, is amended to read:

15 196.497 (11) (a) *Submission.* The ~~board~~ commission shall submit any technical  
16 revision to a written agreement negotiated under sub. (8) (g), approved by the ~~board~~  
17 commission and approved by the federal department of energy or other federal  
18 agency, to the presiding officer of each house of the legislature and to the governor.

19 **SECTION 1798.** 36.50 (11m) of the statutes is renumbered 196.497 (11m), and  
20 196.497 (11m) (a) to (c) and (f), as renumbered, are amended to read:

21 196.497 (11m) (a) (title) *Review by the ~~board~~ commission.* If the federal  
22 department of energy selects a site in the state for construction of a repository for the  
23 long-term disposal of high-level radioactive or transuranic waste, the ~~board~~  
24 commission shall review the adequacy of the selected site and of the site plan  
25 prepared by the federal department of energy under sub. (9) (b) 12. The review shall

1 include a full scientific review of the adequacy of the selected site and of the site plan.  
2 ~~The board shall solicit written comments on the selected site and the site plan from~~  
3 ~~the radioactive waste policy council and the radioactive waste technical council.~~ The  
4 ~~board~~ commission shall utilize recognized experts in conducting its scientific review.  
5 The ~~board~~ commission shall conduct more than one public hearing on the site plan  
6 and shall make available to the public arguments and evidence for and against the  
7 site plan. The ~~board~~ commission shall provide 30 days' notice of the date and location  
8 of the public hearings. The ~~board~~ commission shall solicit comments from  
9 appropriate state agencies, local units of government, regional planning  
10 commissions, American Indian tribal governing bodies, the general public and  
11 interested citizen groups on the adequacy of the selected site and the site plan. The  
12 ~~board~~ commission shall make these comments available to the public.

13 (b) *Recommendation to the legislature and the governor.* After completing this  
14 review, the ~~board~~ commission shall submit a recommendation to the speaker of the  
15 assembly, the president of the senate and the governor on whether the state should  
16 accept the site selected by the federal department of energy and the site plan. The  
17 reasons for which the ~~board~~ commission may recommend that the legislature and the  
18 governor object to the site selection or the site plan, or both, include those specified  
19 in sub. (9) (c). The recommendation to the speaker of the assembly and the president  
20 of the senate shall be accompanied by a request for the introduction of a bill to  
21 approve the site selected and the site plan or by a request for the introduction of a  
22 bill to disapprove the site or the site plan or both.

23 (c) *Introduction of legislation.* Upon request of the ~~board~~ commission, the  
24 speaker of the assembly or the president of the senate shall introduce a bill reflecting  
25 the recommendation of the ~~board~~ commission on whether to approve or disapprove

1 the site selected by the federal department of energy and the site plan. The bill is  
2 not subject to s. 16.47 (2).

3 (f) *Transmittal of action by the legislature and the governor.* After the  
4 legislature takes action under par. (d) and after the governor takes any action under  
5 par. (e), the chief clerk of the house of origin shall notify the ~~board~~ commission of the  
6 action taken and the ~~board~~ commission shall send a report to the president of the  
7 United States, the members of the U.S. senate, the members of the U.S. house of  
8 representatives, the federal department of energy and other appropriate federal  
9 agencies. The report shall contain a summary of the review undertaken by the ~~board~~  
10 commission in accordance with par. (a), the recommendation made by the ~~board~~  
11 commission under par. (b), the action of the legislature under par. (d) and any action  
12 of the governor under par. (e).

13 **SECTION 1799.** 36.50 (12) to (14) of the statutes are renumbered 196.497 (12)  
14 to (14) and amended to read:

15 196.497 (12) IMPLEMENTATION. The ~~board~~ commission shall implement  
16 agreements, modifications and technical revisions approved under subs. (10) and  
17 (11). In implementing these agreements, modifications and revisions, the ~~board~~  
18 commission may solicit the views of appropriate state agencies, local units of  
19 government, regional planning commissions, American Indian tribal governing  
20 bodies, the general public and interested citizen groups.

21 (13) FUNDING. The ~~board~~ commission shall attempt to finance all of its expenses  
22 under this section from moneys received from the federal department of energy and  
23 other federal agencies and from gifts and grants received from other persons.

24 (14) STATE AGENCIES TO COOPERATE. ~~The geological and natural history survey~~  
25 ~~shall provide staff and other administrative services to assist the board in its duties.~~

1 Other state agencies shall assist the ~~board~~ commission in fulfilling its duties under  
2 this section to the fullest extent possible.

3 **SECTION 1800.** 36.51 (7) of the statutes is amended to read:

4 36.51 (7) All meals served must meet the approval of the board, which shall  
5 establish minimum nutritional standards and reasonable expenditure limits  
6 consistent with the standards and limits established by the ~~state superintendent~~  
7 department of public instruction education under s. 115.345 (6). The board shall give  
8 special consideration to the dietary problems of elderly persons in formulating a  
9 nutritional plan. However, no center or institution may be required to provide  
10 special foods for individual persons with allergies or medical disorders.

11 **SECTION 1800m.** 38.04 (2m) of the statutes is repealed.

12 **SECTION 1800n.** 38.04 (7m) of the statutes is created to read:

13 38.04 (7m) FINANCIAL AIDS. By April 10, 1996, and annually thereafter, the  
14 board shall develop and submit to the education commission for its review under s.  
15 39.285 (1) a proposed formula for the awarding of grants under s. 39.435, except for  
16 grants awarded under s. 39.435 (2) or (5), for the upcoming academic year to students  
17 enrolled in the technical colleges.

18 **SECTION 1801.** 38.04 (11) (a) 2. of the statutes is amended to read:

19 38.04 (11) (a) 2. In consultation with the ~~state superintendent~~ department of  
20 public instruction, the board shall establish, by rule, a uniform format for district  
21 boards to use in reporting the number of pupils attending district schools under ss.  
22 118.15 (1) (b), (cm) and (d) and 118.37 and in reporting pupil participation in  
23 technical preparation programs under s. 118.34, including the number of courses  
24 taken for advanced standing in the district's associate degree program and for  
25 ~~vocational, technical and adult education~~ college credit. The format shall be

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1 identical to the format established by the ~~state superintendent~~ department of public  
2 instruction under s. 115.28 (38).

3 **SECTION 1802.** 38.04 (18) of the statutes is repealed.

4 **SECTION 1803.** 38.04 (26) of the statutes is amended to read:

5 38.04 (26) TECHNICAL PREPARATION PROGRAMS. In consultation with the state  
6 superintendent department of public instruction education, the board shall approve  
7 courses for technical preparation programs under s. 118.34. By July 1, 1994, and  
8 annually thereafter by July 1, the board shall publish a list of the approved courses  
9 that indicates the schools in which each course is taught and the credit equivalency  
10 available in each district for each course.

11 **SECTION 1803m.** 38.04 (27) of the statutes is created to read:

12 38.04 (27) AGRICULTURAL LAND REIMBURSEMENT. Until December 31, 2001, the  
13 board shall grant to each district board that applies and that in its most recent levy  
14 levied a tax under s. 38.16 at a rate of 1.5 mills an amount calculated as follows:

15 (a) Subtract the equalized value of agricultural land, as defined in s. 70.32 (2)  
16 (c) 1., in the district as determined for the year to which the levy applies from the  
17 equalized value of agricultural land in the district as determined for 1996.

18 (b) If the amount under par. (a) is a positive number, multiply that amount by  
19 the district's most recent levy rate for operations.

20 **SECTION 1810g.** 38.27 (1) (e) of the statutes is amended to read:

21 38.27 (1) (e) Educational programs, courses or services that would not  
22 otherwise be established or maintained because of ~~declines~~ limitations in district  
23 fiscal capacity.

24 **SECTION 1810m.** 38.272 (1) of the statutes is amended to read:

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1           38.272 (1) A student enrolled in a district's farm business and production  
2 management program may apply to the board for a grant for the purpose of paying  
3 50% of the tuition for ~~the first 4~~ up to 6 years of ~~the program~~.

4           **SECTION 1812.** 38.28 (1m) (a) 1. of the statutes is amended to read:

5           38.28 (1m) (a) 1. "District aidable cost" means the annual cost of operating a  
6 technical college district, including debt service charges for district bonds and  
7 promissory notes for building programs or capital equipment, but excluding all  
8 expenditures relating to auxiliary enterprises and community service programs, all  
9 expenditures funded by or reimbursed with federal revenues, all receipts under subs.  
10 (6) and (7) and ss. 38.12 (9), 38.14 (3) and (9), ~~46.32~~, 118.15 (2) (a), 118.37 and 146.55  
11 (5), all receipts from grants awarded under ss. 38.04 (8) and (20), 38.14 (11), 38.26,  
12 38.27 and 38.38, all fees collected under s. 38.24 and driver education and chauffeur  
13 training aids.

14           **SECTION 1813.** 38.30 (1) (b) of the statutes is amended to read:

15           38.30 (1) (b) District boards may receive payments from the department of  
16 ~~health and social services~~ industry, labor and human relations under s. 47.02 to cover  
17 the cost of training for resident and nonresident students who are enrolled in district  
18 schools and are veterans ineligible for benefits under par. (a).

19           **SECTION 1814.** 38.36 (7) of the statutes is amended to read:

20           38.36 (7) All meals served must meet the approval of the board, which shall  
21 establish minimum nutritional standards and reasonable expenditure limits  
22 consistent with the standards and limits established by the ~~state superintendent~~  
23 department of public instruction education under s. 115.345 (6). The board shall give  
24 special consideration to the dietary problems of elderly persons in formulating a

1 nutritional plan. However, no district board may be required to provide special foods  
2 for individual persons with allergies or medical disorders.

3 **SECTION 1815.** 38.51 (title) of the statutes is amended to read:

4 **38.51 (title) Educational approval board Proprietary schools.**

5 **SECTION 1816.** 38.51 (1) (a) of the statutes is repealed.

6 **SECTION 1817.** 38.51 (1) (cm) of the statutes is created to read:

7 38.51 (1) (cm) "Department" means the department of education.

8 **SECTION 1818.** 38.51 (1) (g) of the statutes is amended to read:

9 38.51 (1) (g) "Teaching location" means the area and facilities designated for  
10 use by a school required to be approved by the ~~board~~ department under this section.

11 **SECTION 1819.** 38.51 (2) of the statutes is amended to read:

12 38.51 (2) PURPOSE. The purpose of the ~~board~~ this section is to approve schools  
13 and courses of instruction for the training of veterans of the armed forces and war  
14 orphans receiving assistance from the federal government, protect the general public  
15 by inspecting and approving private trade, correspondence, business and technical  
16 schools doing business within this state whether located within or outside this state,  
17 changes of ownership or control of these schools, teaching locations used by these  
18 schools and courses of instruction offered by these schools and to regulate the  
19 soliciting of students for correspondence or classroom courses and courses of  
20 instruction offered by these schools.

21 **SECTION 1820.** 38.51 (3) of the statutes is amended to read:

22 38.51 (3) RULE-MAKING POWER. The ~~board~~ department shall promulgate rules  
23 and establish standards necessary to carry out ~~its~~ the purpose of this section.

24 **SECTION 1821.** 38.51 (5) of the statutes is repealed.

25 **SECTION 1822.** 38.51 (6) (a) of the statutes is amended to read:

1           38.51 (6) (a) Except as provided in par. (b) the ~~board~~ department shall be the  
2 state approval agency for the education and training of veterans and war orphans.  
3 It shall approve and supervise schools and courses of instruction for their training  
4 under Title 38, USC, and may enter into and receive money under contracts with the  
5 U.S. department of veterans affairs or other appropriate federal agencies.

6           **SECTION 1823.** 38.51 (7) (intro.) of the statutes is amended to read:

7           38.51 (7) APPROVAL OF SCHOOLS GENERALLY. (intro.) In order to protect students,  
8 prevent fraud and misrepresentation in the sale and advertising of courses and  
9 courses of instruction and encourage schools to maintain courses and courses of  
10 instruction consistent in quality, content and length with generally accepted  
11 educational standards, the ~~board~~ department shall:

12           **SECTION 1824.** 38.51 (7) (g) of the statutes is amended to read:

13           38.51 (7) (g) Approve courses of instruction, schools, changes of ownership or  
14 control of schools and teaching locations meeting the requirements and standards  
15 established by the ~~board~~ department and complying with rules promulgated by the  
16 ~~board~~ department and publish a list of the schools and courses of instruction  
17 approved.

18           **SECTION 1825.** 38.51 (7) (h) of the statutes is amended to read:

19           38.51 (7) (h) Issue permits to solicitors when all ~~board~~ department  
20 requirements have been met.

21           **SECTION 1826.** 38.51 (7) (i) of the statutes is amended to read:

22           38.51 (7) (i) Require schools to furnish a surety bond in an amount as provided  
23 by rule of the ~~board~~ department.

24           **SECTION 1827.** 38.51 (8) (a) of the statutes is amended to read:

**SECTION 1827**

1           38.51 (8) (a) *In general.* No solicitor representing any school offering any  
2 course or course of instruction shall sell any course or course of instruction or solicit  
3 students therefor in this state for a consideration or remuneration, except upon the  
4 actual business premises of the school, unless the solicitor first secures a solicitor's  
5 permit from the ~~board~~ department. If the solicitor represents more than one school,  
6 a separate permit shall be obtained for each school represented by the solicitor.

7           **SECTION 1828.** 38.51 (8) (b) of the statutes is amended to read:

8           38.51 (8) (b) *Solicitor's permit.* The application for a solicitor's permit shall be  
9 made on a form furnished by the ~~board~~ department and shall be accompanied by a  
10 fee and a surety bond acceptable to the ~~board~~ department in the sum of \$2,000. The  
11 ~~board~~ department shall, by rule, specify the amount of the fee for a solicitor's permit.  
12 Such bond may be continuous and shall be conditioned to provide indemnification to  
13 any student suffering loss as the result of any fraud or misrepresentation used in  
14 procuring his or her enrollment or as a result of the failure of the school to faithfully  
15 perform the agreement made with the student by the solicitor, and may be supplied  
16 by the solicitor or by the school itself either as a blanket bond covering each of its  
17 solicitors in the amount of \$2,000 or the surety bond under sub. (7) (i). Upon approval  
18 of a permit the ~~board~~ department shall issue an identification card to the solicitor  
19 giving his or her name and address, the name and address of the employing school,  
20 and certifying that the person whose name appears on the card is authorized to solicit  
21 students for the school. A permit shall be valid for one year from the date issued.  
22 Liability under this paragraph of the surety on the bond for each solicitor covered  
23 thereby shall not exceed the sum of \$2,000 as an aggregate for any and all students  
24 for all breaches of the conditions of the bond. The surety of a bond may cancel the  
25 same upon giving 30 days' notice in writing to the ~~board~~ department and thereafter

1 shall be relieved of liability under this paragraph for any breach of condition  
2 occurring after the effective date of the cancellation. An application for renewal shall  
3 be accompanied by a fee, a surety bond acceptable to the ~~board~~ department in the  
4 sum of \$2,000 if a continuous bond has not been furnished, and such information as  
5 the ~~board~~ department requests of the applicant. The ~~board~~ department shall, by  
6 rule, specify the amount of the fee for renewal of a solicitor's permit.

7 **SECTION 1829.** 38.51 (8) (c) (intro.) of the statutes is amended to read:

8 38.51 (8) (c) *Refusal or revocation of permit.* (intro.) The ~~board~~ department  
9 may refuse to issue or renew, or may revoke, any solicitor's permit upon one or any  
10 combination of the following grounds:

11 **SECTION 1830.** 38.51 (8) (c) 1. of the statutes is amended to read:

12 38.51 (8) (c) 1. Wilful violation of this subsection or any rule promulgated by  
13 the ~~board~~ department under this section;

14 **SECTION 1831.** 38.51 (8) (c) 2. of the statutes is amended to read:

15 38.51 (8) (c) 2. Furnishing false, misleading or incomplete information to the  
16 ~~board~~ department;

17 **SECTION 1832.** 38.51 (8) (c) 4. of the statutes is amended to read:

18 38.51 (8) (c) 4. Refusal by the school to be represented to allow reasonable  
19 inspection or to supply information after written request therefor by the ~~board~~  
20 department;

21 **SECTION 1833.** 38.51 (8) (c) 5. of the statutes is amended to read:

22 38.51 (8) (c) 5. Failure of the school which the solicitor represents to meet  
23 requirements and standards established by and to comply with rules promulgated  
24 by the ~~board~~ department pursuant to sub. (7);

25 **SECTION 1834.** 38.51 (8) (d) of the statutes is amended to read:

**SECTION 1834**

1           38.51 (8) (d) *Notice of refusal to issue or renew permit.* Notice of refusal to issue  
2 or renew a permit or of the revocation of a permit shall be sent by registered mail to  
3 the last address of the applicant or permit holder shown in the records of the ~~board~~  
4 department. Revocation of a permit shall be effective 10 days after the notice of  
5 revocation has been mailed to the permit holder.

6           **SECTION 1835.** 38.51 (8) (e) of the statutes is amended to read:

7           38.51 (8) (e) *Request for appearance.* Within 20 days of the receipt of notice of  
8 the ~~board's~~ department's refusal to issue or renew a permit or of the revocation of a  
9 permit, the applicant or holder of the permit may request permission to appear  
10 before the ~~board~~ department in person, with or without counsel, to present reasons  
11 why the permit should be issued or reinstated. Upon receipt of such request the  
12 ~~board~~ department shall grant a hearing to the applicant or holder of the permit  
13 within 30 days giving that person at least 10 days' notice of the date, time and place.

14           **SECTION 1836.** 38.51 (9) (h) of the statutes is amended to read:

15           38.51 (9) (h) Schools accredited by accrediting agencies recognized by the ~~board~~  
16 department.

17           **SECTION 1837.** 38.51 (10) (a) of the statutes is amended to read:

18           38.51 (10) (a) *Authority.* All proprietary schools shall be examined and  
19 approved by the ~~board~~ department before operating in this state. Approval shall be  
20 granted to schools meeting the criteria established by the ~~board~~ department for a  
21 period not to exceed one year. No school may advertise in this state unless approved  
22 by the ~~board~~ department. All approved schools shall submit quarterly reports,  
23 including information on enrollment, number of teachers and their qualifications,  
24 course offerings, number of graduates, number of graduates successfully employed  
25 and such other information as the ~~board~~ department deems necessary.

**SECTION 1838**

1           **SECTION 1838.** 38.51 (10) (b) of the statutes is amended to read:

2           38.51 (10) (b) *Application.* Application for initial approval of a school or a  
3 course of instruction, approval of a teaching location, change of ownership or control  
4 of a school, renewal of approval of a school or reinstatement of approval of a school  
5 or course of instruction which has been revoked shall be made on a form furnished  
6 by the ~~board~~ department and shall be accompanied by a fee set by the ~~board~~  
7 department under par. (c), and such other information as the ~~board~~ department  
8 deems necessary to evaluate the school in carrying out the purpose of this section.

9           **SECTION 1839.** 38.51 (10) (c) (intro.) of the statutes is amended to read:

10          38.51 (10) (c) *Fees; rule making.* (intro.) The ~~board~~ department shall  
11 promulgate rules to establish fees. In promulgating rules to establish fees, the ~~board~~  
12 department shall:

13          **SECTION 1840.** 38.51 (10) (c) 1. of the statutes is amended to read:

14          38.51 (10) (c) 1. Require that the amount of fees collected under this paragraph  
15 be sufficient to cover all costs that the ~~board~~ department incurs in examining and  
16 approving proprietary schools under this subsection.

17          **SECTION 1845.** 39.115 (3) of the statutes is created to read:

18          39.115 (3) Enter into a contract with any state agency, county, cooperative  
19 educational service agency, technical college district, municipality or school district  
20 for the educational communications board to furnish engineering and other services  
21 related to the construction or operation of telecommunications facilities.

22          **SECTION 1851j.** 39.155 (1) of the statutes is amended to read:

23          39.155 (1) ~~All~~ Subject to sub. (3), all funds appropriated to the medical college  
24 of Wisconsin, inc., under s. 20.250 (1) (a) shall be based on a per capita formula for  
25 an amount for each Wisconsin resident enrolled at the college who is paying full

1 tuition. A student's qualification as a resident of this state shall be determined by  
2 the higher educational aids board in accordance with s. 36.27, so far as applicable.

3 **SECTION 1851p.** 39.155 (1) of the statutes, as affected by 1995 Wisconsin Act  
4 .... (this act), is repealed and recreated to read:

5 39.155 (1) Subject to sub. (3), all funds appropriated to the medical college of  
6 Wisconsin, inc., under s. 20.250 (1) (a) shall be based on a per capita formula for an  
7 amount for each Wisconsin resident enrolled at the college who is paying full tuition.  
8 A student's qualification as a resident of this state shall be determined by the  
9 department of education in accordance with s. 36.27, so far as applicable.

10 **SECTION 1851t.** 39.155 (2) of the statutes is amended to read:

11 39.155 (2) On or before January 15 and September 15 of each year, the medical  
12 college of Wisconsin, inc., shall submit to the ~~higher educational aids board~~  
13 department of education for its approval a list of the Wisconsin residents enrolled at  
14 the college who are paying full tuition. The state shall make semiannual payments  
15 to the medical college of Wisconsin, inc., from the appropriation under s. 20.250 (1)  
16 (a), upon approval of the list. If the appropriation under s. 20.250 (1) (a) is  
17 insufficient to pay the amount specified to be disbursed under s. 20.250 (1) (a), the  
18 payments shall be disbursed on a prorated basis for each student entitled to such aid.  
19 No more than 8 such payments may be made to the medical college of Wisconsin, inc.,  
20 from the appropriation under s. 20.250 (1) (a), for any individual student.

21 **SECTION 1852.** 39.155 (3) of the statutes is amended to read:

22 39.155 (3) The medical college of Wisconsin, inc., may not assess tuition for a  
23 Wisconsin resident enrolled at the college in an amount that exceeds the difference  
24 between the tuition assessed a nonresident student enrolled at the college and the  
25 amount disbursed under s. 20.250 (1) (a) for each Wisconsin resident enrolled at the

1 college. This subsection applies only to students enrolled in the class entering the  
2 college in the 1986-87 academic year and thereafter for whom payments are made  
3 to the Medical College of Wisconsin, Inc., from the appropriation under s. 20.250 (1)  
4 (a).

5 **SECTION 1853.** Subchapter III (title) of chapter 39 [precedes 39.26] of the  
6 statutes is amended to read:

7 **CHAPTER 39**

8 **SUBCHAPTER III**

9 **HIGHER EDUCATIONAL AIDS BOARD**

10 **SECTION 1854.** 39.26 of the statutes is amended to read:

11 **39.26 Definition.** In this subchapter, “~~board~~” “department” means the higher  
12 educational aids board department of education.

13 **SECTION 1855m.** 39.27 of the statutes is repealed.

14 **SECTION 1856.** 39.28 (1) and (2) of the statutes are amended to read:

15 39.28 (1) The ~~board~~ department shall administer the programs under this  
16 subchapter and may promulgate such rules as are necessary to carry out its  
17 functions. ~~It~~ The department may accept and use any funds which it receives from  
18 participating institutions, lenders or agencies. ~~It~~ The department may enter into  
19 such contracts as are necessary to carry out its functions under this subchapter.

20 (2) The ~~board~~ department shall establish plans to be administered by the ~~board~~  
21 department for participation by this state under any federal acts relating to higher  
22 education and submit them to the U.S. commissioner of education for the  
23 commissioner’s approval. The ~~board~~ department may utilize such criteria for  
24 determination of priorities, participation or purpose as are delineated in the federal  
25 acts.

1           **SECTION 1857.** 39.28 (3) of the statutes is repealed.

2           **SECTION 1858.** 39.28 (4) of the statutes is amended to read:

3           39.28 (4) The ~~board~~ department may assign, sell, convey or repurchase student  
4           loans made under s. 39.32 subject to prior approval by the joint committee on finance.

5           **SECTION 1859.** 39.28 (5) of the statutes is repealed.

6           **SECTION 1859m.** 39.285 of the statutes is created to read:

7           **39.285 Education commission review of proposed formulae.** (1) By May  
8           1, 1996, and annually thereafter, the education commission shall approve, modify or  
9           disapprove any proposed formula for the awarding of grants for the upcoming  
10          academic year submitted under sub. (2) or s. 36.11 (6) (c) or 38.04 (7m).

11          (2) By April 10, 1996, and annually thereafter, the Wisconsin Association of  
12          Independent Colleges and Universities shall develop and submit to the education  
13          commission for its review under sub. (1) a proposed formula for the awarding of  
14          grants under s. 39.30 for the upcoming academic year to students enrolled at private  
15          institutions of higher education.

16          **SECTION 1860.** 39.29 of the statutes is repealed.

17          **SECTION 1861.** 39.30 (2) (e) of the statutes is amended to read:

18          39.30 (2) (e) The ~~board~~ department may not make a grant to a student if ~~it~~ the  
19          department receives a certification under s. ~~46.255~~ 73.255 (7) that the student is  
20          delinquent in child support or maintenance payments.

21          **SECTION 1861m.** 39.30 (2) (f) of the statutes is created to read:

22          39.30 (2) (f) No grants may be awarded under this section unless the applicable  
23          formula submitted under s. 39.285 (2) is approved or modified by the education  
24          commission under s. 39.285 (1).

25          **SECTION 1862.** 39.30 (3) (e) of the statutes is amended to read:

1           39.30 (3) (e) The ~~board~~ department shall establish criteria for the treatment  
2 of financially independent students which are consistent with procedures in pars. (a)  
3 to (d).

4           **SECTION 1863.** 39.30 (3) (f) of the statutes is amended to read:

5           39.30 (3) (f) The ~~board~~ department may not make initial awards of grants  
6 under this section for an academic year in an amount that exceeds 122% of the  
7 amount appropriated under s. 20.235 (1) (b) for the fiscal year in which the grant may  
8 be paid.

9           **SECTION 1864.** 39.30 (4) of the statutes is amended to read:

10          39.30 (4) FORMS. The ~~board~~ department shall prescribe, furnish and make  
11 available, at locations in the state convenient to the public, application forms for  
12 grants under this section. Upon request, it the department shall advise and assist  
13 applicants in making out such forms.

14          **SECTION 1865.** 39.31 (intro.) of the statutes is amended to read:

15          **39.31 Determination of student costs.** (intro.) In determining a student's  
16 total cost of attending a postsecondary institution for the purpose of calculating the  
17 amount of a grant under s. 39.30, 39.38, 39.435 or 39.44 the ~~board~~ department shall  
18 include the following:

19          **SECTION 1866.** 39.31 (2) of the statutes is amended to read:

20          39.31 (2) Miscellaneous expenses, as determined by the ~~board~~ department.

21          **SECTION 1867.** 39.31 (3) of the statutes is amended to read:

22          39.31 (3) The cost of child care, as determined by the ~~board~~ department.

23          **SECTION 1868.** 39.32 (2) (intro.) of the statutes is amended to read:

24          39.32 (2) (intro.) The ~~board~~ department shall:

25          **SECTION 1869.** 39.32 (3) (intro.) of the statutes is amended to read:

**SECTION 1869**

1           39.32 (3) (intro.) The ~~board~~ department may make and authorize loans to be  
2 made to students if:

3           **SECTION 1870.** 39.32 (3) (b) of the statutes is amended to read:

4           39.32 (3) (b) The student's eligibility for a loan is certified to the ~~board~~  
5 department by the institution of higher education in which the student is enrolled  
6 or has been accepted for enrollment.

7           **SECTION 1871.** 39.32 (3) (g) of the statutes is amended to read:

8           39.32 (3) (g) The student is not in default on any previous loan or the ~~board~~  
9 department has determined that the student has made satisfactory arrangements  
10 to repay the defaulted loan.

11          **SECTION 1872.** 39.32 (5) of the statutes is amended to read:

12          39.32 (5) The ~~board~~ department may collect any loans made or authorized to  
13 be made by the ~~board~~ department pursuant to this section or made prior to July 1,  
14 1966, under s. 49.42, 1963 stats.

15          **SECTION 1873.** 39.32 (6) of the statutes is amended to read:

16          39.32 (6) The ~~board~~ department shall satisfy the loan of any student who  
17 obtained a loan under this section or s. 39.023, 1965 stats., between July 1, 1966, and  
18 December 15, 1968, where such student died or dies after July 1, 1966, and before  
19 completing repayment thereof, and shall write off the balance of principal and  
20 interest owing on the loan on the date it received confirmation of such student's  
21 death. Obligation to repay such a loan shall terminate on the date of the student's  
22 death and any payments made thereon to the ~~board~~ department after such date shall  
23 be refunded to the payor or the payor's heirs, executor or administrator from the  
24 appropriation in s. 20.235 (2) (ba) upon receipt by the ~~board~~ department of an  
25 application for refund.

**SECTION 1874**

1           **SECTION 1874.** 39.32 (7) of the statutes is amended to read:

2           39.32 (7) The board department may write off defaulted student loans made  
3 pursuant to this section or made prior to July 1, 1966, under s. 49.42, 1963 stats.,  
4 from moneys other than advances from the investment board originally  
5 appropriated for student loans, and from moneys other than moneys resulting from  
6 assignment, sale or conveyance of student loans.

7           **SECTION 1875.** 39.32 (8) of the statutes is amended to read:

8           39.32 (8) The board department may use up to \$150,000 annually of student  
9 revenue bond proceeds for the purpose of consolidating loans for needy students who  
10 have a state direct loan and one or more federally guaranteed student loans from one  
11 or more private lenders.

12           **SECTION 1876.** 39.32 (10) of the statutes is amended to read:

13           39.32 (10) (a) The board department may enter into contractual agreements  
14 with lenders in this state and lenders in other states which grant loans to residents  
15 of this state, and with institutions and agencies wherein the board department may  
16 provide and furnish to such lenders, institutions and agencies administrative  
17 services related to the operation of any programs involving the granting of loans to  
18 students including but not limited to any and all services and functions related to the  
19 granting, administering and collecting of any loans made to students.

20           (b) The board department shall have all powers as are reasonably appropriate  
21 to the provision of such services and the performance of such contracts and may  
22 include charges or fees to be paid by the lenders, institutions and agencies to the  
23 board department for the provision of such administrative services or any services  
24 or activities related to the collection of any student loans for which the board  
25 department may become responsible by operation of law or by contractual

**SECTION 1876**

1 agreements under this paragraph, but such charges or fees, before being instituted  
2 by the board department, shall be approved by the secretary of the department of  
3 administration.

4 **SECTION 1877.** 39.32 (11) of the statutes is amended to read:

5 39.32 (11) (a) In lieu of the procedure under ch. 812, the board department, on  
6 behalf of the corporation under s. 39.33, or the corporation, on its own behalf, may  
7 certify the department of administration to deduct money from a state employee's  
8 earnings. The board department shall specify an amount, not to exceed 25% of the  
9 employee's disposable earnings, as defined in s. 812.30 (6), to be deducted on a  
10 continuing basis until the amount certified by the board department or corporation  
11 has been paid. The department of administration shall remit moneys deducted to  
12 the board department or the corporation.

13 (b) The procedure in this section may be used only if the amount owed to the  
14 board department or corporation is reduced to a judgment. At least 30 days prior to  
15 certification, the board department or corporation shall notify the debtor under s.  
16 879.05 (2) or (3) of the intent to certify the debt to the department of administration  
17 and of the debtor's right to a contested case hearing before the board department  
18 under s. 227.42. If the debtor requests a hearing within 20 days after receiving  
19 notice, the board department shall notify the department of administration which  
20 shall not make deductions under par. (a) until a decision is reached under s. 227.47  
21 or the case is otherwise concluded.

22 (c) The department of administration shall prescribe the manner and form for  
23 certification of debts by the board department or corporation under this subsection.

24 **SECTION 1878.** 39.325 of the statutes is amended to read:

1           **39.325 Wisconsin health education loan program.** (1) There is  
2 established, to be administered by the board department, a Wisconsin health  
3 education loan program under P.L. 94-484, on July 29, 1979, in order to provide  
4 financial aid to medical and dentistry students enrolled in the university of  
5 Wisconsin medical school, the medical college of Wisconsin or Marquette university  
6 school of dentistry.

7           (2) The ~~board~~ department shall lend to students who qualify under sub. (1) any  
8 moneys appropriated or authorized through the issuance of revenue obligations. The  
9 ~~board~~ department shall require a student borrowing moneys under this section to  
10 pay interest while in medical or dental school and during his or her residency  
11 training at the rate of at least 3% per year on the sum of the principal amount of the  
12 student's obligation and the accumulated interest, unless federal law provides  
13 otherwise as a condition of guaranteeing the loan. Principal and interest payable on  
14 maturing revenue obligations shall, when necessary, be paid from funded reserves,  
15 authorized under subch. II of ch. 18, or from moneys made available under chapter  
16 20, laws of 1981, section 2022 (1).

17           (3) The ~~board~~ department shall promulgate rules and establish standards and  
18 methods of determining the amounts of loans, rates of interest and other  
19 administrative procedures consistent with P.L. 94-484, on July 29, 1979. The rates  
20 of interest shall be set as low as possible, but shall remain sufficient to cover all costs  
21 of the program under this section.

22           **SECTION 1879.** 39.33 of the statutes is amended to read:

23           **39.33 Guaranteed student loan program.** (1) The ~~board~~ department may  
24 organize and maintain a nonstock corporation under ch. 181 to provide for a  
25 guaranteed student loan program in this state under P.L. 89-287 and P.L. 89-329

1 as may from time to time be amended. The ~~board~~ department may make use of and  
2 pay for the use of the facilities and services of such corporation.

3 (2) The ~~board~~ department may provide administrative services for the  
4 nonstock corporation with which the ~~board~~ department has entered into a  
5 contractual agreement for purposes of providing for a guaranteed student loan  
6 program in this state. Services provided under this section shall be in accordance  
7 with the decision of the ~~board~~ department as to the type and scope of services  
8 requested and the civil service range of any employe assigned to them.

9 (3) The ~~board~~ department or the legislature or any person delegated by the  
10 legislature may inspect and examine or cause an inspection and examination of all  
11 records relating to all programs that are, or are to be, administered under  
12 contractual agreement between the ~~board~~ department and the corporation.

13 **SECTION 1880.** 39.34 of the statutes is amended to read:

14 **39.34 Medical student loan program.** Notwithstanding s. 39.34, 1991  
15 stats., the ~~board~~ department shall terminate on August 12, 1993, any obligation to  
16 repay a loan awarded under this section.

17 **SECTION 1881.** 39.35 of the statutes is amended to read:

18 **39.35 Repayment of scholarships for teachers in educationally**  
19 **disadvantaged areas.** Notwithstanding s. 39.35, 1969 stats., and s. 39.35, 1991  
20 stats., the ~~board~~ department shall terminate on August 12, 1993, any obligation to  
21 repay a student aid award made under this section.

22 **SECTION 1882.** 39.36 of the statutes is amended to read:

23 **39.36 Repayment of stipends for teachers of the handicapped.**  
24 Notwithstanding s. 39.36, 1969 stats., s. 39.37 (3) (b), 1969 stats., and s. 39.36, 1991

1 stats., the ~~board~~ department shall terminate on August 12, 1993, any obligation to  
2 repay a stipend awarded under this section.

3 **SECTION 1883.** 39.37 (2) of the statutes is amended to read:

4 39.37 (2) There is created a separate nonlapsible trust fund designated the  
5 student loan repayment fund consisting of all revenues received in repayment of  
6 student loans funded under this section, and any other revenues dedicated to it by  
7 the ~~board~~ department. The ~~board~~ department may pledge revenues received or to  
8 be received by the fund to secure revenue obligations issued under this section, and  
9 shall have all other powers necessary and convenient to distribute the proceeds of  
10 the revenue obligations and loan repayments in accordance with subch. II of ch. 18.

11 **SECTION 1884.** 39.37 (3) of the statutes is amended to read:

12 39.37 (3) All student loans funded with revenue obligations issued under this  
13 section shall be fully guaranteed as to repayment of principal and interest from  
14 among a nonstock corporation organized under s. 39.33 (1), the United States, its  
15 agencies or instrumentalities. The ~~board~~ department may enter into agreements  
16 necessary to affect this guaranty.

17 **SECTION 1885.** 39.374 (2) of the statutes is amended to read:

18 39.374 (2) There is created a separate nonlapsible trust fund designated the  
19 Wisconsin health education loan repayment fund consisting of all revenues received  
20 in repayment of loans funded under this section or loans financed from moneys made  
21 available under chapter 20, laws of 1981, section 2022 (1). The ~~board~~ department  
22 may pledge revenues received or to be received by the fund to secure revenue  
23 obligations issued under this section, and shall have all other powers necessary and  
24 convenient to distribute the proceeds of the revenue obligations and loan repayments  
25 in accordance with subch. II of ch. 18.

**SECTION 1886**

1           **SECTION 1886.** 39.374 (3) of the statutes is amended to read:

2           39.374 **(3)** All loans funded with revenue obligations issued under this section  
3 shall be fully guaranteed as to repayment of principal and interest by the United  
4 States, its agencies or instrumentalities. The board department may enter into  
5 agreements necessary to effect this guaranty.

6           **SECTION 1887.** 39.38 (1) of the statutes is amended to read:

7           39.38 **(1)** There is established, to be administered by the board department, a  
8 grant program to assist those Indian students who are residents of this state to  
9 receive a higher education.

10          **SECTION 1887e.** 39.38 (2) of the statutes is amended to read:

11          39.38 **(2)** Grants under this section shall be based on financial need, as  
12 determined by the board. The maximum grant shall not exceed \$2,200 per year, of  
13 which not more than \$1,100 may be from the appropriation under s. 20.235 (1) (fb).  
14 State aid from this appropriation may be matched by a contribution from a federally  
15 recognized American Indian tribe or band that is deposited in the general fund and  
16 credited to the appropriation account under s. 20.235 (1) (gm). Grants shall be  
17 awarded to students for full-time or part-time attendance at any accredited  
18 institution of higher education in this state. The board may not make a grant under  
19 this section to a student if it receives a certification under s. 46.255 (7) that the  
20 student is delinquent in child support or maintenance payments. Grants shall be  
21 renewable for up to 5 years if a recipient remains in good academic standing at the  
22 institution he or she is attending. The American Indian language and culture  
23 education board shall advise the board on the allocation of grants to students  
24 enrolled less than half-time.

1           **SECTION 1887g.** 39.38 (2) of the statutes, as affected by 1995 Wisconsin Act ...  
2 (this act), is repealed and recreated to read:

3           39.38 (2) Grants under this section shall be based on financial need, as  
4 determined by the department. The maximum grant shall not exceed \$2,200 per  
5 year, of which not more than \$1,100 may be from the appropriation under s. 20.235  
6 (1) (fb). State aid from this appropriation may be matched by a contribution from a  
7 federally recognized American Indian tribe or band that is deposited in the general  
8 fund and credited to the appropriation account under s. 20.235 (1) (gm). Grants shall  
9 be awarded to students for full-time or part-time attendance at any accredited  
10 institution of higher education in this state. The department may not make a grant  
11 under this section to a student if the department receives a certification under s.  
12 73.255 (7) that the student is delinquent in child support or maintenance payments.  
13 Grants shall be renewable for up to 5 years if a recipient remains in good academic  
14 standing at the institution that he or she is attending. The American Indian  
15 language and culture education board shall advise the department on the allocation  
16 of grants to students enrolled less than half-time.

17           **SECTION 1888.** 39.39 (1) (a) (intro.) of the statutes is amended to read:

18           39.39 (1) (a) (intro.) There is established, to be administered by the ~~board~~  
19 department, a stipend loan program for resident students, including registered  
20 nurses, who are:

21           **SECTION 1889.** 39.39 (2) (intro.) of the statutes is amended to read:

22           39.39 (2) (intro.) The ~~board~~ department shall:

23           **SECTION 1890.** 39.39 (2) (b) of the statutes is amended to read:

24           39.39 (2) (b) Promulgate rules to administer this section, including rules  
25 establishing loan amounts and the criteria and procedures for loan forgiveness and

1 for selecting loan recipients. Loan recipients shall be selected on the basis of  
2 financial need, as determined by the board department, using the needs analysis  
3 methodology used under s. 39.435.

4 **SECTION 1891.** 39.39 (4) of the statutes is created to read:

5 39.39 (4) The board may not make any original stipend loans under this section  
6 after the effective date of this subsection .... [revisor inserts date].

7 **SECTION 1892.** 39.39 (4) of the statutes, as created by 1995 Wisconsin Act ....  
8 (this act), is repealed and recreated to read:

9 39.39 (4) The department may not make any original stipend loans under this  
10 section.

11 **SECTION 1893.** 39.40 (2) (intro.) of the statutes is amended to read:

12 39.40 (2) (intro.) The board department shall establish a loan program for  
13 minority students who meet all of the following requirements:

14 **SECTION 1893m.** 39.40 (2) (a) of the statutes is amended to read:

15 39.40 (2) (a) Are registered as juniors or seniors, or hold a bachelor's degree and  
16 are registered as special students, in the University of Wisconsin System or in an  
17 accredited, private institution of higher education located in this state.

18 **SECTION 1894.** 39.40 (2) (c) of the statutes is amended to read:

19 39.40 (2) (c) Meet academic criteria specified by the board department.

20 **SECTION 1894m.** 39.40 (2m) of the statutes is created to read:

21 39.40 (2m) Loans under sub. (2) shall be awarded to students registered at an  
22 eligible institution of higher education on the basis of the institution's participation  
23 in the loan program under this section or s. 36.25 (16), 1993 stats., and the number  
24 of its students eligible for such loans. Loans awarded to recipients shall be disbursed  
25 directly to the eligible institutions of higher education.

1           **SECTION 1895.** 39.40 (3) of the statutes is amended to read:

2           39.40 (3) Loans under sub. (2) shall be made from the appropriation under s.  
3           20.235 (1) (cr). The ~~board~~ department shall forgive 25% of the loan and 25% of the  
4           interest on the loan for each school year the recipient teaches in a school district  
5           described under sub. (2) (d).

6           **SECTION 1896.** 39.40 (4) of the statutes is amended to read:

7           39.40 (4) The ~~board~~ department shall deposit in the general fund as general  
8           purpose revenue-earned all repayments of loans made under sub. (2) and the  
9           interest on the loans.

10          **SECTION 1897.** 39.40 (5) of the statutes is created to read:

11          39.40 (5) The department shall administer the repayment and forgiveness of  
12          loans made under s. 36.25 (16), 1993 stats. The department shall treat such loans  
13          as if they had been made under sub. (2).

14          **SECTION 1900.** 39.41 (1) (ae) of the statutes is repealed.

15          **SECTION 1901.** 39.41 (1) (bg) of the statutes is created to read:

16          39.41 (1) (bg) "Secretary" means the secretary of education.

17          **SECTION 1902.** 39.41 (1m) (b) of the statutes is amended to read:

18          39.41 (1m) (b) By February 15 of each school year, the school board of each  
19          school district operating one or more high schools and the governing body of each  
20          private high school may, for each high school with an enrollment of less than 80  
21          pupils, nominate the senior with the highest grade point average in all subjects who  
22          may be designated as a scholar by the ~~executive~~ secretary under par. (c) 3.

23          **SECTION 1903.** 39.41 (1m) (c) (intro.) of the statutes is amended to read:

24          39.41 (1m) (c) (intro.) The ~~executive~~ secretary shall:

25          **SECTION 1904.** 39.41 (1m) (c) 5. of the statutes is amended to read:

**SECTION 1904**

1           39.41 (1m) (c) 5. For each public or private high school with an enrollment of  
2 less than 80 pupils, notify the school board of the school district operating the public  
3 high school or the governing body of the private high school that the school board or  
4 governing body may nominate a senior under par. (b) who may be designated as a  
5 scholar by the executive secretary.

6           **SECTION 1905.** 39.41 (1m) (cm) of the statutes is amended to read:

7           39.41 (1m) (cm) The executive secretary may grant waivers under par. (m).

8           **SECTION 1906.** 39.41 (1m) (d) of the statutes is amended to read:

9           39.41 (1m) (d) By February 15 of each school year, if 2 or more seniors from the  
10 same high school of at least 80 pupils have the same grade point average and, except  
11 for the limitation on the number of designated scholars, are otherwise eligible for  
12 designation under par. (a), the faculty of the high school shall select the applicable  
13 number of seniors for designation under par. (a) as scholars and shall certify, in order  
14 of priority, any remaining seniors as alternates for a scholar with the same grade  
15 point average. If a senior from that high school designated as a scholar under par.  
16 (a) does not qualify for a higher education scholarship under sub. (2) (a) or (3) (a), an  
17 alternate for the scholar with the same grade point average as any senior from that  
18 high school designated as a scholar under par. (a) shall be eligible for a higher  
19 education scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship  
20 may be awarded by the board department.

21           **SECTION 1907.** 39.41 (1m) (e) of the statutes is amended to read:

22           39.41 (1m) (e) If 2 or more seniors from the same high school of less than 80  
23 pupils have the same grade point average and, except for the limitation of one  
24 nominated senior, are otherwise eligible for nomination under par. (b), the faculty of  
25 the high school shall select the senior who may be nominated by the school board of

**SECTION 1907**

1 the school district operating the public high school or the governing body of the  
2 private high school for designation under par. (b) as a scholar by the executive  
3 secretary. If that senior is designated as a scholar by the executive secretary and does  
4 not qualify for a higher education scholarship under sub. (2) (a) or (3) (a), faculty of  
5 the high school shall select one or more of the remaining seniors with the same grade  
6 point average for certification as a scholar and the school board of the school district  
7 operating the high school or the governing body of the private high school shall  
8 certify to the ~~board~~ department one or more of these seniors as eligible for a higher  
9 education scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship  
10 may be awarded by the ~~board~~ department.

11 **SECTION 1908.** 39.41 (1m) (f) of the statutes is amended to read:

12 39.41 (1m) (f) If 2 or more seniors from the Wisconsin school for the visually  
13 handicapped have the same grade point average and, except for the limitation of one  
14 designated senior, are otherwise eligible for designation under par. (c) 1., the  
15 executive secretary shall make the designation under par. (c) 1. of the senior who may  
16 be eligible for a higher education scholarship as a scholar and, if that senior does not  
17 qualify for a higher education scholarship under sub. (2) (a) or (3) (a), shall designate  
18 one or more of the remaining seniors with the same grade point average as eligible  
19 for a higher education scholarship as a scholar under sub. (2) (a) or (3) (a) until the  
20 scholarship may be awarded by the ~~board~~ department.

21 **SECTION 1909.** 39.41 (1m) (fm) of the statutes is amended to read:

22 39.41 (1m) (fm) If 2 or more seniors from the Wisconsin school for the deaf have  
23 the same grade point average and, except for the limitation of one designated senior,  
24 are otherwise eligible for designation under par. (c) 2., the executive secretary shall  
25 make the designation under par. (c) 2. of the senior who may be eligible for a higher

**SECTION 1909**

1 education scholarship as a scholar and, if that senior does not qualify for a higher  
2 education scholarship under sub. (2) (a) or (3) (a), shall designate one or more of the  
3 remaining seniors with the same grade point average as eligible for a higher  
4 education scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship  
5 may be awarded by the ~~board~~ department.

6 **SECTION 1910.** 39.41 (1m) (i) of the statutes is amended to read:

7 39.41 (1m) (i) Notwithstanding par. (d), if the school board of a school district  
8 operating a high school or the governing body of a private high school has complied  
9 with s. 39.41 (1m) (d), 1991 stats., for the 1993-94 school year and a senior from that  
10 high school designated as a scholar under s. 39.41 (1m) (a), 1991 stats., and s. 39.41  
11 (1m) (d), 1991 stats., does not qualify for a higher education scholarship under sub.  
12 (2) (a) or (3) (a), the faculty of the high school shall select one or more of the remaining  
13 seniors with the same grade point average for certification as a scholar. The school  
14 board of the school district operating the high school or the governing body of the  
15 private high school shall certify to the ~~board~~ department one or more of these seniors  
16 as eligible for a higher education scholarship as a scholar under sub. (2) (a) or (3) (a)  
17 until the scholarship may be awarded by the ~~board~~ department.

18 **SECTION 1911.** 39.41 (1m) (m) of the statutes is amended to read:

19 39.41 (1m) (m) Notwithstanding pars. (a), (b) and (d), if a high school ranks its  
20 seniors on the basis of grades in academic subjects, the school board of the school  
21 district operating the high school or the governing body of the private high school or,  
22 for purposes of par. (d), the faculty of the high school may request a waiver from the  
23 executive secretary in order to fulfill its requirements under par. (a), (b) or (d) on the  
24 basis of grade point averages in academic subjects.

25 **SECTION 1912.** 39.41 (2) (a) of the statutes is amended to read:

**SECTION 1912**

1           39.41 (2) (a) If a designated scholar under sub. (1m) is admitted to and enrolls,  
2 on a full-time basis, by September 30 of the academic year immediately following the  
3 school year in which the senior was designated a scholar, in a center or institution  
4 within the university of Wisconsin system or in a technical college district school that  
5 is participating in the program under this section, the scholar shall receive a higher  
6 education scholarship that exempts the scholar from all tuition and fees, including  
7 segregated fees, at the center, institution or district school for one year, subject to the  
8 availability of funds, except that the maximum scholarship for a scholar who receives  
9 an original scholarship for the 1996-97 academic year or for any academic year  
10 thereafter may not exceed \$2,250 per academic year.

11           **SECTION 1913.** 39.41 (2) (b) of the statutes is amended to read:

12           39.41 (2) (b) For each year that a scholar who receives a scholarship under par.  
13 (a) is enrolled full time, maintains at least a 3.0 grade point average, or the  
14 equivalent as determined by the center, institution or district school, and makes  
15 satisfactory progress toward an associate or a bachelor's degree, the student shall be  
16 exempt from all tuition and fees, including segregated fees, in the subsequent year,  
17 subject to the availability of funds, except that the maximum scholarship for a  
18 scholar who receives an original scholarship for the 1996-97 academic year or for any  
19 academic year thereafter may not exceed \$2,250 per academic year. No scholar is  
20 eligible for an exemption for more than 4 years at a center or institution or more than  
21 3 years at a district school.

22           **SECTION 1914.** 39.41 (2) (c) of the statutes is amended to read:

23           39.41 (2) (c) Subject to sub. (4), for each year the student is exempt from tuition  
24 and fees under par. (a) or (b), the board department shall pay the center, institution  
25 or district school, on behalf of the student, an amount equal to 50% of the student's

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1 tuition and fees, except that the maximum payment for a student who receives an  
2 original scholarship for the 1996-97 academic year or for any academic year  
3 thereafter may not exceed \$1,125 per academic year.

4 **SECTION 1916.** 39.41 (3) (a) of the statutes is amended to read:

5 39.41 (3) (a) If a designated scholar under sub. (1m) is admitted to and enrolls,  
6 on a full-time basis, by September 30 of the academic year immediately following the  
7 school year in which the senior was designated a scholar, in a private institution of  
8 higher education that is located in this state and participating in the program under  
9 this section, the ~~board~~ department shall pay the institution, on behalf of the pupil,  
10 an amount equal to 50% of the tuition and fees charged a resident undergraduate at  
11 the university of Wisconsin-Madison in the same academic year, except that the  
12 maximum payment for a pupil who receives an original scholarship for the 1996-97  
13 academic year or for any academic year thereafter may not exceed \$1,125 per  
14 academic year.

15 **SECTION 1918.** 39.41 (4) of the statutes is amended to read:

16 39.41 (4) (a) The ~~board~~ department shall make the payments under subs. (2)  
17 (c) and (3) only if the center, institution, district school or private institution matches  
18 the amount of the payment from institutional funds, gifts or grants. Beginning in  
19 the 1992-93 school year, the matching requirement under this paragraph for the  
20 centers and institutions within the university of Wisconsin system shall be satisfied  
21 by payments of an amount equal to the total payments from the centers and  
22 institutions made under this paragraph in the 1991-92 school year and, if such  
23 payments are insufficient to satisfy the matching requirement, by the waiver of  
24 academic fees established under s. 36.27.

1 (b) The ~~board~~ department shall make the payments under subs. (2) (c) and (3)  
2 from the appropriation under s. 20.235 (1) (fy) subject to the availability of funds.  
3 If the amount in the appropriation under s. 20.235 (1) (fy) in any fiscal year is  
4 insufficient to fully make the payments, the amount of each payment shall be  
5 reduced proportionately.

6 **SECTION 1919.** 39.41 (5) of the statutes is amended to read:

7 39.41 (5) (a) Each center or institution within the university of Wisconsin  
8 system, technical college district school and private institution of higher education  
9 that wishes to participate in the scholarship program under this section shall notify  
10 the ~~board~~ department by October 1 prior to the academic year in which the  
11 institution wishes to participate.

12 (b) Each designated scholar who is eligible for a higher education scholarship  
13 under sub. (2) (a) or (3) (a) shall notify the ~~board~~ department as soon as practicable  
14 of the institution of higher education he or she will be attending in the next academic  
15 year.

16 (c) Annually, the ~~board~~ department shall notify each scholar who will be  
17 attending a participating institution of higher education in the next academic year  
18 of the amount of his or her higher education scholarship.

19 **SECTION 1920.** 39.41 (7) of the statutes is amended to read:

20 39.41 (7) By August 1, 1993, and annually thereafter, the ~~board~~ department  
21 shall submit a report to the joint committee on finance evaluating the success of the  
22 program under this section. The report shall specify the number and amount of the  
23 scholarships awarded in the current fiscal year and the institutions of higher  
24 education chosen by the scholarship recipients.

25 **SECTION 1921.** 39.41 (8) of the statutes is amended to read:

1           39.41 (8) The executive secretary shall promulgate rules establishing criteria  
2 for the designation of scholars under sub. (1m) (c) 3.

3           **SECTION 1924.** 39.42 of the statutes is amended to read:

4           **39.42 Interstate agreements.** The ~~board~~ department, with the approval of  
5 the joint committee on finance, or the governing boards of any publicly supported  
6 institution of post-high school education, with the approval of the ~~board~~ department  
7 and the joint committee on finance, may enter into agreements or understandings  
8 which include remission of nonresident tuition for designated categories of students  
9 at state institutions of higher education with appropriate state agencies and  
10 institutions of higher education in other states to facilitate use of public higher  
11 education institutions of this state and other states. Such agreements and  
12 understandings shall have as their purpose the mutual improvement of educational  
13 advantages for residents of this state and such other states or institutions of other  
14 states with which agreements are made.

15           **SECTION 1925.** 39.435 (1) of the statutes is amended to read:

16           39.435 (1) There is established, to be administered by the ~~board~~ department  
17 a higher education grant program for postsecondary resident students enrolled at  
18 least half-time and registered as freshmen, sophomores, juniors or seniors in  
19 accredited institutions of higher education in this state. Except as authorized under  
20 sub. (5), such grants shall be made only to students enrolled in nonprofit public  
21 institutions in this state.

22           **SECTION 1926.** 39.435 (2) of the statutes is amended to read:

23           39.435 (2) The ~~board~~ department shall award talent incentive grants to  
24 uniquely needy students enrolled at least half-time as first-time freshmen at public  
25 and private nonprofit institutions located in this state and to sophomores, juniors

**SECTION 1926**

1 and seniors who received such grants as freshmen. No grant under this subsection  
2 may exceed \$1,800 for any academic year. The ~~board~~ department may not award a  
3 grant to the same student for more than 10 consecutive semesters or their  
4 equivalent. The ~~board~~ department shall promulgate rules establishing eligibility  
5 criteria for grants under this subsection.

6 **SECTION 1927.** 39.435 (3) of the statutes is amended to read:

7 39.435 (3) Grants under sub. (1) shall not be less than \$250 during any one  
8 academic year, unless the joint committee on finance approves an adjustment in the  
9 amount of the minimum grant. Grants under sub. (1) shall not exceed \$1,800 during  
10 any one academic year. The ~~board~~ department shall, by rule, establish a reporting  
11 system to periodically provide student economic data and shall promulgate other  
12 rules the ~~board~~ department deems necessary to assure uniform administration of the  
13 program.

14 **SECTION 1928.** 39.435 (4) (a) of the statutes is amended to read:

15 39.435 (4) (a) The ~~board~~ department shall promulgate rules establishing  
16 policies and procedures for determining dependent and independent status and for  
17 the calculation of expected parental and student contributions. The rules shall be  
18 consistent with generally accepted definitions and nationally approved needs  
19 analysis methodology.

20 **SECTION 1929.** 39.435 (4) (b) 1. and 2. of the statutes are amended to read:

21 39.435 (4) (b) 1. Annually, the ~~board~~ department shall establish equity award  
22 levels for students enrolled in the university of Wisconsin system and for students  
23 enrolled in technical colleges.

1           2. From the equity levels established under subd. 1., the ~~board~~ department  
2 shall subtract the amount of the expected parental contribution and the expected  
3 student contribution to determine the amount of the student's grant.

4           **SECTION 1930.** 39.435 (4) (c) of the statutes is amended to read:

5           39.435 (4) (c) Grants paid to independent students shall be determined by the  
6 ~~board~~ department consistent with the rules and procedures under pars. (a) and (b).

7           **SECTION 1930m.** 39.435 (4) (d) of the statutes is created to read:

8           39.435 (4) (d) The awarding of grants under this section is subject to any  
9 formula approved or modified by the education commission under s. 39.285 (1).

10          **SECTION 1931.** 39.435 (5) of the statutes is amended to read:

11          39.435 (5) The ~~board~~ department shall ensure that grants under this section  
12 are made available to students attending private or public institutions in this state  
13 who are deaf or hard of hearing or visually handicapped and who demonstrate need.  
14 Grants may also be made available to such handicapped students attending private  
15 or public institutions in other states under criteria established by the ~~board~~  
16 department. In determining the financial need of these students special  
17 consideration shall be given to their unique and unusual costs.

18          **SECTION 1932.** 39.435 (6) of the statutes is amended to read:

19          39.435 (6) The ~~board~~ department may not make a grant under this section to  
20 a person if it ~~the department~~ receives a certification under s. ~~46.255~~ 73.255 (7) that  
21 the person is delinquent in child support or maintenance payments.

22          **SECTION 1933.** 39.44 (1) (b) of the statutes is amended to read:

23          39.44 (1) (b) There is established, to be administered by the ~~board~~ department,  
24 the minority undergraduate retention grant program for minority undergraduates

**SECTION 1933**

1 enrolled in private, nonprofit higher educational institutions in this state or in  
2 technical colleges in this state.

3 **SECTION 1934g.** 39.44 (2) of the statutes is amended to read:

4 39.44 (2) Funds for the grants under this section shall be distributed from the  
5 appropriation under s. 20.235 (1) (fg), with 50% distributed to the eligible private  
6 institutions and ~~from the appropriation under s. 20.235 (1) (fh) 50% distributed to~~  
7 the eligible technical colleges ~~on the basis of full-time equivalent enrollments of~~  
8 ~~students eligible for grants under sub. (1) (b).~~ The board shall audit the enrollment  
9 statistics annually.

10 **SECTION 1934m.** 39.44 (2) of the statutes, as affected by 1995 Wisconsin Act  
11 .... (this act), is repealed and recreated to read:

12 39.44 (2) Funds for the grants under this section shall be distributed from the  
13 appropriation under s. 20.235 (1) (fg), with 50% distributed to the eligible private  
14 institutions and 50% distributed to the eligible technical colleges. The department  
15 shall audit the enrollment statistics annually.

16 **SECTION 1935.** 39.44 (3) (b) of the statutes is amended to read:

17 39.44 (3) (b) Demonstrate to the satisfaction of the ~~board~~ department that such  
18 funds do not replace institutional grants to the recipients.

19 **SECTION 1936.** 39.44 (3) (c) of the statutes is amended to read:

20 39.44 (3) (c) Annually report to the ~~board~~ department the number of awards  
21 made, the amount of each award, the minority status of each recipient, other  
22 financial aid awards made to each recipient and the total amount of financial aid  
23 made available to the eligible students.

24 **SECTION 1937.** 39.44 (4) of the statutes is amended to read:

**SECTION 1937**

1           39.44 (4) The ~~board~~ department shall notify an institution or school receiving  
2 funds under sub. (2) if the ~~board~~ department receives a certification under s. 46.255  
3 73.255 (7) that a student is delinquent in child support or maintenance payments.  
4 An institution or school may not award a grant under this section to a student if it  
5 receives a notification under this subsection concerning that student.

6           **SECTION 1940.** 39.45 (2) to (7) of the statutes are amended to read:

7           39.45 (2) There is established, to be determined by the ~~board~~ department, a  
8 grant program for resident students who are current recipients of aid to families with  
9 dependent children under s. 49.19.

10           (3) Grants under this section shall be awarded on the basis of financial need,  
11 as determined by the ~~board~~ department, to resident students enrolled for at least 6  
12 academic credits in the 2nd or 3rd year in programs leading to an associate degree  
13 or the 3rd, 4th or 5th year in programs leading to a bachelor's degree. Except as  
14 provided in sub. (5), no grant may exceed \$4,000 per academic year. Students may  
15 apply for grants, upon a form prepared and furnished by the ~~board~~ department, on  
16 or after February 1 of any year for the fall semester or session of the upcoming  
17 academic year. No student is eligible to receive a grant under this section for more  
18 than 3 academic years.

19           (4) The ~~board~~ department shall give preference, as much as practicable, in  
20 awarding grants under this section to students enrolled in courses likely to increase  
21 the immediate employment opportunities of such students. The ~~board~~ department  
22 shall publish a list of such courses and shall include courses that have an  
23 occupational or vocational objective in areas with existing labor needs.

24           (5) The ~~board~~ department may award supplemental grants of between \$500  
25 and \$1,000 per child per semester or session to students for the cost of child care for

1 preschool children of the students. The student shall demonstrate, as determined  
2 by the ~~board~~ department, financial need for the supplemental grant. In awarding  
3 grants under this subsection, the ~~board~~ department may not exceed 20% of the  
4 appropriation for a given fiscal year for the grant program.

5 (6) From the appropriation under s. 20.235 (1) (fc), the ~~board~~ department shall  
6 use available funds to make grant awards under this section, but no award may be  
7 made before March 1 for the fall semester or session of the upcoming academic year.

8 (7) The ~~board~~ department shall promulgate rules to administer this section,  
9 including criteria and procedures for repayment of grants awarded under this  
10 section, including interest, by certain grant recipients who no longer reside in this  
11 state or do not successfully complete requirements for a degree. The ~~board~~  
12 department shall deposit in the general fund as general purpose revenue-earned all  
13 repayments of grants awarded under this section and the interest on the grants.

14 **SECTION 1943.** 39.46 (1) of the statutes is amended to read:

15 39.46 (1) On or before July 1 of each year, the ~~higher educational aids board~~  
16 department shall initiate, investigate and formulate for procurement, a contract for  
17 dental education services in accordance with this section. Thereafter, the ~~board~~  
18 department shall conduct a biennial analysis of the program and include a report on  
19 its findings and recommendations in its reports under s. 15.04 (1) (d). The legislative  
20 audit bureau shall biennially postaudit expenditures under this section. Section  
21 16.75 (1) to (5) are waived with respect to such contract.

22 **SECTION 1944.** 39.46 (2) (d) of the statutes is amended to read:

23 39.46 (2) (d) That the dental school administer and operate its courses and  
24 programs in dentistry in conformity with academic and professional standards, rules  
25 and requirements and seek progressively to enrich and improve its courses of dental

**SECTION 1944**

1 education, research and public service by full and efficient use of budgetary and other  
2 resources available to it. In monitoring compliance with this paragraph the board  
3 department may rely on 3rd-party evaluations conducted by appropriate and  
4 recognized accrediting bodies.

5 **SECTION 1945.** 39.47 (1) and (2m) of the statutes are amended to read:

6 39.47 (1) There is established, to be administered by the board department, a  
7 Minnesota-Wisconsin student reciprocity agreement, the purpose of which shall be  
8 to ensure that neither state shall profit at the expense of the other and that the  
9 determination of any amounts owed by either state under the agreement shall be  
10 based on an equitable formula which reflects the educational costs incurred by the  
11 2 states. The board department, representing this state, shall enter into an  
12 agreement meeting the requirements of this section with the designated body  
13 representing the state of Minnesota.

14 (2m) No resident of this state may receive a waiver of nonresident tuition  
15 under this section if the board department receives a certification under s. 46.255  
16 73.255 (7) that the resident is delinquent in child support or maintenance payments.

17 **SECTION 1945m.** 40.02 (17) (e) of the statutes is amended to read:

18 40.02 (17) (e) Each executive participating employe whose creditable service  
19 terminates on or after May 3, 1988, and each participating employe who is a present  
20 or former elected official or an appointee of a present or former elected official and  
21 who did not receive creditable service under s. 40.02 (17) (e), 1987 stats., or s. 40.02  
22 (17) (e), 1989 stats., and whose creditable service terminates on or after August 15,  
23 1991, who was previously in the position of the president of the university of  
24 Wisconsin system or in a position designated under s. 20.923 (4), or (8) ~~or~~ (9), but did  
25 not receive creditable service because of age restrictions, may receive creditable

**SECTION 1945m**

1 service equal to the period of executive service not credited if the participant pays to  
2 the department a lump sum payment equal to 5.5% of one-twelfth of the employee's  
3 highest earnings in a single annual earnings period multiplied by the number of  
4 months of creditable service granted under this paragraph. That amount shall be  
5 credited and treated as an employee required contribution for all purposes of the  
6 Wisconsin retirement system.

7 **SECTION 1946.** 40.02 (22) (e) of the statutes is amended to read:

8 40.02 (22) (e) Except for OASDHI purposes, at the employer's discretion,  
9 means compensation deemed to have been paid for services deemed to have been  
10 rendered during periods of leaves of absence without pay, at the employee's rate of pay  
11 prior to the leave, provided contributions and premiums on the deemed earnings are  
12 paid as required under s. 40.05. Any action taken under this paragraph that applies  
13 to state employes shall be taken pursuant to a collective bargaining agreement under  
14 subch. V of ch. 111 or s. 230.12 or 233.10.

15 **SECTION 1946m.** 40.02 (22) (e) of the statutes, as affected by 1995 Wisconsin  
16 Act .... (this act), is repealed and recreated to read:

17 40.02 (22) (e) Except for OASDHI purposes, at the employer's discretion,  
18 means compensation deemed to have been paid for services deemed to have been  
19 rendered during periods of leaves of absence without pay, at the employee's rate of pay  
20 prior to the leave, provided contributions and premiums on the deemed earnings are  
21 paid as required under s. 40.05. Any action taken under this paragraph that applies  
22 to state employes shall be taken pursuant to a collective bargaining agreement under  
23 subch. I or V of ch. 111 or s. 230.12 or 233.10.

24 **SECTION 1947.** 40.02 (25) (a) 3. of the statutes is amended to read:

1           40.02 (25) (a) 3. The blind employes of the Wisconsin workshop for the blind  
2 authorized under s. 47.03 (1) (b), 1989 stats., or of the nonprofit corporation with  
3 which the department of ~~health and social services~~ industry, labor and human  
4 relations contracts under s. 47.03 (1m) (a), 1989 stats., as of the beginning of the  
5 calendar month following completion of 1,000 hours of service. Persons employed by  
6 an employer who are blind when hired shall not be eligible for life insurance  
7 premium waiver because of any disability which is directly or indirectly attributed  
8 to blindness and may convert life insurance coverage only once under the contract;  
9 or

10           **SECTION 1948.** 40.02 (25) (b) 2m. of the statutes is amended to read:

11           40.02 (25) (b) 2m. A crew leader or regional crew leader employed by the  
12 Wisconsin conservation corps board for whom the Wisconsin conservation corps  
13 board under s. 16.20 (10) (fm) has authorized group health care coverage;

14           **SECTION 1948m.** 40.02 (25) (b) 2m. of the statutes, as affected by 1995  
15 Wisconsin Act .... (this act), is repealed and recreated to read:

16           40.02 (25) (b) 2m. A crew leader or regional crew leader employed by the  
17 Wisconsin conservation corps board for whom the Wisconsin conservation corps  
18 board under s. 106.215 (10) (fm) has authorized group health care coverage;

19           **SECTION 1949.** 40.02 (25) (b) 8. of the statutes is amended to read:

20           40.02 (25) (b) 8. Any other state employe ~~of the state~~ for whom coverage is  
21 authorized under a collective bargaining agreement ~~under~~ pursuant to subch. V of  
22 ch. 111 or under s. 230.12 or 233.10;

23           **SECTION 1949m.** 40.02 (25) (b) 8. of the statutes, as affected by 1995 Wisconsin  
24 Act .... (this act), is repealed and recreated to read:

**SECTION 1949m**

1           40.02 (25) (b) 8. Any other state employe for whom coverage is authorized  
2 under a collective bargaining agreement pursuant to subch. I or V of ch. 111 or under  
3 s. 230.12 or 233.10;

4           **SECTION 1949n.** 40.02 (30) of the statutes is amended to read:

5           40.02 (30) "Executive participating employe" means a participating employe  
6 in a position designated under s. 19.42 (10) (L) or 20.923 (4), (4m), or (8) ~~or~~ (9) or  
7 authorized under s. 230.08 (2) (e) during the time of employment. All service credited  
8 prior to May 17, 1988, as executive service as defined under s. 40.02 (31), 1985 stats.,  
9 shall continue to be treated as executive service as defined under s. 40.02 (31), 1985  
10 stats., but no other service rendered prior to May 17, 1988, may be changed to  
11 executive service as defined under s. 40.02 (31), 1985 stats.

12           **SECTION 1950.** 40.02 (54) (f) of the statutes is amended to read:

13           40.02 (54) (f) The nonprofit corporation with which the department of ~~health~~  
14 ~~and social services~~ industry, labor and human relations contracts under s. 47.03 (1m)  
15 (a), 1989 stats.

16           **SECTION 1951.** 40.02 (54) (h) of the statutes is created to read:

17           40.02 (54) (h) The University of Wisconsin Hospitals and Clinics Authority.

18           **SECTION 1952.** 40.02 (54t) of the statutes is created to read:

19           40.02 (54t) "State employe" means an employe of a state agency.

20           **SECTION 1953.** 40.02 (55) (a) of the statutes is amended to read:

21           40.02 (55) (a) Any person employed as a librarian by any school board in a  
22 library in any school under its jurisdiction, including a charter school as defined in  
23 s. 115.001 (1), whose qualifications as a librarian are at least equal to the minimum  
24 librarian qualifications prescribed by the ~~state superintendent~~ department of public  
25 ~~instruction~~ education.

1           **SECTION 1954.** 40.05 (1) (b) of the statutes is amended to read:

2           40.05 (1) (b) In lieu of employe payment, the employer may pay all or part of  
3           the contributions required by par. (a), but all the payments shall be available for  
4           benefit purposes to the same extent as required contributions deducted from  
5           earnings of the participating employes. Action to assume employe contributions as  
6           provided under this paragraph shall be taken at the time and in the form determined  
7           by the governing body of the participating employer. The state and the University  
8           of Wisconsin Hospitals and Clinics Authority shall pay under this paragraph for  
9           employes who are covered by a collective bargaining agreement under subch. V of ch.  
10          111 and for employes whose fringe benefits are determined under s. 230.12 an  
11          amount equal to 4% of the earnings paid by the state or authority unless otherwise  
12          provided in a collective bargaining agreement under subch. V of ch. 111 or unless  
13          otherwise determined under s. 230.12. The state shall pay under this paragraph for  
14          employes who are not covered by a collective bargaining agreement under subch. V  
15          of ch. 111 and for employes whose fringe benefits are not determined under s. 230.12  
16          an amount equal to 4% of the earnings paid by the state unless a different amount  
17          is recommended by the secretary of employment relations and approved by the joint  
18          committee on employment relations in the manner provided for approval of changes  
19          in the compensation plan under s. 230.12 (3). The University of Wisconsin Hospitals  
20          and Clinics Authority shall pay under this paragraph for employes who are not  
21          covered by a collective bargaining agreement under subch. V of ch. 111 an amount  
22          equal to 4% of the earnings paid by the authority unless a different amount is  
23          established by the board of directors of the authority under s. 233.10.

24          **SECTION 1954m.** 40.05 (1) (b) of the statutes, as affected by 1995 Wisconsin Act  
25          .... (this act), is repealed and recreated to read:

**SECTION 1954m**

1           40.05 (1) (b) In lieu of employe payment, the employer may pay all or part of  
2 the contributions required by par. (a), but all the payments shall be available for  
3 benefit purposes to the same extent as required contributions deducted from  
4 earnings of the participating employes. Action to assume employe contributions as  
5 provided under this paragraph shall be taken at the time and in the form determined  
6 by the governing body of the participating employer. The state shall pay under this  
7 paragraph for employes who are covered by a collective bargaining agreement under  
8 subch. V of ch. 111 and for employes whose fringe benefits are determined under s.  
9 230.12 an amount equal to 4% of the earnings paid by the state unless otherwise  
10 provided in a collective bargaining agreement under subch. V of ch. 111 or unless  
11 otherwise determined under s. 230.12. The University of Wisconsin Hospitals and  
12 Clinics Authority shall pay under this paragraph for employes who are covered by  
13 a collective bargaining agreement under subch. I of ch. 111 and for employes whose  
14 fringe benefits are determined under s. 233.10 an amount equal to 4% of the earnings  
15 paid by the authority unless otherwise provided in a collective bargaining agreement  
16 under subch. I of ch. 111 or unless otherwise determined under s. 233.10. The state  
17 shall pay under this paragraph for employes who are not covered by a collective  
18 bargaining agreement under subch. V of ch. 111 and for employes whose fringe  
19 benefits are not determined under s. 230.12 an amount equal to 4% of the earnings  
20 paid by the state unless a different amount is recommended by the secretary of  
21 employment relations and approved by the joint committee on employment relations  
22 in the manner provided for approval of changes in the compensation plan under s.  
23 230.12 (3). The University of Wisconsin Hospitals and Clinics Authority shall pay  
24 under this paragraph for its employes who are not covered by a collective bargaining  
25 agreement under subch. I of ch. 111 an amount equal to 4% of the earnings paid by

**SECTION 1954m**

1 the authority unless a different amount is established by the board of directors of the  
2 authority under s. 233.10.

3 **SECTION 1956.** 40.05 (4) (ag) (intro.) of the statutes is amended to read:

4 40.05 (4) (ag) (intro.) Except as otherwise provided in accordance with a  
5 collective bargaining agreement under subch. V of ch. 111 or s. 230.12 or 233.10, the  
6 employer shall pay for its currently employed insured employes covered by a  
7 collective bargaining agreement under subch. V of ch. 111 or whose health insurance  
8 premium contribution rates are determined under s. 230.12 or 233.10:

9 **SECTION 1956m.** 40.05 (4) (ag) (intro.) of the statutes, as affected by 1995  
10 Wisconsin Act .... (this act), is repealed and recreated to read:

11 40.05 (4) (ag) (intro.) Except as otherwise provided in accordance with a  
12 collective bargaining agreement under subch. I or V of ch. 111 or s. 230.12 or 233.10,  
13 the employer shall pay for its currently employed insured employes covered by a  
14 collective bargaining agreement under subch. I or V of ch. 111 or whose health  
15 insurance premium contribution rates are determined under s. 230.12 or 233.10:

16 **SECTION 1957.** 40.05 (4) (ar) and (b) of the statutes are amended to read:

17 40.05 (4) (ar) The employer shall pay under par. (a) for employes who are not  
18 covered by a collective bargaining agreement under subch. V of ch. 111 and for  
19 employes whose health insurance premium contribution rates are not determined  
20 under s. 230.12 or 233.10 an amount equal to the amount specified in par. (ag) unless  
21 a different amount is recommended by the secretary of employment relations and  
22 approved by the joint committee on employment relations in the manner provided  
23 for approval of changes in the compensation plan under s. 230.12 (3).

24 (b) Except as provided under pars. (bc) and (bp), accumulated unused sick leave  
25 under ss. 13.121 (4), 36.30, 230.35 (2), 233.10 and 757.02 (5) and under a collective

1 bargaining agreement pursuant to subch. V of ch. 111 of any eligible employe shall,  
2 at the time of death, upon qualifying for an immediate annuity or for a lump sum  
3 payment under s. 40.25 (1) or upon termination of creditable service and qualifying  
4 as an eligible employe under s. 40.02 (25) (b) 6. or 10., be converted, at the employe's  
5 current basic pay rate, to credits for payment of health insurance premiums on  
6 behalf of the employe or the employe's surviving insured dependents. The full  
7 premium for any eligible employe who is insured at the time of retirement, or for the  
8 surviving insured dependents of an eligible employe who is deceased, shall be  
9 deducted from the credits until the credits are exhausted and paid from the account  
10 under s. 40.04 (10), and then deducted from annuity payments, if the annuity is  
11 sufficient. The department shall provide for the direct payment of premiums by the  
12 insured to the insurer if the premium to be withheld exceeds the annuity payment.  
13 Except as provided in par. (bd), upon conversion of an employe's unused sick leave  
14 to credits under this paragraph, the employe or, if the employe is deceased, the  
15 employe's surviving insured dependents may elect to delay initiation of deductions  
16 from those credits for up to 10 years after the date of the conversion if the employe  
17 or surviving insured dependents are covered by a comparable health insurance plan  
18 or policy during the period beginning on the date of the conversion and ending on the  
19 last day of the 2nd month after the date on which the employe or surviving insured  
20 dependents later elect to initiate deductions from those credits. A health insurance  
21 plan or policy is considered comparable if it provides hospital and medical benefits  
22 that are substantially equivalent to the standard health insurance plan established  
23 under s. 40.52 (1).

24 **SECTION 1957g.** 40.05 (4) (ar) of the statutes, as affected by 1995 Wisconsin Act  
25 .... (this act), is repealed and recreated to read:

1           40.05 (4) (ar) The employer shall pay under par. (a) for employes who are not  
2 covered by a collective bargaining agreement under subch. I or V of ch. 111 and for  
3 employes whose health insurance premium contribution rates are not determined  
4 under s. 230.12 or 233.10 an amount equal to the amount specified in par. (ag) unless  
5 a different amount is recommended by the secretary of employment relations and  
6 approved by the joint committee on employment relations in the manner provided  
7 for approval of changes in the compensation plan under s. 230.12 (3).

8           **SECTION 1957r.** 40.05 (4) (b) of the statutes, as affected by 1995 Wisconsin Act  
9 .... (this act), is repealed and recreated to read:

10           40.05 (4) (b) Except as provided under pars. (bc) and (bp), accumulated unused  
11 sick leave under ss. 13.121 (4), 36.30, 230.35 (2), 233.10 and 757.02 (5) and subch.  
12 I or V of ch. 111 of any eligible employe shall, at the time of death, upon qualifying  
13 for an immediate annuity or for a lump sum payment under s. 40.25 (1) or upon  
14 termination of creditable service and qualifying as an eligible employe under s. 40.02  
15 (25) (b) 6. or 10., be converted, at the employe's current basic pay rate, to credits for  
16 payment of health insurance premiums on behalf of the employe or the employe's  
17 surviving insured dependents. The full premium for any eligible employe who is  
18 insured at the time of retirement, or for the surviving insured dependents of an  
19 eligible employe who is deceased, shall be deducted from the credits until the credits  
20 are exhausted and paid from the account under s. 40.04 (10), and then deducted from  
21 annuity payments, if the annuity is sufficient. The department shall provide for the  
22 direct payment of premiums by the insured to the insurer if the premium to be  
23 withheld exceeds the annuity payment. Except as provided in par. (bd), upon  
24 conversion of an employe's unused sick leave to credits under this paragraph, the  
25 employe or, if the employe is deceased, the employe's surviving insured dependents

**SECTION 1957r**

1 may elect to delay initiation of deductions from those credits for up to 10 years after  
2 the date of the conversion if the employe or surviving insured dependents are covered  
3 by a comparable health insurance plan or policy during the period beginning on the  
4 date of the conversion and ending on the last day of the 2nd month after the date on  
5 which the employe or surviving insured dependents later elect to initiate deductions  
6 from those credits. A health insurance plan or policy is considered comparable if it  
7 provides hospital and medical benefits that are substantially equivalent to the  
8 standard health insurance plan established under s. 40.52 (1).

9 **SECTION 1958.** 40.05 (4) (bm) of the statutes is amended to read:

10 40.05 (4) (bm) Except as provided under par. (bp), accumulated unused sick  
11 leave under ss. 36.30 and 230.35 (2) or 233.10 of any eligible employe shall, upon  
12 request of the employe at the time the employe is subject to layoff under s. 40.02 (40),  
13 be converted at the employe's current basic pay rate to credits for payment of health  
14 insurance premiums on behalf of the employe. The full amount of the required  
15 employe contribution for any eligible employe who is insured at the time of the layoff  
16 shall be deducted from the credits until the credits are exhausted, the employe is  
17 reemployed, or 5 years have elapsed from the date of layoff, whichever occurs first.

18 **SECTION 1959.** 40.05 (5) (intro.) and (b) 4. of the statutes are amended to read:

19 40.05 (5) INCOME CONTINUATION INSURANCE PREMIUMS. (intro.) For the income  
20 continuation insurance provided under subch. V the employe shall pay the amount  
21 remaining after the employer has contributed the following or, if different, the  
22 amount determined under a collective bargaining agreement under subch. V of ch.  
23 111 or s. 230.12 or 233.10:

**SECTION 1959**

1 (b) 4. The accrual and crediting of sick leave shall be determined in accordance  
2 with ss. 13.121 (4), 36.30, 230.35 (2), 233.10 and 757.02 (5) and any collective  
3 bargaining agreement under subch. V of ch. 111.

4 **SECTION 1959g.** 40.05 (5) (intro.) of the statutes, as affected by 1995 Wisconsin  
5 Act .... (this act), is repealed and recreated to read:

6 40.05 (5) INCOME CONTINUATION INSURANCE PREMIUMS. (intro.) For the income  
7 continuation insurance provided under subch. V the employe shall pay the amount  
8 remaining after the employer has contributed the following or, if different, the  
9 amount determined under a collective bargaining agreement under subch. I or V of  
10 ch. 111 or s. 230.12 or 233.10:

11 **SECTION 1959r.** 40.05 (5) (b) 4. of the statutes, as affected by 1995 Wisconsin  
12 Act .... (this act), is repealed and recreated to read:

13 40.05 (5) (b) 4. The accrual and crediting of sick leave shall be determined in  
14 accordance with ss. 13.121 (4), 36.30, 230.35 (2), 233.10 and 757.02 (5) and subch. I  
15 or V of ch. 111.

16 **SECTION 1960.** 40.05 (6) (a) of the statutes is amended to read:

17 40.05 (6) (a) Except as otherwise provided in accordance with a collective  
18 bargaining agreement under subch. V of ch. 111 or s. 230.12 or 233.10, each insured  
19 employe under the age of 70 and annuitant under the age of 65 shall pay for group  
20 life insurance coverage a sum, approved by the group insurance board, which shall  
21 not exceed 60 cents monthly for each \$1,000 of group life insurance, based upon the  
22 last amount of insurance in force during the month for which earnings are paid. The  
23 equivalent premium may be fixed by the group insurance board if the annual  
24 compensation is paid in other than 12 monthly instalments.

**SECTION 1960m**

1           **SECTION 1960m.** 40.05 (6) (a) of the statutes, as affected by 1995 Wisconsin Act  
2 .... (this act), is repealed and recreated to read:

3           40.05 **(6)** (a) Except as otherwise provided in accordance with a collective  
4 bargaining agreement under subch. I or V of ch. 111 or s. 230.12 or 233.10, each  
5 insured employe under the age of 70 and annuitant under the age of 65 shall pay for  
6 group life insurance coverage a sum, approved by the group insurance board, which  
7 shall not exceed 60 cents monthly for each \$1,000 of group life insurance, based upon  
8 the last amount of insurance in force during the month for which earnings are paid.  
9 The equivalent premium may be fixed by the group insurance board if the annual  
10 compensation is paid in other than 12 monthly instalments.

11           **SECTION 1961.** 40.06 (1) (c) of the statutes is amended to read:

12           40.06 **(1)** (c) For state agencies, contributions paid by employers shall be made  
13 from the respective funds from which the salaries are paid to the employe for whom  
14 the contributions are being made. The heads of the respective state agencies shall,  
15 at the time that salary deductions in accordance with par. (a) are sent to the  
16 department, determine the amount of the corresponding employer contributions,  
17 indicate the amount of the contribution on the report submitted to the department  
18 and provide for payment to the department, by any method approved by the  
19 department, from the appropriate state funds of the amounts payable. If payment  
20 is by voucher, the department shall transmit the voucher to the department of  
21 administration. The department of administration shall approve vouchers for  
22 payment of contributions due under s. 40.05 within 5 working days, s. 16.53 (10)  
23 notwithstanding, and the state treasurer shall immediately issue a check, share  
24 draft or other draft to the department of employe trust funds for the amount of the  
25 voucher.

**SECTION 1963**

1           **SECTION 1963.** 40.62 (2) of the statutes is amended to read:

2           40.62 (2) Sick leave accumulation shall be determined in accordance with rules  
3 of the department, any collective bargaining agreement under subch. V of ch. 111,  
4 and ss. 13.121 (4), 36.30, 230.35 (2), 233.10, 757.02 (5) and 978.12 (3), subch. V of ch.  
5 111 and the rules of the department.

6           **SECTION 1963m.** 40.62 (2) of the statutes, as affected by 1995 Wisconsin Act  
7 .... (this act), is repealed and recreated to read:

8           40.62 (2) Sick leave accumulation shall be determined in accordance with rules  
9 of the department, any collective bargaining agreement under subch. I or V of ch. 111,  
10 and ss. 13.121 (4), 36.30, 230.35 (2), 233.10, 757.02 (5) and 978.12 (3).

11           **SECTION 1964.** 40.80 (1) of the statutes is amended to read:

12           40.80 (1) The deferred compensation board shall select and contract with  
13 deferred compensation plan providers to be used by state agencies for providing  
14 deferred compensation plans to state employes.

15           **SECTION 1964cg.** 40.81 (1) of the statutes is amended to read:

16           40.81 (1) An employer other than the state or the University of Wisconsin  
17 Hospitals and Clinics Authority may provide for its employes the deferred  
18 compensation plan established under s. 40.80. Any employer, including this state  
19 and the University of Wisconsin Hospitals and Clinics Authority, who makes the plan  
20 under s. 40.80 available to any of its employes shall make it available to all of its  
21 employes under procedures established by the department under this subchapter.

22           **SECTION 1964cr.** 40.81 (3) of the statutes is amended to read:

23           40.81 (3) Any action taken under this section shall apply to employes covered  
24 by a collective bargaining agreement under subch. IV or V of ch. 111.

25           **SECTION 1964d.** Chapter 41 (title) of the statutes is created to read:

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**CHAPTER 41**

**DEPARTMENT OF TOURISM**

**SECTION 1964dg.** Subchapter I (title) of chapter 41 [precedes 41.01] of the statutes is created to read:

**CHAPTER 41**

**SUBCHAPTER I**

**GENERAL PROVISIONS**

**SECTION 1964dm.** 41.01 of the statutes is created to read:

**41.01 Definitions.** In this chapter:

**(1)** "Department" means the department of tourism.

**(2)** "Secretary" means the secretary of tourism.

**SECTION 1964dp.** Subchapter II (title) of chapter 41 [precedes 41.11] of the statutes is created to read:

**CHAPTER 41**

**SUBCHAPTER II**

**TOURISM PROMOTION**

**SECTION 1964dr.** 41.21 of the statutes is created to read:

**41.21 Marketing clearinghouse.** **(1)** The department shall establish and maintain a marketing clearinghouse to provide marketing services to all state agencies. The department may enter into an agreement with a state agency for a specific project or to provide specific products. The department may provide consulting services to a state agency, including any of the following:

- (a) Developing marketing plans.
- (b) Conducting market research.
- (c) Public relations services.

1 (d) Advertising services.

2 (2) The department may charge state agencies for services and products under  
3 this section to cover its cost to provide the services and products. The department  
4 of administration shall collect the charges from the state agencies and deposit the  
5 moneys from the charges in the appropriation account under s. 20.380 (1) (kc).

6 **SECTION 1964w.** Subchapter III (title) of chapter 41 [precedes 41.40] of the  
7 statutes is created to read:

8 **CHAPTER 41**

9 **SUBCHAPTER III**

10 **KICKAPOO VALLEY RESERVE**

11 **SECTION 1965.** 42.01 (1) of the statutes is amended to read:

12 42.01 (1) The state fair park board shall manage the state fair park and  
13 supervise or conduct thereat fairs, exhibits or promotional events for agricultural,  
14 industrial, educational and recreational purposes; lease or license the use of any  
15 property thereon for other purposes when not needed for the above public purposes;  
16 and charge reasonable rents and fees for use of or attendance at the premises. The  
17 state fair park board may accept and administer gifts, grants and bequests.

18 **SECTION 1965e.** 42.08 of the statutes is amended to read:

19 **42.08 Insurance.** The state fair park board may procure worker's  
20 compensation insurance to cover its employes, business interruption insurance, fire  
21 insurance and property insurance.

22 **SECTION 1965g.** 42.09 of the statutes is renumbered 42.09 (1).

23 **SECTION 1965L.** 42.09 (2) of the statutes is created to read:

24 42.09 (2) (a) The state fair park board may not alter or renovate any building,  
25 appurtenance, fixture, exhibit or other structure or facility at state fair park that is

**SECTION 1965L**

1 owned by the board but that was owned by the department of natural resources on  
2 the effective date of this paragraph .... [revisor inserts date], without the permission  
3 of the department, but the board may provide routine maintenance without the  
4 department's permission.

5 (b) The state fair park board shall allow the department of natural resources  
6 access to and use of the buildings, appurtenances, fixtures, exhibits and other  
7 structures and facilities described in par. (a) so that the department may prepare,  
8 display and dismantle exhibits during events occurring at state fair park.

9 **SECTION 1965m.** 42.10 of the statutes is amended to read:

10 **42.10 Cooperation to promote agriculture.** The state fair park board shall  
11 may enter into a memorandum of understanding with the department of agriculture,  
12 trade and consumer protection to coordinate the activities of the state fair park board  
13 and that department. The state fair park board shall cooperate with the department  
14 of agriculture, trade and consumer protection in the conduct and promotion of fairs,  
15 exhibits and educational and promotional events related to agriculture and the  
16 activities of that department at state fair park.

17 **SECTION 1965s.** 42.105 of the statutes is created to read:

18 **42.105 State fair park board and department of tourism. (1)** The state  
19 fair park board and the department of tourism shall enter into a memorandum of  
20 understanding setting forth the responsibilities of the department of tourism  
21 relating to promoting fairs, exhibits and promotional events at state fair park and  
22 the methods that the state fair park board and the department of tourism will use  
23 to cooperate in promoting and carrying out those fairs, exhibits and promotional  
24 events.

**SECTION 1965s**

1           (2) Notwithstanding s. 15.03, the department of tourism shall process and  
2 forward all personnel and biennial budget requests by the state fair park board  
3 without change except as requested or concurred in by the state fair park board.

4           **SECTION 1966.** 42.11 (3) of the statutes is amended to read:

5           42.11 (3) The state fair park board shall may enter into a lease with a private  
6 nonprofit corporation to operate and maintain the Olympic ice training center. The  
7 state fair park board shall ensure that all costs of operation and maintenance of the  
8 center are paid by the lessee under ~~the any lease.~~ The under this subsection. Any  
9 lease under this subsection shall contain proper covenants to guard against trespass  
10 and waste. The rents arising from ~~the any lease~~ under this subsection shall be  
11 credited to the appropriation under s. 20.190 (1) (h). The state fair park board shall  
12 retain the original of ~~the any lease~~ under this subsection and file a copy with the  
13 department of administration.

14           **SECTION 1967.** 43.01 (6) of the statutes is repealed and recreated to read:

15           43.01 (6) "Secretary" means the secretary of education.

16           **SECTION 1968.** 43.03 (intro.) of the statutes is amended to read:

17           **43.03 (title) General duties of state superintendent department.** (intro.)

18           The state-superintendent department shall:

19           **SECTION 1969.** 43.05 (13) of the statutes is amended to read:

20           43.05 (13) Carry out such other programs and policies as directed by the state  
21 superintendent department.

22           **SECTION 1970.** 43.07 (intro.) of the statutes is amended to read:

23           **43.07 Council on library and network development.** (intro.) The state  
24 superintendent department and the division shall seek the advice of and consult  
25 with the council on library and network development in performing their duties in

1 regard to library service. The ~~state superintendent~~ secretary or the administrator  
2 of the division shall attend every meeting of the council. The council may initiate  
3 consultations with the department and the division. The council shall:

4 **SECTION 1971.** 43.07 (2) of the statutes is amended to read:

5 43.07 (2) Advise the ~~state superintendent~~ secretary in regard to the general  
6 policies and activities of the state's program for library development, interlibrary  
7 cooperation and network development.

8 **SECTION 1972.** 43.07 (3) of the statutes is amended to read:

9 43.07 (3) Advise the ~~state superintendent~~ secretary in regard to the general  
10 policies and activities of the state's program for the development of school library  
11 media programs and facilities and the coordination of these programs with other  
12 library services.

13 **SECTION 1973.** 43.07 (4) of the statutes is amended to read:

14 43.07 (4) Hold a biennial meeting for the purpose of discussing the report  
15 submitted by the ~~state superintendent~~ department under s. 43.03 (3) (d). Notice of  
16 the meeting shall be sent to public libraries, public library systems, school libraries  
17 and other types of libraries and related agencies. After the meeting, the council shall  
18 make recommendations to the ~~state superintendent~~ department regarding the  
19 report and any other matter the council deems appropriate.

20 **SECTION 1974.** 43.07 (5) of the statutes is amended to read:

21 43.07 (5) On or before July 1 of every odd-numbered year, transmit to the state  
22 ~~superintendent~~ department a descriptive and statistical report on the condition and  
23 progress of library services in the state and recommendations on how library services  
24 in the state may be improved. The ~~state superintendent~~ department shall include  
25 the report as an addendum to the department's biennial report under s. 15.04 (1) (d).

1           **SECTION 1975.** 43.07 (7) of the statutes is amended to read:

2           43.07 (7) Receive complaints, suggestions and inquiries regarding the  
3 programs and policies of the department relating to library and network  
4 development, inquire into such complaints, suggestions and inquiries, and advise  
5 the ~~state superintendent~~ secretary and the division on any action to be taken.

6           **SECTION 1976.** 43.13 (4) of the statutes is amended to read:

7           43.13 (4) Any decision by the division under this section may be appealed to  
8 the ~~state superintendent~~ department.

9           **SECTION 1978.** 43.24 (3) of the statutes is amended to read:

10          43.24 (3) Annually, the division shall review the reports and proposed service  
11 plans submitted by the public library systems under s. 43.17 (5) for conformity with  
12 this chapter and such rules and standards as are applicable. Upon approval, the  
13 division shall certify to the department of administration an estimated amount to  
14 which each system is entitled under this section. Annually on or before December  
15 1 of the year immediately preceding the year for which aids are to be paid, the  
16 department of administration shall pay each system 75% of the certified estimated  
17 amount from the appropriation under s. 20.255 ~~(1)~~ (3) (e). The division shall, on or  
18 before the following April 30, certify to the department of administration the actual  
19 amount to which the system is entitled under this section. On or before July 1, the  
20 department of administration shall pay each system the difference between the  
21 amount paid on December 1 of the prior year and the certified actual amount of aid  
22 to which the system is entitled from the appropriation under s. 20.255 ~~(1)~~ (3) (e). The  
23 division may reduce state aid payments when any system or any participant thereof  
24 fails to meet the requirements of sub. (2). Beginning September 1, 1991, the division

1 may reduce state aid payments to any system if the system or any participant in the  
2 system fails to meet the requirements of s. 43.15 (4).

3 **SECTION 1980.** 43.24 (3m) of the statutes is amended to read:

4 43.24 **(3m)** If the appropriation under s. 20.255 ~~(1)~~ (3) (e) in any one year is  
5 insufficient to pay the full amount under sub. (1), state aid payments shall be  
6 prorated among the library systems entitled to such aid.

7 **SECTION 1981.** 43.70 of the statutes is amended to read:

8 **43.70 Common school fund. (1)** No later than October 15 of each year, each  
9 school district administrator shall certify to the ~~state superintendent~~ department,  
10 on forms provided by the ~~state superintendent~~ department, a report of the total  
11 number of children between the ages of 4 and 20 years residing in the school district  
12 on the preceding June 30. The number may be estimated by using statistically  
13 significant sampling techniques that have been approved by the ~~state~~  
14 ~~superintendent~~ department.

15 **(2)** Annually, within 40 days after December 1, the ~~state superintendent~~  
16 department shall ascertain the aggregate amount of all moneys received as income  
17 in the common school fund prior to that December 1 and shall apportion such amount  
18 to the school districts in proportion to the number of children resident therein  
19 between the ages of 4 and 20 years, as shown by the census report certified under sub.  
20 (1).

21 **(3)** Immediately upon making such apportionment, the ~~state superintendent~~  
22 department shall certify to the department of administration the amount that each  
23 school district is entitled to receive under this section and shall notify each school  
24 district administrator of the amount so certified for his or her school district. Within  
25 15 days after receiving such certification, the department of administration shall

**SECTION 1981**

1 issue its warrants upon which the state treasurer shall pay the amount apportioned  
2 forthwith to the proper school district treasurer. All moneys apportioned from the  
3 common school fund shall be expended for the purchase of library books and other  
4 instructional materials for school libraries, but not for public library facilities  
5 operated by school districts under s. 43.52, in accordance with rules promulgated by  
6 the ~~state superintendent~~ department. Appropriate records of such purchases shall  
7 be kept and necessary reports thereon shall be made to the ~~state superintendent~~  
8 department.

9 **SECTION 1983.** 44.015 (3) of the statutes is amended to read:

10 44.015 (3) Accept collections of private manuscripts, printed materials, tapes,  
11 films, optical disks, materials stored in electronic format and artifacts, and it may  
12 enforce any reasonable restrictions on accessibility to the public, use or duplication  
13 of said collections which are agreed upon by the donor and the historical society.

14 **SECTION 1984.** 44.02 (5) of the statutes, as affected by 1995 Wisconsin Act 3,  
15 is amended to read:

16 44.02 (5) Keep its main library and museum rooms open at all reasonable hours  
17 on business days for the reception of the residents of this state who may wish to visit  
18 the library or museum. Except as provided under sub. subs. (5g) and (5m), the  
19 historical society may collect a fee for admission to historic sites or buildings  
20 acquired, leased or operated by the historical society, including areas within state  
21 parks or on other state-owned lands which incorporate historic buildings,  
22 restorations, museums or remains and which are operated by the historical society  
23 by agreement with the department of natural resources or other departments, or for  
24 lectures, pageants or similar special events, or for admission to defray the costs of  
25 special exhibits in its several buildings of documents, objects or other materials not

1 part of the historical society's regular collections but brought in on loan from other  
2 sources for such special exhibitions or for use of the main library. The historical  
3 society shall take action on a continuing basis to raise funds from private sources for  
4 the operation of its main library. The historical society may procure and sell or  
5 otherwise dispose of postcards, souvenirs and other appropriate merchandise to help  
6 defray the costs of operating its several plants and projects.

7 **SECTION 1986.** 44.02 (5g) of the statutes is created to read:

8 44.02 (5g) Not charge a fee for use of the main library by any member of the  
9 historical society, any member of the faculty or academic staff of the University of  
10 Wisconsin System, any student enrolled in the University of Wisconsin System or  
11 any other person exempted by rule of the historical society. The historical society  
12 may not charge a fee for use of the main library by any other person unless the  
13 historical society submits a fee schedule to the joint committee on finance that  
14 includes the specific fee to be charged to different categories of persons and an  
15 identification of any persons exempted by rule of the historical society. The fee  
16 schedule of the historical society shall be implemented if the committee approves the  
17 report, or does not schedule a meeting for the purpose of reviewing the report within  
18 14 working days after receipt of the report.

19 **SECTION 1987.** 44.02 (8) of the statutes is amended to read:

20 44.02 (8) Bind, except when microfilmed or transferred to optical disks or  
21 electronic format, the unbound books, documents, manuscripts, pamphlets, and  
22 especially newspaper files in its possession.

23 **SECTION 1987m.** 44.02 (24) of the statutes is amended to read:

24 44.02 (24) Promulgate by rule procedures, standards and forms necessary to  
25 certify, and shall certify, expenditures for preservation or rehabilitation of historic

**SECTION 1987m**

1 property for the purposes of s. 71.07 (9r). These standards shall be substantially  
2 similar to the standards used by the secretary of the interior to certify rehabilitations  
3 under 26 USC 48 ~~(g) (2) (C)~~ 47 (c) (2).

4 **SECTION 1988b.** 44.03 (1) of the statutes is amended to read:

5 44.03 (1) County or local historical societies without capital stock may be  
6 incorporated as affiliates of the historical society, to gather and preserve the books,  
7 documents and artifacts relating to the history of their region or locality. No fees  
8 shall be charged by any register of deeds for recording nor by the ~~secretary of state~~  
9 department of financial institutions for filing the articles of organization or its  
10 amendments, or for a certificate of incorporation of any such society, but the  
11 ~~secretary of state~~ department of financial institutions shall not accept articles of  
12 incorporation under this section unless they are approved by the board of curators  
13 of the historical society.

14 **SECTION 1989b.** 44.03 (2) of the statutes is amended to read:

15 44.03 (2) Statewide, county or other patriotic or historical organizations, or  
16 chapters in this state may be incorporated as affiliates of the historical society under  
17 sub. (1) if their purposes and programs are similar to and consonant with those of the  
18 historical society and its affiliates, or if already incorporated, the organizations or  
19 chapters may apply to the board of curators for affiliation with the historical society.  
20 Upon incorporation under this section or acceptance of affiliation by the board of  
21 curators the applying organization shall as an affiliate accept the provisions and  
22 shall be entitled to all the benefits of this section. Any affiliated society shall be a  
23 member and entitled to one vote in any general meeting of the historical society. The  
24 board of curators may terminate the affiliation as an affiliate of the historical society

**SECTION 1989b**

1 under this section of any such organization by formal resolution, a copy of which shall  
2 be deposited with the ~~secretary of state~~ department of financial institutions.

3 **SECTION 1990.** 44.095 (2) (d) of the statutes is amended to read:

4 44.095 (2) (d) Develop and periodically update a comprehensive plan for the  
5 protection, preservation and accessibility of electronic records of permanent  
6 historical value. The historical society shall submit the plan by June 30, 1995, and  
7 the plan updates annually thereafter until June 30, 1998, to the governor, the  
8 legislature under s. 13.172 (2), and the ~~privacy advocate~~ public records board, the  
9 division of information technology services and the council on information  
10 technology in the department of administration.

11 **SECTION 1992.** 44.13 (1) of the statutes is amended to read:

12 44.13 (1) The state carriage museum, to be known as the Wesley W. Jung  
13 Carriage Museum, located at Old Wade House state park, shall be developed by  
14 ~~cooperation of the department of natural resources, the society, and such other~~  
15 ~~agencies as may be interested therein, in accordance with such arrangements as the~~  
16 ~~department of natural resources and society agree upon.~~

17 **SECTION 1993b.** 44.25 (5g) and (5r) of the statutes are created to read:

18 44.25 (5g) The commission may:

19 (a) Subject to authorization under s. 16.505, employ staff outside of the  
20 classified service and consultants and fix their compensation.

21 (b) Enter into contracts, leases or other agreements.

22 (c) Accept gifts, grants, bequests or donations of personal services.

23 (d) Assume such other functions authorized by law as may be necessary to carry  
24 out the purposes of this section.

25 (e) License products.

**SECTION 1993b**

1           **(5r)** The commission may appoint such committees as may be required to carry  
2 out its functions.

3           **SECTION 1993j.** 44.39 (5) of the statutes is created to read:

4           **44.39 (5) WAIVER OF COMPLIANCE.** (a) If the department of health and social  
5 services or the department of corrections determines that public safety may be  
6 jeopardized by compliance with any requirement of this section or s. 44.40 or 44.41,  
7 the department may request a waiver of compliance from the building commission.  
8 The building commission may grant the waiver of compliance.

9           (b) If a waiver of compliance is granted by the building commission under par.  
10 (a), the applicable agency shall notify the officer of any proposed action to be taken  
11 under the waiver that may affect a historic property. The officer shall be notified at  
12 least 30 days before the proposed action is taken and, during the period before the  
13 proposed action is taken, the applicable agency shall allow the historical society to  
14 document the condition of the historic property.

15           **SECTION 1993te.** 44.53 (1) (intro.) of the statutes is amended to read:

16           **44.53 (1) (intro.)** The Subject to s. 44.65, the board shall:

17           **SECTION 1993tg.** 44.55 of the statutes is amended to read:

18           **44.55 Executive secretary.** The Subject to s. 44.65, the board shall appoint  
19 an executive secretary outside the classified service to serve at its pleasure.

20           **SECTION 1993ti.** 44.56 (2) of the statutes is amended to read:

21           **44.56 (2)** Every Subject to s. 44.65, every recipient of a grant awarded by the  
22 board under the board's general grants program or community arts program from the  
23 appropriation under s. 20.215 (1) (b) shall perform a public service which shall be  
24 mutually agreed upon by the board and the grant recipient at the time the grant is  
25 awarded.

**SECTION 1993tk**

1           **SECTION 1993tk.** 44.565 (6) of the statutes is created to read:

2           44.565 (6) This section is subject to s. 44.65.

3           **SECTION 1993tm.** 44.57 (1) of the statutes is renumbered 44.57 (1) (a).

4           **SECTION 1993tp.** 44.57 (1) (b) of the statutes is created to read:

5           44.57 (1) (b) This section is subject to s. 44.65.

6           **SECTION 1994.** 44.60 (4) of the statutes is amended to read:

7           44.60 (4) At the request of the board, the department of ~~development~~ tourism  
8 shall assist the board in evaluating proposed projects under this section.

9           **SECTION 1994m.** 44.60 (5) of the statutes is created to read:

10          44.60 (5) This section is subject to s. 44.65.

11          **SECTION 1995.** 44.62 of the statutes is created to read:

12          **44.62 Wisconsin regranting program. (1)** In this section:

13          (a) "Local arts agency" has the meaning given in s. 44.565 (1).

14          (b) "Municipality" means any city, village, town, county or federally recognized  
15 American Indian tribe or band in this state.

16          (2) Subject to sub. (3) and s. 44.65, the board shall award grants under the  
17 Wisconsin regranting program to local arts agencies and municipalities. Grants  
18 shall be awarded from the appropriation under s. 20.215 (1) (f).

19          (3) No grant may be distributed under sub. (2) unless the local arts agency or  
20 municipality makes a matching fund contribution that is equal to the amount of the  
21 grant awarded under this section. Private funds and in-kind contributions may be  
22 applied to meet the requirement of this subsection.

23          (4) The board shall promulgate rules to implement and administer this section.

24          **SECTION 1995g.** 44.65 of the statutes is created to read:

1           **44.65 Applicability.** This subchapter does not apply after June 30, 1997,  
2 unless the joint committee on finance has approved the funding report of the arts  
3 board under 1995 Wisconsin Act .... (this act), section 9105 (3g) (a).

4           **SECTION 1995k.** 45.25 (3) (a) of the statutes is amended to read:

5           45.25 (3) (a) An individual who meets the requirements under sub. (2), upon  
6 satisfactory completion of an undergraduate semester in any institution or center  
7 within the university of Wisconsin system or a semester at any technical college  
8 district school under ch. 38, may be reimbursed for up to ~~25%~~ 35% of the individual's  
9 tuition and fees, other than textbooks and other costs, charged by the institution,  
10 center or school, or the difference between the individual's tuition and fees and the  
11 grants or scholarships, including those made under s. 21.49, that the individual  
12 receives specifically for the payment of the tuition or fees, whichever is less.  
13 Reimbursement is available only for tuition and fees that are part of a curriculum  
14 that is relevant to a degree in a particular course of study at the institution, center  
15 or school.

16           **SECTION 1995m.** 45.25 (4) (b) of the statutes is amended to read:

17           45.25 (4) (b) The department may not provide reimbursement under sub. (2)  
18 to an individual who is delinquent in child support or maintenance payments, as  
19 established by the receipt by the department of a certification under s. ~~46.255~~ 73.255.

20           **SECTION 1995q.** 45.25 (4) (d) of the statutes is created to read:

21           45.25 (4) (d) The department may provide reimbursement under sub. (2) from  
22 the appropriation account under s. 20.485 (2) (tf) for the fiscal year in which the  
23 course was completed or in which the academic term during which the course was  
24 taken ended, whichever is earlier.

25           **SECTION 1996.** 45.35 (6) of the statutes is amended to read:

1           45.35 (6) COORDINATION DUTIES. The department shall coordinate the activities  
2 of all state agencies and the University of Wisconsin Hospitals and Clinics Authority  
3 performing functions relating to the medical, hospital, or other remedial care,  
4 placement and training, educational, economic or vocational rehabilitation of  
5 persons who served in the armed forces of the United States at any time and who  
6 were honorably discharged, including such persons with disabilities whether or not  
7 service-connected or war-connected. In particular it shall coordinate the activities  
8 of the technical college system board, state selective service administration,  
9 department of health and social services, department of industry, labor and human  
10 relations, department of public instruction, the university of Wisconsin system and  
11 other educational institutions, the University of Wisconsin Hospitals and Clinics  
12 Authority, and all other departments or agencies performing any of the functions  
13 specified, to the end that the benefits provided in this section may be made available  
14 to veterans as promptly and effectively as possible.

15           **SECTION 1997.** 45.35 (9) of the statutes is amended to read:

16           45.35 (9) VOCATIONAL TRAINING. The department in cooperation with the  
17 department of ~~health and social services~~ industry, labor and human relations shall  
18 make available to disabled veterans the benefits of vocational training and guidance,  
19 including veterans who have filed claims for federal rehabilitation benefits and  
20 during the pendency of such claims. In cases where such claims are allowed and  
21 federal reimbursement is made to the state, such money shall be paid into and  
22 become a part of the veterans trust fund.

23           **SECTION 1998.** 45.35 (13) (a) of the statutes is amended to read:

24           45.35 (13) (a) The department may receive money, lands ~~or other~~, gifts and  
25 bequests in its name for the benefit of Wisconsin veterans and their dependents, or

**SECTION 1998**

1 either, in accordance with policies adopted by the board. Such money shall be  
2 deposited in the state treasury and credited to the veterans trust fund and is  
3 appropriated therefrom by s. 20.485 (2) (z) to the department to be used in accordance  
4 with such policies.

5 **SECTION 1999.** 45.35 (13) (b) of the statutes is amended to read:

6 45.35 (13) (b) The department may also receive moneys or other gifts and  
7 bequests in its name for the benefit of the Wisconsin veterans museum. All moneys  
8 so received shall be deposited in the state treasury and credited to the veterans trust  
9 fund and is appropriated therefrom by s. 20.485 (2) (~~z~~) (zm) to the department to be  
10 used, as far as practicable in accordance with the wishes of the donors, and in  
11 accordance with the policies adopted by the board.

12 **SECTION 1999g.** 45.351 (1g) of the statutes is created to read:

13 45.351 (1g) HEALTH CARE AID GRANTS. (a) The department may grant to any  
14 veteran or dependents such temporary health care aid as the department deems  
15 advisable to prevent want or distress. Health care aid to meet medical or hospital  
16 bills under this paragraph is limited to a payment of up to \$5,000 per veteran or  
17 dependent for a maximum of 30 days within a 12-month period for the same  
18 condition or conditions. Health care aid may be used to provide payment for the  
19 treatment of alcoholism or other drug addiction or to provide payment for health care  
20 required because of alcoholism or other drug addiction or alcohol or other drug abuse.  
21 The department may not grant health care aid under this paragraph unless the aid  
22 recipient's health care provider agrees to accept, as full payment for the medical  
23 treatment for which the aid is to be granted, the amount of the grant, the amount of  
24 the recipient's health insurance or other 3rd-party payments, if any, and the amount  
25 which the department determines the aid recipient is capable of paying.

**SECTION 1999g**

1 (b) This subsection does not apply after June 30, 1997.

2 **SECTION 2000.** 45.351 (2) (a) 1. of the statutes is amended to read:

3 45.351 (2) (a) 1. The department may lend any veteran not more than \$4,000  
4 \$4,500 on loans approved before August 9, 1989 the effective date of this subdivision  
5 .... [revisor inserts date], and \$4,500 \$5,000 on loans approved during the period  
6 beginning on August 9, 1989 and after the effective date of this subdivision ....  
7 [revisor inserts date]. The loan is to be used for the purchase of a business or business  
8 property or the repairing of or adding to his or her home or business property, the  
9 construction of a garage, the education of the veteran or his or her children or to  
10 provide essential economic assistance if the department determines, after  
11 disregarding any payment described under s. 45.85, that the veteran satisfies the  
12 need requirements established by the department by rule. The need requirements  
13 may include, but are not limited to, consideration of the veteran's resources and  
14 credit available upon manageable terms. The department may prescribe loan  
15 conditions, but the interest rate shall be 6% per year for loan applications received  
16 by the department on or after July 20, 1985, and the term shall not exceed 10 years.  
17 The department may lend not more than the loan amount available to a veteran  
18 under this subdivision to a veteran's surviving spouse, whether remarried or not, or  
19 to the parent of a deceased veteran's children for the education of the minor or  
20 dependent children if the surviving spouse or parent is a resident of and living in this  
21 state on the date of application.

22 **SECTION 2000d.** 45.351 (2) (a) 2. of the statutes is repealed.

23 **SECTION 2000g.** 45.351 (2) (a) 4. of the statutes is amended to read:

1           45.351 (2) (a) 4. Nothing in this paragraph prohibits a veteran from receiving  
2    loans a loan under ~~subds. subd. 1. and 2.~~ for any purpose specified in these  
3    subdivisions that subdivision.

4           **SECTION 2000m.** 45.351 (2) (c) of the statutes is amended to read:

5           45.351 (2) (c) No person may receive a loan under this subsection if the  
6    department receives a certification under s. ~~46.255~~ 73.255 (7) that the person is  
7    delinquent in child support or maintenance payments.

8           **SECTION 2001m.** 45.352 of the statutes is repealed.

9           **SECTION 2003c.** 45.356 (6) of the statutes is amended to read:

10          45.356 (6) No person may receive a loan under this section if the department  
11    receives a certification under s. ~~46.255~~ 73.255 (7) that the person is delinquent in  
12    child support or maintenance payments.

13          **SECTION 2004.** 45.358 of the statutes is renumbered 45.358 (2).

14          **SECTION 2005.** 45.358 (1) of the statutes is created to read:

15          45.358 (1) DEFINITION. In this section, “veteran” means a person who has served  
16    on active duty in the U.S. armed forces.

17          **SECTION 2006.** 45.358 (2) (title) of the statutes is created to read:

18          45.358 (2) (title) CONSTRUCTION AND OPERATION OF CEMETERIES.

19          **SECTION 2007.** 45.358 (3) of the statutes is created to read:

20          45.358 (3) ELIGIBILITY. The following persons are eligible for burial at a  
21    cemetery constructed and operated under sub. (2):

22          (a) A veteran who died while on active duty and who was a resident of this state  
23    at the time of his or her entry or reentry into active service and his or her children  
24    and unremarried surviving spouse who are residents of this state at the time of their  
25    deaths.

1 (b) A veteran who was discharged or released from active duty in the U.S.  
2 armed forces under conditions other than dishonorable and who was a resident of  
3 this state at the time of his or her death and his or her children and unremarried  
4 surviving spouse who are residents of this state at the time of their deaths.

5 (c) The spouse of a veteran who is serving an active duty at the time of the  
6 spouse's death if the veteran was a resident of this state at the time of the veteran's  
7 entry or reentry into active service and if the spouse was a resident of this state at  
8 the time of the spouse's death.

9 (d) The spouse of a veteran if the veteran was discharged or released from active  
10 duty in the U.S. armed forces under conditions other than dishonorable and if the  
11 veteran and spouse were residents of this state at the time of the spouse's death.

12 **SECTION 2007m.** 45.358 (3m) of the statutes is created to read:

13 45.358 (3m) FEES. The department may charge a fee for burials under this  
14 section and may promulgate rules for the assessment of the fee.

15 **SECTION 2008.** 45.358 (4) of the statutes is created to read:

16 45.358 (4) GIFTS, GRANTS AND BEQUESTS. The department of veterans affairs may  
17 accept for the state all gifts, grants and bequests for the purposes of maintenance,  
18 restoration, preservation and rehabilitation of the veterans cemeteries constructed  
19 under sub. (2).

20 **SECTION 2008g.** 45.36 (4m) of the statutes is created to read:

21 45.36 (4m) VITAL RECORDS. The service office may obtain a copy of a vital record  
22 under s. 69.30 (2) and may transmit the copy to the department or to the U.S.  
23 department of veterans affairs to assist a veteran or his or her dependent in  
24 obtaining a benefit to which he or she may be entitled.

25 **SECTION 2008n.** 45.375 of the statutes is created to read:

1           **45.375 Hospital at Wisconsin Veterans Home.** (1) The department of  
2 veterans affairs may establish a hospital at the Wisconsin Veterans Home at King.

3           **(2)** A hospital established under sub. (1) may not have an approved bed  
4 capacity, as defined in s. 150.01 (4m), greater than 16 beds. The approved bed  
5 capacity of the nursing home licensed under s. 50.03 on the effective date of this  
6 subsection ... [revisor inserts date], and operated at the Wisconsin Veterans Home  
7 at King is reduced by one bed for each approved bed at the hospital established under  
8 sub. (1).

9           **SECTION 2009.** 45.396 (1) of the statutes is renumbered 45.396 (1) (b), and  
10 45.396 (1) (b) (intro.), as renumbered, is amended to read:

11           45.396 (1) (b) (intro.) ~~In this section, “part-time~~ “Part-time classroom study”  
12 means any of the following:

13           **SECTION 2010.** 45.396 (1) (intro.) of the statutes is created to read:

14           45.396 (1) (intro.) In this section:

15           **SECTION 2011.** 45.396 (1) (a) of the statutes is created to read:

16           45.396 (1) (a) “Institution of higher education” means an educational  
17 institution meeting the requirements of P.L. 89-329 for institutions covered therein  
18 and of P.L. 89-287 for business, trade, technical or vocational schools and full-time  
19 post-high school technical colleges.

20           **SECTION 2012.** 45.396 (2) of the statutes is amended to read:

21           45.396 (2) Any veteran upon the completion of any correspondence course or  
22 part-time classroom study from an institution of higher education, ~~as defined in s.~~  
23 ~~39.32 (1) (a),~~ located in this state or from any public or private high school may be  
24 reimbursed in whole or in part for the cost of the course, including necessary  
25 textbooks, by the department upon presentation to the department of a certificate

1 from the school indicating that the veteran has completed the course and stating the  
2 cost of the course and necessary textbooks and upon application for reimbursement  
3 completed by the veteran and received by the department no later than 60 days after  
4 the termination of the course for which the application for reimbursement is made.  
5 The department shall accept and process an application received more than 60 days  
6 after the termination of the course if the applicant shows good cause for the delayed  
7 receipt. The department may not require that an application be received sooner than  
8 60 days after a course is completed. Benefits granted under this section shall be paid  
9 out of the appropriation under s. 20.485 (2) (vm).

10 **SECTION 2013.** 45.396 (3) (intro.) of the statutes is amended to read:

11 45.396 (3) (intro.) A veteran who is a resident of this state and otherwise  
12 qualified to receive benefits under this section may receive the benefits under sub.  
13 (2) upon the completion of any correspondence courses or part-time classroom study  
14 from an ~~educational~~ institution of higher education located outside this state ~~which~~  
15 ~~is accredited by the north central association of colleges and schools or, if outside the~~  
16 ~~jurisdiction of that accrediting association, by an equivalent accrediting association,~~  
17 if any of the following applies:

18 **SECTION 2013c.** 45.396 (6) of the statutes is amended to read:

19 45.396 (6) The department may not make a grant to a person under this section  
20 if it receives a certification under s. ~~46.255~~ 73.255 (7) that the person is delinquent  
21 in child support or maintenance payments.

22 **SECTION 2014.** 45.397 (2) (a) of the statutes is amended to read:

23 45.397 (2) (a) The veteran is enrolled or accepted for enrollment in an  
24 institution of higher education, as defined in s. 39.32 (1) (a), in the state or is engaged  
25 in a structured on-the-job training program certified by the department of industry,

1 labor and human relations, ~~the department of health and social services~~ or the U.S.  
2 department of veterans affairs.

3 **SECTION 2015.** 45.397 (2) (c) of the statutes is amended to read:

4 45.397 (2) (c) The veteran is unemployed, underemployed, as defined by  
5 administrative rule, or has received a notice of termination of employment.

6 **SECTION 2021m.** 45.74 (6) of the statutes is amended to read:

7 45.74 (6) DELINQUENT SUPPORT PAYMENTS. It has received a certification under  
8 s. ~~46.255~~ 73.255 (7) that the person is delinquent in child support or maintenance  
9 payments.

10 **SECTION 2021t.** 46.001 of the statutes is amended to read:

11 **46.001 Purposes of chapter.** The purposes of this chapter are to conserve  
12 human resources in Wisconsin; to provide a just and humane program of services to  
13 children in need of protection or services and nonmarital children; to prevent  
14 dependency, mental illness, developmental disability, mental infirmity, ~~delinquency~~  
15 and other forms of social maladjustment by a continuous attack on causes; to provide  
16 effective aid and services to all persons in need thereof and to assist those persons  
17 to achieve or regain self-dependence at the earliest possible date; ~~to provide a just,~~  
18 ~~humane and efficient program for the rehabilitation of juvenile delinquents;~~ to avoid  
19 duplication and waste of effort and money on the part of public and private agencies;  
20 and to coordinate and integrate a social welfare program.

21 **SECTION 2022.** 46.011 (intro.) of the statutes is amended to read:

22 **46.011 Definitions.** (intro.) In chs. 46 to, 48, 50, 51, 55 and 58, ~~unless the~~  
23 ~~context requires otherwise:~~

24 **SECTION 2023m.** 46.016 of the statutes is amended to read:

1           **46.016 Cooperation with federal government.** The department may  
2 cooperate with the federal government in carrying out federal acts concerning public  
3 assistance, social security, child welfare and youth services, ~~youth corrections,~~  
4 mental hygiene, services for the blind, ~~vocational rehabilitation,~~ and in other  
5 matters of mutual concern pertaining to public welfare.

6           **SECTION 2025.** 46.02 of the statutes is amended to read:

7           **46.02 Agency powers and duties.** Any institution which is subject to chs.  
8 46, ~~48~~ to 51, 55 and 58 and to regulation under ch. 150 shall, in cases of conflict  
9 between chs. 46, ~~48~~ to 51, 55 and 58 and ch. 150, be governed by ch. 150. The  
10 department shall promulgate rules and establish procedures for resolving any such  
11 controversy.

12           **SECTION 2026.** 46.025 of the statutes is repealed.

13           **SECTION 2026g.** 46.027 of the statutes is repealed.

14           **SECTION 2026m.** 46.03 (1) of the statutes is amended to read:

15           46.03 (1) INSTITUTIONS GOVERNED. Maintain and govern ~~all secured correctional~~  
16 ~~facilities, as defined in s. 48.02 (15m), that are operated by the department;~~ the  
17 Mendota and the Winnebago mental health institutes; and the centers for the  
18 developmentally disabled.

19           **SECTION 2026p.** 46.03 (4) (b) 1. of the statutes is amended to read:

20           46.03 (4) (b) 1. The department, in order to discharge more effectively its  
21 responsibilities under this chapter and ch. 48 and other relevant provisions of the  
22 statutes, is authorized to study causes and methods of prevention and treatment of  
23 ~~juvenile delinquency,~~ mental illness, mental deficiency, mental infirmity, and related  
24 social problems, including establishment of demonstration projects to apply and  
25 evaluate such methods in actual cases. The department is directed and authorized

1 to utilize all powers provided by the statutes, including the authority under sub. (2a),  
2 to accept grants of money or property from federal, state or private sources, and to  
3 enlist the cooperation of other appropriate agencies and state departments; it may  
4 enter into agreements with local government subdivisions, departments and  
5 agencies for the joint conduct of such projects; and it may purchase services when  
6 deemed appropriate.

7 **SECTION 2026r.** 46.03 (6) of the statutes, as affected by 1993 Wisconsin Acts 377  
8 and 385, is repealed.

9 **SECTION 2027m.** 46.03 (7) (a) of the statutes is amended to read:

10 46.03 (7) (a) Promote the enforcement of laws for the protection of  
11 developmentally disabled children, ~~delinquent children~~, children in need of  
12 protection or services and nonmarital children; and to this end cooperate with courts  
13 assigned to exercise jurisdiction under ch. 48 and licensed child welfare agencies and  
14 institutions (public and private) and take the initiative in all matters involving the  
15 interests of such children where adequate provision therefor has not already been  
16 made, including the establishment and enforcement of standards for services  
17 provided under ~~ss. 48.34 and s. 48.345~~.

18 **SECTION 2027p.** 46.03 (7) (am) of the statutes, as affected by 1993 Wisconsin  
19 Act 385, is repealed.

20 **SECTION 2027r.** 46.03 (7) (b) of the statutes is repealed.

21 **SECTION 2027t.** 46.03 (7) (bm) of the statutes is amended to read:

22 46.03 (7) (bm) Maintain a file containing records of artificial inseminations  
23 under s. 891.40 and ~~records of declarations of paternal interest under s. 48.025 and~~  
24 ~~of statements acknowledging paternity under s. 69.15 (3) (b)~~. The department shall  
25 release these records only upon an order of the court except that the department may

1 use nonidentifying information concerning artificial inseminations for the purpose  
2 of compiling statistics and ~~except that records relating to declarations of paternal~~  
3 ~~interest and statements acknowledging paternity may be used without a court order~~  
4 ~~upon the request of the department or its designee under s. 59.07 (97) pursuant to~~  
5 ~~the program responsibilities under s. 46.25 or by any other person with a direct and~~  
6 ~~tangible interest in the record.~~

7 **SECTION 2028m.** 46.03 (7) (e) of the statutes is repealed.

8 **SECTION 2029.** 46.03 (7m) of the statutes is amended to read:

9 46.03 (7m) FOSTER CARE. ~~For the In each federal fiscal years commencing~~  
10 ~~October 1, 1994, and October 1, 1995 year,~~ ensure that there are no more than 2,200  
11 children in foster care and treatment foster care placements for more than 24  
12 months, consistent with the best interests of each child. Services provided in  
13 connection with this requirement shall comply with the requirements under P.L.  
14 96-272.

15 **SECTION 2030.** 46.03 (8) of the statutes is renumbered 103.005 (17) and  
16 amended to read:

17 103.005 (17) ~~Administer~~ The department shall administer those programs of  
18 public assistance, as provided in that are specified in subch. III of ch. 49.

19 **SECTION 2031.** 46.03 (12) of the statutes is repealed.

20 **SECTION 2031m.** 46.03 (13) of the statutes is amended to read:

21 46.03 (13) CHARGES. In compliance with the compensation plan established  
22 under s. 230.12 (3), have authority to make and determine charges for meals, living  
23 quarters, laundry and other services furnished to employes of the several  
24 institutions and members of the employe's family maintained as such. All moneys  
25 received from each person on account of these services shall be used for operation of

**SECTION 2031m**

1 the institutions under s. 20.435 (2) (a) and (gk) ~~and (3) (a), (hm) and (j)~~. If a chaplain  
2 employed in any state institution administered by the department is not furnished  
3 a residence by the state, \$1,800 or 20% of the chaplain's salary, whichever is greater,  
4 is designated as his or her housing allowance.

5 **SECTION 2031p.** 46.03 (17) (c) of the statutes, as affected by 1993 Wisconsin Act  
6 385, is repealed.

7 **SECTION 2032.** 46.03 (18) (a) of the statutes is amended to read:

8 46.03 (18) (a) Except as provided in s. 46.10 (14) (b) and (c), the department of  
9 health and social services shall establish a uniform system of fees for services  
10 provided or purchased by the department of health and social services, or a county  
11 department under s. 46.215, 46.22, 51.42 or 51.437, except for services provided  
12 under subch. III of ch. 49; services relating to adoption, ~~or; services provided to~~  
13 ~~courts, for provision of child support and paternity establishment services to~~  
14 ~~recipients of aid to families with dependent children or for; outreach, information~~  
15 ~~and referral services; or where, as determined by the department of health and~~  
16 ~~social services, a fee is administratively unfeasible or would significantly prevent~~  
17 ~~accomplishing the purpose of the service. A county department under s. 46.215,~~  
18 ~~46.22, 51.42 or 51.437 shall apply the fees which it collects under this program to~~  
19 ~~cover the cost of such services. The department of health and social services shall~~  
20 ~~report to the joint committee on finance no later than March 1 of each year on the~~  
21 ~~number of children placed for adoption by the department of health and social~~  
22 ~~services during the previous year and the costs to the state for services relating to~~  
23 ~~such adoptions.~~

24 **SECTION 2033.** 46.03 (20) (a) of the statutes is amended to read:

1           46.03 (20) (a) ~~The Except for payments provided under subch. III of ch. 49, the~~  
2 department may make payments directly to recipients of public assistance or to such  
3 persons authorized to receive such payments in accordance with law and rules of the  
4 department on behalf of the counties. ~~The Except for payments provided under~~  
5 ~~subch. III of ch. 49, the~~ department may charge the counties for the cost of operating  
6 public assistance systems which make such payments.

7           **SECTION 2034.** 46.03 (20) (d) of the statutes is amended to read:

8           46.03 (20) (d) The department shall disburse from state or federal funds or both  
9 the entire amount and charge the county for its share under s. ~~49.52~~ 46.495.

10           **SECTION 2035.** 46.03 (23) of the statutes is renumbered 49.32 (3) and amended  
11 to read:

12           49.32 (3) UNIFORM MANUAL. ~~Adopt~~ The department shall adopt policies and  
13 procedures and a uniform county policy and procedure manual to minimize  
14 unnecessary variations between counties in the administration of the aid to families  
15 with dependent children program. The department shall also require each county  
16 to use the manual in the administration of the program.

17           **SECTION 2035m.** 46.03 (32) of the statutes is repealed.

18           **SECTION 2036.** 46.03 (35) of the statutes is renumbered 49.32 (4) and amended  
19 to read:

20           49.32 (4) EMPLOYMENT OF AID RECIPIENTS. ~~Assist~~ The department shall assist  
21 state agencies in efforts under s. 230.147 to employ recipients of aid under s. 49.19.

22           **SECTION 2037.** 46.03 (36) of the statutes is renumbered 49.32 (5) and amended  
23 to read:

24           49.32 (5) EMPLOYMENT AND TRAINING AND EDUCATION MANUAL. ~~In conjunction~~  
25 ~~with the department of industry, labor and human relations, produce~~ The

**SECTION 2037**

1 department shall produce a manual describing employment and training and  
2 education programs for which recipients of public assistance benefits under ~~ch. 49~~  
3 this subchapter may qualify. The department shall distribute the manual, free of  
4 charge, to each county department under s. 46.215, 46.22 or 46.23.

5 **SECTION 2038b.** 46.03 (38) of the statutes is amended to read:

6 46.03 (38) WELFARE REFORM STUDIES. Request proposals from persons in this  
7 state for studies of the effectiveness of various program changes, referred to as  
8 welfare reform, to ~~the aid to families with dependent children program and the~~  
9 ~~medical assistance program, including the requirement that certain recipients of aid~~  
10 ~~to families with dependent children with children under age 6 participate in training~~  
11 ~~programs, the requirement under s. 49.50 (7) (g) that certain teenage recipients of~~  
12 ~~aid to families with dependent children remain in school, the modification of the~~  
13 ~~earned income disregard under s. 49.19 (5) (am) and the extension of medical~~  
14 ~~assistance benefits under ss. 49.46 (1) (co) and 49.47 (4) (am). The studies shall~~  
15 ~~evaluate the effectiveness of the various efforts, including their cost-effectiveness,~~  
16 ~~in helping individuals gain independence through the securing of jobs, the~~  
17 ~~availability of health insurance coverage and providing financial incentives and in~~  
18 ~~identifying barriers to independence.~~

19 **SECTION 2039g.** 46.031 (1) (a) of the statutes is renumbered 46.031 (1) (a)  
20 (intro.) and amended to read:

21 46.031 (1) (a) (intro.) Each county department under s. 46.215, 46.22, 46.23,  
22 51.42 or 51.437 shall submit its final budget for services directly provided or  
23 purchased to the department by December 31 annually. The final budget shall be  
24 submitted on a uniform budget reporting form that the department shall develop and  
25 distribute for use and that shall include all of the following:

**SECTION 2039r**

1           **SECTION 2039r.** 46.031 (1) (a) 1. to 3. of the statutes are created to read:

2           46.031 (1) (a) 1. Uniform definitions of target populations and of programs and  
3 services that a county provides or purchases using funds allocated and distributed  
4 under s. 46.40.

5           2. Planned expenditures for the programs and services specified in subd. 1. that  
6 are separately identified by at least the following sources of funding:

7           a. State-distributed funds.

8           b. Funds obtained from levy of county property tax.

9           c. Client and 3rd-party fees.

10          d. Other funds.

11          3. Estimates of the number of clients to be served under each program or service  
12 that the county plans to provide or purchase using funds allocated under s. 46.40.

13           **SECTION 2040.** 46.031 (2g) (b) of the statutes is amended to read:

14           46.031 (2g) (b) The department may not approve contracts for amounts in  
15 excess of available revenues. The county board of supervisors in a county with a  
16 single-county department or the county boards of supervisors in counties with a  
17 multicounty department may appropriate funds not used to match state funds under  
18 ss. ~~49.52(1)~~ 46.495 (1) (d) and 51.423. Actual expenditure of county funds shall be  
19 reported in compliance with procedures developed by the department, and shall  
20 comply with standards guaranteeing quality of care comparable to similar facilities.

21           **SECTION 2041.** 46.032 (title) of the statutes is renumbered 49.33 (title).

22           **SECTION 2042.** 46.032 of the statutes is amended to read:

23           **46.032 Income maintenance administration.** County departments under  
24 ss. 46.215, 46.22 and 46.23 shall annually enter into a contract with the department  
25 detailing the reasonable cost of administering the income maintenance programs

1 under ss. ~~49.046~~, 49.19, 49.45 to 49.47 and 49.50 (7) and the food stamp program  
2 under 7 USC 2011 to 2029 when so appointed by the department. Contracts created  
3 under this section control the distribution of payments under s. 20.435 (4) (de) and  
4 (nL) in accordance with the reimbursement method established under s. 49.52 (1)  
5 (ad). The department may reduce its payment to any county under s. 20.435 (4) (de)  
6 and (nL) if federal reimbursement is withheld due to audits, quality control samples  
7 or program reviews.

8 **SECTION 2043.** 46.032 of the statutes, as affected by 1995 Wisconsin Act .... (this  
9 act), is renumbered 49.33 (2) and amended to read:

10 49.33 (2) (title) CONTRACTS. County departments under ss. 46.215, 46.22 and  
11 46.23 shall annually enter into a contract with the department detailing the  
12 reasonable cost of administering the income maintenance programs under ss. 49.19,  
13 49.26 (1) and 49.45 to 49.47 and 49.50 (7) and the food stamp program under 7 USC  
14 2011 to 2029 when so appointed by the department. Contracts created under this  
15 section control the distribution of payments under s. ~~20.435 (4)~~ 20.445 (3) (de) and  
16 (nL) in accordance with the reimbursement method established under s. ~~49.52 (1)~~  
17 ~~(ad)~~ 49.33 (8). The department may reduce its payment to any county under s. ~~20.435~~  
18 ~~(4)~~ 20.445 (3) (de) and (nL) if federal reimbursement is withheld due to audits,  
19 quality control samples or program reviews.

20 **SECTION 2044.** 46.033 (title) of the statutes is repealed.

21 **SECTION 2045.** 46.033 (1) (intro.) of the statutes is repealed.

22 **SECTION 2046.** 46.033 (1) (a) of the statutes is amended to read:

23 46.033 (1) (a) "Income maintenance program" means ~~relief of needy Indian~~  
24 ~~persons under s. 49.046~~, aid to families with dependent children under s. 49.19,

1 medical assistance under ss. 49.45 to 49.47 or the food stamp program under 7 USC  
2 2011 to 2029.

3 **SECTION 2047.** 46.033 (1) (a) of the statutes, as affected by 1995 Wisconsin Act  
4 .... (this act), is renumbered 49.33 (1) (b) and amended to read:

5 49.33 (1) (b) "Income maintenance program" means aid to families with  
6 dependent children under s. 49.19, medical assistance under ~~ss. 49.45 to 49.47~~ subch.  
7 IV of ch. 49 or the food stamp program under 7 USC 2011 to 2029.

8 **SECTION 2048.** 46.033 (1) (b) of the statutes is renumbered 49.33 (1) (c).

9 **SECTION 2049.** 46.033 (2) of the statutes is renumbered 49.33 (3).

10 **SECTION 2050.** 46.036 (1) of the statutes is amended to read:

11 46.036 (1) All care and services purchased by the department or by a county  
12 department under s. 46.215, 46.22, 46.23, 51.42 or 51.437 shall be authorized and  
13 contracted for under the standards established under this section. The department  
14 may require the county departments to submit the contracts to the department for  
15 review and approval. For purchases of \$10,000 or less the requirement for a written  
16 contract may be waived by the department. No contract is required for care provided  
17 by foster homes or treatment foster homes that are required to be licensed under s.  
18 48.62. When the department directly contracts for services, it shall follow the  
19 procedures in this section in addition to meeting purchasing requirements  
20 established in s. 16.75.

21 **SECTION 2051.** 46.036 (1) of the statutes, as affected by 1995 Wisconsin Act ....  
22 (this act), is amended to read:

23 46.036 (1) All care and services purchased by the department or by a county  
24 department under s. 46.215, 46.22, 46.23, 51.42 or 51.437, except as provided under  
25 subch. III of ch. 49 and s. 301.08 (2), shall be authorized and contracted for under the

1 standards established under this section. The department may require the county  
2 departments to submit the contracts to the department for review and approval. For  
3 purchases of \$10,000 or less the requirement for a written contract may be waived  
4 by the department. No contract is required for care provided by foster homes or  
5 treatment foster homes that are required to be licensed under s. 48.62. When the  
6 department directly contracts for services, it shall follow the procedures in this  
7 section in addition to meeting purchasing requirements established in s. 16.75.

8 **SECTION 2051m.** 46.039 of the statutes is repealed.

9 **SECTION 2052.** 46.041 (1) (a) of the statutes is amended to read:

10 46.041 (1) (a) Provide for the temporary residence and evaluation of children  
11 referred from courts assigned to exercise jurisdiction under ch. 48, the institutions  
12 and services under the jurisdiction of the department, ~~university of Wisconsin~~  
13 ~~hospital and clinics~~ University of Wisconsin Hospitals and Clinics Authority, county  
14 departments under s. 46.215, 46.22 or 46.23, private child welfare agencies, schools  
15 for the deaf and visually handicapped, and mental health facilities within the state  
16 at the discretion of the superintendent.

17 **SECTION 2052p.** 46.043 of the statutes is created to read:

18 **46.043 Secured adolescent treatment unit.** The department shall provide  
19 a secured adolescent treatment unit at the Mendota Mental Health Institute. The  
20 department may designate not more than 43 beds at the secured adolescent  
21 treatment unit as secured correctional facility, as defined in s. 48.02 (15m), beds.  
22 From the appropriation under s. 20.435 (3) (hm), the department may expend not  
23 more than \$2,864,200 in fiscal year 1995-96 for services for children placed in that  
24 secured adolescent treatment unit.

1           **SECTION 2052r.** 46.043 of the statutes, as created by 1995 Wisconsin Act ...  
2 (this act), is amended to read:

3           **46.043 Secured adolescent treatment unit.** The department shall provide  
4 a secured adolescent treatment unit at the Mendota Mental Health Institute. The  
5 department may designate not more than 43 beds at the secured adolescent  
6 treatment unit as secured correctional facility, as defined in s. 48.02 (15m), beds.  
7 From the appropriation under s. ~~20.435~~ 20.410 (3) (hm), the department of of  
8 corrections may expend not more than \$~~2,864,200~~ \$2,500,000 in fiscal year ~~1995-96~~  
9 1996-97 for services for children placed in that secured adolescent treatment unit.  
10 The department of health and social services may charge the department of  
11 corrections not more than the actual cost of providing services for children under the  
12 supervision of the department of corrections who are provided services at the secured  
13 adolescent treatment unit.

14           **SECTION 2053m.** 46.049 of the statutes, as affected by 1993 Wisconsin Act 385,  
15 is repealed.

16           **SECTION 2054.** 46.10 (2) of the statutes, as affected by 1993 Wisconsin Acts 479,  
17 section 8, and 481, section 9, is amended to read:

18           46.10 (2) Except as provided in subs. (2m) and (14) (b) and (c), any person,  
19 including but not limited to a person admitted, committed or placed under s. 975.01,  
20 1977 stats., s. 975.02, 1977 stats., and s. 975.17, 1977 stats., and ss. 48.34 (4m),  
21 48.357 (4) and (5) (e), 48.366, 51.10, 51.13, 51.15, 51.20, 51.35 (3), 51.37 (5), 51.45  
22 (10), (11), (12) and (13), 55.05, 55.06, 971.14 (2) and (5), 971.17 (1), 975.06 and 980.06,  
23 receiving care, maintenance, services and supplies provided by any institution in  
24 this state including ~~university of Wisconsin hospital and clinics~~ University of  
25 Wisconsin Hospitals and Clinics, in which the state is chargeable with all or part of

1 the person's care, maintenance, services and supplies, any person receiving care and  
2 services from a county department established under s. 51.42 or 51.437 or from a  
3 facility established under s. 49.175, and any person receiving treatment and services  
4 from a public or private agency under s. 971.17 (3) (d) or (4) (e), 980.06 (2) (c) or 980.08  
5 (5) and the person's property and estate, including the homestead, and the spouse  
6 of the person, and the spouse's property and estate, including the homestead, and,  
7 in the case of a minor child, the parents of the person, and their property and estates,  
8 including their homestead, and, in the case of a foreign child described in s. 48.839  
9 (1) who became dependent on public funds for his or her primary support before an  
10 order granting his or her adoption, the resident of this state appointed guardian of  
11 the child by a foreign court who brought the child into this state for the purpose of  
12 adoption, and his or her property and estate, including his or her homestead, shall  
13 be liable for the cost of the care, maintenance, services and supplies in accordance  
14 with the fee schedule established by the department under s. 46.03 (18). If a spouse,  
15 widow or minor, or an incapacitated person may be lawfully dependent upon the  
16 property for their support, the court shall release all or such part of the property and  
17 estate from the charges that may be necessary to provide for those persons. The  
18 department shall make every reasonable effort to notify the liable persons as soon  
19 as possible after the beginning of the maintenance, but the notice or the receipt  
20 thereof is not a condition of liability.

21 **SECTION 2055.** 46.10 (2) of the statutes, as affected by 1993 Wisconsin Acts 385,  
22 479 and 481 and 1995 Wisconsin Act .... (this act), is amended to read:

23 46.10 (2) Except as provided in subs. (2m) and (14) (b) and (c), any person,  
24 including but not limited to a person admitted, committed or placed under s. 975.01,  
25 1977 stats., s. 975.02, 1977 stats., and s. 975.17, 1977 stats., and ss. 48.34 (4h) or

1 (4m), 48.357 (4) and (5) (e), 48.366, 51.10, 51.13, 51.15, 51.20, 51.35 (3), 51.37 (5),  
2 51.45 (10), (11), (12) and (13), 55.05, 55.06, 971.14 (2) and (5), 971.17 (1), 975.06 and  
3 980.06, receiving care, maintenance, services and supplies provided by any  
4 institution in this state including University of Wisconsin Hospitals and Clinics, in  
5 which the state is chargeable with all or part of the person's care, maintenance,  
6 services and supplies, any person receiving care and services from a county  
7 department established under s. 51.42 or 51.437 or from a facility established under  
8 s. ~~49.175~~ 49.73, and any person receiving treatment and services from a public or  
9 private agency under s. 971.17 (3) (d) or (4) (e), 980.06 (2) (c) or 980.08 (5) and the  
10 person's property and estate, including the homestead, and the spouse of the person,  
11 and the spouse's property and estate, including the homestead, and, in the case of a  
12 minor child, the parents of the person, and their property and estates, including their  
13 homestead, and, in the case of a foreign child described in s. 48.839 (1) who became  
14 dependent on public funds for his or her primary support before an order granting  
15 his or her adoption, the resident of this state appointed guardian of the child by a  
16 foreign court who brought the child into this state for the purpose of adoption, and  
17 his or her property and estate, including his or her homestead, shall be liable for the  
18 cost of the care, maintenance, services and supplies in accordance with the fee  
19 schedule established by the department under s. 46.03 (18). If a spouse, widow or  
20 minor, or an incapacitated person may be lawfully dependent upon the property for  
21 their support, the court shall release all or such part of the property and estate from  
22 the charges that may be necessary to provide for those persons. The department  
23 shall make every reasonable effort to notify the liable persons as soon as possible  
24 after the beginning of the maintenance, but the notice or the receipt thereof is not  
25 a condition of liability.

1           **SECTION 2055e.** 46.10 (14) (b) of the statutes is amended to read:

2           46.10 (14) (b) Except as provided in par. (c) and subject to par. (cm), liability  
3 of a parent specified in sub. (2) or s. 46.03 (18) for the care and maintenance of the  
4 parent's minor child who has been placed by a court order under s. 48.355 or 48.357  
5 in a residential, nonmedical facility such as a group home, foster home, treatment  
6 foster home, child caring institution or juvenile correctional institution shall be  
7 determined by the court by using the percentage standard established by the  
8 department of revenue under s. ~~46.25~~ 73.25 (9) (a) and by applying the percentage  
9 standard in the manner established by the department of revenue under s. ~~46.25~~  
10 73.25 (9) (b).

11           **SECTION 2055m.** 46.16 (1) of the statutes is amended to read:

12           46.16 (1) **GENERALLY.** The department shall investigate and supervise all the  
13 charitable, and curative ~~and reformatory~~ institutions, including county infirmaries,  
14 of every county and municipality, except tuberculosis sanatoriums; all shelter care  
15 facilities for children and all hospitals, asylums and institutions, organized for the  
16 purpose set forth in s. 58.01, and familiarize itself with all the circumstances  
17 affecting their management and usefulness.

18           **SECTION 2056.** 46.175 of the statutes is amended to read:

19           **46.175 County institutions: minimum standards.** Notwithstanding any  
20 other provision of law, any county currently operating an institution established  
21 under s. ~~49.14, 49.16, 49.171,~~ 49.70, 49.71, 49.72, 51.08 or 51.09 may, by resolution  
22 of the county board, designate such institution or distinct part of such institution as  
23 a facility to be operated under s. 50.02, 50.03 or 50.33. Any county institution or part  
24 thereof, where so designated, shall be required to meet those licensure standards  
25 established by the department for the type of facility designated by the county. Any

1 designation under this section may be made only if such designation will not result  
2 in any additional cost to the state.

3 **SECTION 2057.** 46.18 (13) of the statutes is amended to read:

4 46.18 (13) BUILDING RESERVE FUND. The county board shall maintain as a  
5 segregated cash reserve an annual charge of 2% of the original cost of new  
6 construction or purchase or of the appraised value of existing infirmity structures  
7 and equipment. If the infirmity or any of its equipment is replaced, any net cost of  
8 replacement in excess of the original cost is subject to an annual charge of 2%. No  
9 contributions to the cash reserve in excess of the amount required under this  
10 subsection may be included in the calculation under s. ~~49.173 (1)~~ 49.726 (1). The  
11 county board may from time to time appropriate from such reserve sums to be  
12 expended solely for the enlargement, modernization or replacement of such  
13 infirmity and its equipment.

14 **SECTION 2058.** 46.206 of the statutes is amended to read:

15 **46.206** (title) **Welfare Social services; supervisory functions of state**  
16 **department.** (1) (a) The department shall supervise the administration of social  
17 services and aid to families with dependent children, including related employment  
18 and training programs, except as provided under subch. III of ch. 49 and except for  
19 juvenile delinquency-related services. The department shall submit to the federal  
20 authorities state plans for the administration of social services and aid under s.  
21 49.19, except as provided under subch. III of ch. 49 and except for juvenile  
22 delinquency-related services, in such form and containing such information as the  
23 federal authorities require, and shall comply with all requirements prescribed to  
24 ensure their correctness.

1 (b) All records of the department and all county records relating to social  
2 services, ~~aid to families with dependent children and aid under s. 49.18, 1971 stats.,~~  
3 ~~s. 49.20, 1971 stats., and s. 49.61, 1971 stats., as affected by chapter 90, laws of 1973,~~  
4 shall be open to inspection at all reasonable hours by authorized representatives of  
5 the federal government. Notwithstanding s. 48.396 (2), all county records relating  
6 to the administration of ~~such~~ the services and public assistance shall be open to  
7 inspection at all reasonable hours by authorized representatives of the department.

8 (bm) All records of the department relating to aid provided under s. ~~49.177,~~  
9 ~~49.19, 49.46, 49.465, 49.468 or, 49.47 or 49.77~~ are open to inspection at reasonable  
10 hours by members of the legislature who require the information contained in the  
11 records in pursuit of a specific state legislative purpose. All records of any county  
12 relating to aid provided under s. ~~49.177, 49.19, 49.46, 49.465, 49.468 or, 49.47 or~~  
13 ~~49.77~~ are open to inspection at reasonable hours by members of the board of  
14 supervisors of the county or the governing body of a city, village or town located in  
15 the county who require the information contained in the records in pursuit of a  
16 specific county or municipal legislative purpose. The right to records access provided  
17 by this paragraph does not apply if access is prohibited by federal law or regulation  
18 or if this state is required to prohibit such access as a condition precedent to  
19 participation in a federal program in which this state participates.

20 (c) The department may at any time audit all county records relating to the  
21 administration of ~~such~~ the services and public assistance specified in this section and  
22 may at any time conduct administrative reviews of county departments under ss.  
23 46.215 and 46.22. If the department conducts ~~such~~ an audit or administrative review  
24 in a county, ~~it~~ the department shall furnish a copy of the audit or administrative  
25 review report to the chairperson of the county board of supervisors and the county

1 clerk in a county with a single-county department or to the county boards of  
2 supervisors and the county clerks in counties with a multicounty department, and  
3 to the director of the county department under s. 46.21 or 46.22.

4 (2) The county administration of all laws relating to social services and aid to  
5 ~~families with dependent children, except with respect to the programs under subch.~~  
6 ~~III of ch. 49 and to juvenile delinquency-related programs,~~ shall be vested in the  
7 officers and agencies designated in the statutes.

8 SECTION 2059b. 46.208 of the statutes is amended to read:

9 46.208 ~~General relief~~ Relief block grants; functions of state  
10 **department.** (1) All records of the county or tribal governing body relating to the  
11 administration of ~~general relief, if the department reimburses the county under s.~~  
12 ~~49.035, that is funded by a relief block grant under ch. 49~~ shall be open to inspection  
13 at all reasonable hours by authorized representatives of the department.

14 (2m) The department may at any time audit all records of the ~~general relief~~  
15 ~~agency relating to the administration of general relief, if the department reimburses~~  
16 ~~the county under s. 49.035~~ funded by a relief block grant under ch. 49 and may at any  
17 time conduct administrative reviews of a county department under s. 46.215, 46.22  
18 or 46.23. The department shall furnish a copy of the county audit or administrative  
19 review report to the chairperson of the county board of supervisors and the county  
20 clerk in a county with a single-county department or to the county boards of  
21 supervisors and the county clerks in counties with a multicounty department, and  
22 to the county director of the county department under s. 46.215, 46.22 or 46.23.

23 SECTION 2060. 46.21 (1) (d) of the statutes is amended to read:

24 46.21 (1) (d) "Human services" means the total range of services to people,  
25 including mental illness treatment, developmental disabilities services, physical

**SECTION 2060**

1 disabilities services, ~~general relief funded by a relief block grant under ch. 49,~~ income  
2 maintenance, youth probation and parole services, alcohol and drug abuse services,  
3 services to children, youth and families, family counseling, exceptional educational  
4 services for children from birth to the age of 3 and manpower services.

5 **SECTION 2060m.** 46.21 (2) (j) of the statutes is amended to read:

6 46.21 (2) (j) May exercise approval or disapproval power over contracts and  
7 purchases of the director that are for \$50,000 or more, except that the county board  
8 of supervisors may not exercise approval or disapproval power over any personal  
9 service contract or over any contract or purchase of the director which relates to  
10 community living arrangements, adult family homes, foster homes or treatment  
11 foster homes and which was entered into pursuant to a contract under s. 46.031 (2g)  
12 or 301.031 (2g), regardless of whether the contract mentions the provider, except as  
13 provided in par. (m). This paragraph does not preclude the county board of  
14 supervisors from creating a central purchasing department for all county purchases.

15 **SECTION 2061.** 46.21 (2m) (c) of the statutes is amended to read:

16 46.21 (2m) (c) *Exchange of information.* Notwithstanding ss. 48.78 (2) (a),  
17 49.45 (4), ~~49.53 (1m)~~ 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7) and  
18 253.07 (3) (c), any subunit of the county department of human services acting under  
19 this subsection may exchange confidential information about a client, without the  
20 informed consent of the client, with any other subunit of the same county department  
21 of human services or with any person providing services to the client under a  
22 purchase of services contract with the county department of human services, if  
23 necessary to enable an employe or service provider to perform his or her duties, or  
24 to enable the county department of human services to coordinate the delivery of  
25 services to the client.

**SECTION 2061m**

1           **SECTION 2061m.** 46.21 (4m) (a) of the statutes is amended to read:

2           46.21 (4m) (a) The county hospitals and county sanatoriums of a county with  
3 a population of 500,000 or more shall be devoted to hospital service and the  
4 treatment of any person who would otherwise be unable to secure that service and  
5 treatment, but other persons may be admitted to the county hospitals upon the  
6 patients upon such terms and conditions as the county board of supervisors  
7 establishes. The hospitals and sanatoriums may be utilized for instruction of medical  
8 students, physicians and nurses and for scientific and clinical research that will  
9 promote the welfare of the patients and assist the application of science to the  
10 alleviation of human suffering.

11           **SECTION 2062.** 46.21 (7) of the statutes is amended to read:

12           46.21 (7) APPLICABILITY. Except as provided in s. 59.07 (153), this section does  
13 not apply, with respect to the county hospital under s. ~~49.16 (2)~~ 49.71 (2), if the county  
14 board of supervisors acts under s. 59.07 (153).

15           **SECTION 2063.** 46.215 (1) (intro.) of the statutes is amended to read:

16           46.215 (1) CREATION; POWERS AND DUTIES. (intro.) In a county with a population  
17 of 500,000 or more the administration of welfare services is vested in a county  
18 department of social services under the jurisdiction of the county board of  
19 supervisors under s. 46.21 (2m) (b) 1. a. ~~and in conformity with s. 49.50.~~ Any  
20 reference in any law to a county department of social services under this section  
21 applies to a county department under s. 46.21 (2m) in its administration under s.  
22 46.21 (2m) of the powers and duties of the county department of social services. The  
23 county department of social services shall have the following functions, duties and  
24 powers, and such other welfare functions as may be delegated to it:

25           **SECTION 2064.** 46.215 (1) (a) of the statutes is amended to read:

**SECTION 2064**

1           46.215 (1) (a) To make investigations relating to relief or welfare  
2 administration and admissions to state and, county and other institutions upon  
3 request of court, superintendent, district attorney, veterans' service commission or  
4 any other county official.

5           **SECTION 2065.** 46.215 (1) (d) of the statutes is amended to read:

6           46.215 (1) (d) To make investigations ~~which~~ that relate to welfare services  
7 under subchs. II, IV and V of ch. 49 upon request by the department of health and  
8 social services, to make investigations that relate to juvenile delinquency-related  
9 services at the request of the department of corrections and to make investigations  
10 that relate to programs under subch. III of ch. 49 upon request by the department  
11 of industry, labor and human relations.

12           **SECTION 2066b.** 46.215 (1) (fm) of the statutes is amended to read:

13           46.215 (1) (fm) To administer ~~general relief~~ funded by a relief block grant under  
14 ~~s. 49.02~~ ch. 49, if the county operates a program funded by a relief block grant under  
15 that chapter.

16           **SECTION 2067.** 46.215 (1) (j) of the statutes is amended to read:

17           46.215 (1) (j) To make payments in such manner as the department of health  
18 ~~and social services~~ industry, labor and human relations may determine for training  
19 of recipients, former recipients and potential recipients of aid in programs  
20 established under ss. 49.193 and ~~49.50 (7)~~ 49.26 (1).

21           **SECTION 2068.** 46.215 (1) (L) of the statutes is amended to read:

22           46.215 (1) (L) Within the limits of available state and federal funds and of  
23 county funds appropriated to match state funds, to provide social services for persons  
24 eligible for or receiving benefits under the supplementary security income program

1 under federal Title XVI, the supplemental payments program under s. ~~49.177~~ 49.77  
2 or aid to families with dependent children under s. 49.19.

3 **SECTION 2069.** 46.215 (1) (n) of the statutes is amended to read:

4 46.215 (1) (n) To collect and transmit information to the department of health  
5 and social services administration so that a federal energy assistance payment may  
6 be made to an eligible household; to collect and transmit information to the  
7 department of administration so that weatherization services may be made  
8 available to an eligible household; to receive applications from individuals seeking  
9 low-income energy assistance under s. ~~49.80 (4)~~ 16.385 (4) or weatherization  
10 services under s. 16.39; to provide information on the income eligibility for  
11 weatherization of a recipient of low-income energy assistance to an entity with  
12 which the department of administration contracts for provision of weatherization  
13 under s. 16.39; and to receive a request, determine a correct payment amount, if any,  
14 and provide payment, if any, for emergency assistance under s. ~~49.80 (8)~~ 16.385 (8).

15 **SECTION 2070.** 46.215 (2) (a) of the statutes is renumbered 46.215 (2) (a) 1. and  
16 amended to read:

17 46.215 (2) (a) 1. In order to ensure the availability of a full range of care and  
18 services, the county department of social services may contract, either directly or  
19 through the department of health and social services, with public or voluntary  
20 agencies or others to purchase, in full or in part, care and services, except as provided  
21 under subch. III of ch. 49 and s. 301.08 (2), which the county department of social  
22 services is authorized by any statute to furnish in any manner. ~~Such~~ This care and  
23 these services may be purchased from the department of health and social services  
24 if the department of health and social services has staff to furnish the care and

1 services. If the county department of social services has adequate staff, it may sell  
2 the care and services directly to another county or state agency.

3 **SECTION 2071.** 46.215 (2) (a) 2. of the statutes is created to read:

4 46.215 (2) (a) 2. In order to ensure the availability of a full range of care and  
5 services, the county department of social services may contract, either directly or  
6 through the department of industry, labor and human relations, with public or  
7 voluntary agencies or others to purchase, in full or in part, care and services under  
8 subch. III of ch. 49 which the county department of social services is authorized to  
9 furnish. This care and these services may be purchased from the department of  
10 industry, labor and human relations if the department of industry, labor and human  
11 relations has staff to furnish the services. If the county department of social services  
12 has adequate staff, it may sell the care and services directly to another county or  
13 state agency.

14 **SECTION 2071m.** 46.215 (2) (a) 3. of the statutes is created to read:

15 46.215 (2) (a) 3. In order to ensure the availability of a full range of care and  
16 services, the county department of social services may contract, either directly or  
17 through the department of corrections, with public or voluntary agencies or others  
18 to purchase, in full or in part, juvenile delinquency-related care and services which  
19 the county department of social services is authorized by any statute to furnish in  
20 any manner. Such services may be purchased from the department of corrections if  
21 the department of corrections has staff to furnish the services. If the county  
22 department of social services has adequate staff, it may sell the care and services  
23 directly to another county or state agency.

24 **SECTION 2072.** 46.215 (2) (b) of the statutes is amended to read:

1           46.215 (2) (b) A county department of social services may purchase  
2 development and training services from the department of health and social services,  
3 from the department of industry, labor and human relations, from the department  
4 of corrections or from other county agencies when ~~such~~ the services are available.  
5 A county department of social services may sell ~~such~~ the development and staff  
6 training services to another county or state agency if it ~~is~~ the county department has  
7 adequate staff to provide ~~such~~ the services.

8           **SECTION 2073.** 46.215 (2) (c) of the statutes is amended to read:

9           46.215 (2) (c) A county department of social services shall ~~submit to the~~  
10 ~~department of health and social services~~ develop, under the requirements of s.  
11 46.036, plans and contracts for care and services to be purchased. The contracts  
12 shall be developed under s. 46.036. The department of health and social services  
13 ~~shall~~ may review the contracts and approve them if they are consistent with s. 46.036  
14 and if state or federal funds are available for such purposes. The joint committee on  
15 finance may require the department of health and social services to submit the  
16 contracts to the committee for review and approval. The department of health and  
17 social services may not make any payments to a county for programs included in a  
18 contract under review by the committee. The department of health and social  
19 services shall reimburse each county for the ~~approved~~ contracts from the  
20 appropriations under s. 20.435 (3) (oo) and (7) (b) and (o) or under s. 20.435 (3) (cd),  
21 as appropriate, under s. 49.52.

22           **SECTION 2074.** 46.215 (2) (c) of the statutes, as affected by 1995 Wisconsin Act  
23 .... (this act), is renumbered 46.215 (2) (c) 1. and amended to read:

24           46.215 (2) (c) 1. A county department of social services shall develop, under the  
25 requirements of s. 46.036, plans and contracts for care and services to be purchased,

1 except for care and services under subch. III of ch. 49 or s. 301.08 (2). The department  
2 of health and social services may review the contracts and approve them if they are  
3 consistent with s. 46.036 and if state or federal funds are available for such purposes.  
4 The joint committee on finance may require the department of health and social  
5 services to submit the contracts to the committee for review and approval. The  
6 department of health and social services may not make any payments to a county for  
7 programs included in a contract under review by the committee. The department of  
8 health and social services shall reimburse each county for the contracts from the  
9 appropriations under s. 20.435 (3) (oo) and (7) (b) and (o) or under s. 20.435 (3) (cd),  
10 as appropriate, under s. ~~49.52~~ 46.495.

11 **SECTION 2075.** 46.215 (2) (c) 2. of the statutes is created to read:

12 46.215 (2) (c) 2. A county department of social services shall develop, under the  
13 requirements of s. 49.34, plans and contracts for care and services to be purchased  
14 under subch. III of ch. 49. The department of industry, labor and human relations  
15 may review the contracts and approve them if they are consistent with s. 49.34 and  
16 if state or federal funds are available for such purposes. The joint committee on  
17 finance may require the department of industry, labor and human relations to  
18 submit the contracts to the committee for review and approval. The department of  
19 industry, labor and human relations may not make any payments to a county for  
20 programs included in a contract under review by the committee.

21 **SECTION 2075m.** 46.215 (2) (c) 3. of the statutes is created to read:

22 46.215 (2) (c) 3. A county department of social services shall develop, under the  
23 requirements of s. 301.08 (2), plans and contracts for juvenile delinquency-related  
24 care and services to be purchased. The department of corrections may review the  
25 contracts and approve them if they are consistent with s. 301.08 (2) and if state or

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1 federal funds are available for such purposes. The joint committee on finance may  
2 require the department of corrections to submit the contracts to the committee for  
3 review and approval. The department of corrections may not make any payments  
4 to a county for programs included in a contract under review by the committee. The  
5 department of corrections shall reimburse each county for the contracts from the  
6 appropriations under s. 20.410 (3) (cd) and (oo) as appropriate.

7 **SECTION 2076.** 46.215 (3) of the statutes is amended to read:

8 46.215 (3) PROGRAM BUDGETS. The county department of social services shall  
9 submit a final budget to the department of health and social services under s. 46.031  
10 (1), to the department of corrections under s. 301.031 (1) and to the department of  
11 industry, labor and human relations under s. 49.325 (1), for authorized services.

12 **SECTION 2077.** 46.22 (1) (am) of the statutes is amended to read:

13 46.22 (1) (am) *Funding for multicounties.* State social services funding under  
14 s. 20.435 (7) (b) is not available to counties which establish a multicounty department  
15 of social services until the counties have drafted a contractual agreement, approved  
16 by the secretary, setting forth the plans for direct sponsorship and have drafted a  
17 budget under par. (b) § 1. d.

18 **SECTION 2078.** 46.22 (1) (b) (intro.) of the statutes is renumbered 46.22 (1) (b)  
19 1. (intro.).

20 **SECTION 2079.** 46.22 (1) (b) 1. of the statutes is repealed.

21 **SECTION 2080.** 46.22 (1) (b) 2. of the statutes is renumbered 46.22 (1) (b) 1. a.

22 **SECTION 2081.** 46.22 (1) (b) 2. of the statutes is created to read:

23 46.22 (1) (b) 2. A county department of social services shall have the following  
24 functions, duties and powers in accordance with the rules promulgated by the

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1 department of industry, labor and human relations and subject to the supervision of  
2 the department of industry, labor and human relations:

3 a. To administer aid to families with dependent children under s. 49.19.

4 b. To maintain administrative and reporting relationships with all pertinent  
5 state departments.

6 c. To make investigations as provided under subch. III of ch. 49 upon request  
7 by the department of industry, labor and human relations.

8 d. To certify eligibility for and issue food coupons to needy households in  
9 conformity with 7 USC 2011 to 2029.

10 e. To make payments in such manner as the department of industry, labor and  
11 human relations may determine for training of recipients, former recipients and  
12 potential recipients of aid in programs established under ss. 49.193 and 49.26 (1).

13 f. To submit a final budget in accordance with s. 49.325 (1) for services  
14 authorized in this subdivision.

15 g. To make certification or referral of eligibles for state or federal works or other  
16 assistance programs under subch. III of ch. 49, eligibility for which is based on need.

17 **SECTION 2082.** 46.22 (1) (b) 3. of the statutes is renumbered 46.22 (1) (b) 1. b.  
18 and amended to read:

19 46.22 (1) (b) 1. b. To make investigations which relate to welfare services,  
20 except as provided under subch. III of ch. 49, upon request by the department of  
21 health and social services.

22 **SECTION 2083.** 46.22 (1) (b) 3. of the statutes is created to read:

23 46.22 (1) (b) 3. A county department of social services shall have the following  
24 functions, duties and powers in accordance with the rules promulgated and

1 standards established by the department of health and social services and subject  
2 to the supervision of the department of industry, labor and human relations:

3 a. To maintain administrative and reporting relationships with all pertinent  
4 state departments.

5 b. To make investigations which relate to programs under s. 49.046 upon  
6 request by the department of health and social services.

7 d. To submit a final budget to the department of industry, labor and human  
8 relations in accordance with s. 49.325 for services authorized in this subdivision.

9 **SECTION 2084.** 46.22 (1) (b) 4. of the statutes is repealed.

10 **SECTION 2085.** 46.22 (1) (b) 4m. of the statutes is created to read:

11 46.22 (1) (b) 4m. A county department of social services shall have the following  
12 functions, duties and powers in accordance with the rules promulgated by the  
13 department of administration and subject to the supervision of the department of  
14 administration:

15 a. To collect and transmit information to the department of administration so  
16 that a federal energy assistance payment may be made to an eligible household.

17 b. To collect and transmit information to the department of administration so  
18 that weatherization services may be made available to an eligible household.

19 c. To receive applications from individuals seeking low-income energy  
20 assistance under s. 16.385 (4) or weatherization services under s. 16.39.

21 d. To provide information on the income eligibility for weatherization of a  
22 recipient of low-income energy assistance to an entity with which the department  
23 of administration contracts for provision of weatherization under s. 16.39.

24 e. To receive a request, determine a correct payment amount, if any, and provide  
25 payment, if any, for emergency assistance under s. 16.385 (8).

**SECTION 2086**

1           **SECTION 2086.** 46.22 (1) (b) 5. of the statutes is repealed.

2           **SECTION 2086m.** 46.22 (1) (b) 5m. of the statutes is created to read:

3           46.22 (1) (b) 5m. A county department of social services shall have the following  
4 functions, duties and powers in accordance with the rules promulgated by the  
5 department of corrections and subject to the supervision of the department of  
6 corrections:

7           a. To administer juvenile delinquency-related services under s. 301.26.

8           b. To maintain administrative and reporting relationships with all pertinent  
9 state departments.

10          c. To make investigations relating to juvenile delinquency-related services  
11 upon request by the department of corrections.

12          d. To submit a final budget in accordance with s. 301.031 (1) for services  
13 authorized in this subdivision.

14           **SECTION 2087.** 46.22 (1) (b) 6. of the statutes is repealed.

15           **SECTION 2088.** 46.22 (1) (b) 7. of the statutes is renumbered 46.22 (1) (b) 1. c.  
16 and amended to read:

17           46.22 (1) (b) 1. c. Within the limits of available state and federal funds and of  
18 county funds appropriated to match state funds, to provide social services for:—a.  
19 ~~Persons~~ persons eligible for or receiving supplemental security aids under Title XVI  
20 of the social security act.—b. ~~Persons,~~ eligible for or receiving state supplemental  
21 payments under s. 49.177.—c. ~~Persons~~ 49.77 or eligible for or receiving aid to families  
22 with dependent children under s. 49.19.

23           **SECTION 2089.** 46.22 (1) (b) 8. of the statutes is renumbered 46.22 (1) (b) 1. d.

24           **SECTION 2090.** 46.22 (1) (b) 9. of the statutes is renumbered 46.22 (1) (b) 1. e.

25           **SECTION 2091.** 46.22 (1) (b) 10. of the statutes is repealed.

**SECTION 2092**

1           **SECTION 2092.** 46.22 (1) (b) 12. of the statutes is renumbered 46.22 (1) (b) 1. f.

2           **SECTION 2093.** 46.22 (1) (b) 13. of the statutes is renumbered 46.22 (1) (b) 1. g.  
3 and amended to read:

4           46.22 (1) (b) 1. g. To make certification or referral of eligibles for state or federal  
5 ~~works or other~~ assistance programs under subch. V of ch. 49, eligibility for which is  
6 based on need.

7           **SECTION 2094b.** 46.22 (1) (b) 14. of the statutes is amended to read:

8           46.22 (1) (b) 14. To administer ~~general relief~~ funded by a relief block grant under  
9 ~~s. 49.02 ch. 49~~, if the county operates a program funded by a relief block grant under  
10 that chapter.

11           **SECTION 2095.** 46.22 (1) (b) 14. of the statutes, as affected by 1995 Wisconsin  
12 Act .... (this act), is renumbered 46.22 (1) (b) 1. h.

13           **SECTION 2096.** 46.22 (1) (b) 15. of the statutes is renumbered 46.22 (1) (b) 1. i.

14           **SECTION 2097.** 46.22 (1) (c) 1. (intro.) of the statutes is amended to read:

15           46.22 (1) (c) 1. (intro.) Make investigations in cooperation with the court,  
16 institution superintendent, district attorney and other agencies and officials  
17 operating in the welfare field regarding admissions to and release (or conditional  
18 release) from the following ~~county and state~~ institutions:

19           **SECTION 2098.** 46.22 (1) (c) 1. b. of the statutes is amended to read:

20           46.22 (1) (c) 1. b. State institutions. Mendota mental health institute,  
21 Winnebago mental health institute, ~~university of Wisconsin hospital and clinics~~,  
22 centers for the developmentally disabled and secured correctional facilities, as  
23 defined in s. 48.02 (15m).

24           **SECTION 2099.** 46.22 (1) (c) 1. c. of the statutes is created to read:

**SECTION 2099**

1           46.22 (1) (c) 1. c. Other institution. University of Wisconsin Hospitals and  
2 Clinics.

3           **SECTION 2099g.** 46.22 (1) (c) 2. of the statutes is amended to read:

4           46.22 (1) (c) 2. Subdivision 1. does not authorize the county department of  
5 social services to make investigations regarding admission to or release from the  
6 Waupun correctional institution, the Columbia correctional institution, the Racine  
7 correctional institution, the correctional institution authorized under s. 301.046 (1),  
8 the correctional institution authorized under s. 301.048 (4) (b), the correctional  
9 institution authorized under s. 301.16 (1n), the Oshkosh correctional institution, the  
10 Green Bay correctional institution, the Dodge correctional institution, the  
11 Taycheedah correctional institution, county houses of correction, jails, detention  
12 homes or reforestation camps.

13           **SECTION 2100m.** 46.22 (1) (c) 8. d. of the statutes is amended to read:

14           46.22 (1) (c) 8. d. Upon the request of the department of ~~health and social~~  
15 ~~services~~ corrections and under its direction, the county department of social services  
16 shall assume the oversight of any juvenile under parole from or otherwise subject to  
17 the supervision of any state institution.

18           **SECTION 2101.** 46.22 (1) (d) of the statutes is amended to read:

19           46.22 (1) (d) *Merit system; records.* The county department of social services  
20 is subject to s. ~~49.50 (2) to (5)~~ 49.33 (4) to (7). The county department of social services  
21 and all county officers and employes performing any duties in connection with the  
22 administration of ~~aid to the blind, old-age assistance,~~ aid to families with dependent  
23 children and ~~aid to totally and permanently disabled persons~~ shall observe all rules  
24 promulgated by the department of ~~health and social services~~ industry, labor and  
25 human relations under s. ~~49.50 (2)~~ 49.33 (4) and shall keep records and furnish

**SECTION 2101**

1 reports as the department of ~~health and social services~~ industry, labor and human  
2 relations requires in relation to their performance of such duties.

3 **SECTION 2102.** 46.22 (1) (e) 1. of the statutes is amended to read:

4 46.22 (1) (e) 1. In order to ensure the availability of a full range of care and  
5 services, a county department of social services may contract, either directly or  
6 through the department of health and social services, the department of industry,  
7 labor and human relations or the department of corrections, with public or voluntary  
8 agencies or others to purchase, in full or in part, care and services which the county  
9 department of social services is authorized by any statute to furnish in any manner.  
10 The services may be purchased from the department of health and social services,  
11 the department of industry, labor and human relations or the department of  
12 corrections if the department of health and social services, the department of  
13 industry, labor and human relations or the department of corrections has staff to  
14 furnish the services. The county department of social services, if it has adequate  
15 staff, may sell the care and services directly to another county or state agency.

16 **SECTION 2103.** 46.22 (1) (e) 2. of the statutes is amended to read:

17 46.22 (1) (e) 2. A county department of social services may purchase  
18 development and training services from the department of health and social services,  
19 the department of industry, labor and human relations or the department of  
20 corrections or from other county agencies if the services are available or sell the  
21 development and staff training services to another county or state agency if the  
22 county department of social services has adequate staff to provide the services.

23 **SECTION 2104.** 46.22 (1) (e) 3. of the statutes is amended to read:

24 46.22 (1) (e) 3. A county department of social services shall ~~submit to the~~  
25 ~~department of health and social services~~ develop, under the requirements of s.

**SECTION 2104**

1 ~~46.036~~, plans and contracts for care and services to be purchased. ~~The contracts shall~~  
2 ~~be developed under s. 46.036.~~ The department of health and social services shall may  
3 review the contracts and approve them if they are consistent with s. 46.036 and to  
4 the extent that state or federal funds are available for such purposes. The joint  
5 committee on finance may require the department of health and social services to  
6 submit the contracts to the committee for review and approval. The department of  
7 health and social services may not make any payments to a county for programs  
8 included in the contract that is under review by the committee. The department of  
9 health and social services shall reimburse each county for the ~~approved~~ contracts  
10 from the appropriations under s. 20.435 (3) (oo) and (7) (b) and (o) or under s. 20.435  
11 (3) (cd), according to s. 49.52.

12 **SECTION 2105.** 46.22 (1) (e) 3. of the statutes, as affected by 1995 Wisconsin Act  
13 .... (this act), is renumbered 46.22 (1) (e) 3. a. and amended to read:

14 46.22 (1) (e) 3. a. A county department of social services shall develop, under  
15 the requirements of s. 46.036, plans and contracts for care and services, except under  
16 subch. III of ch. 49 and s. 301.08 (2), to be purchased. The department of health and  
17 social services may review the contracts and approve them if they are consistent with  
18 s. 46.036 and to the extent that state or federal funds are available for such purposes.  
19 The joint committee on finance may require the department of health and social  
20 services to submit the contracts to the committee for review and approval. The  
21 department of health and social services may not make any payments to a county for  
22 programs included in the contract that is under review by the committee. The  
23 department of health and social services shall reimburse each county for the  
24 contracts from the appropriations under s. 20.435 (3) (oo) and (7) (b) and (o) or under  
25 s. 20.435 (3) (cd), according to s. ~~49.52~~ 46.495.

**SECTION 2106**

1           **SECTION 2106.** 46.22 (1) (e) 3. b. of the statutes is created to read:

2           46.22 (1) (e) 3. b. A county department of social services shall develop, under  
3 the requirements of s. 49.34, plans and contracts for care and services under subch.  
4 III of ch. 49 to be purchased. The department of industry, labor and human relations  
5 may review the contracts and approve them if they are consistent with s. 49.34 and  
6 to the extent that state or federal funds are available for such purposes. The joint  
7 committee on finance may require the department of industry, labor and human  
8 relations to submit the contracts to the committee for review and approval. The  
9 department of industry, labor and human relations may not make any payments to  
10 a county for programs included in the contract that is under review by the committee.

11           **SECTION 2106m.** 46.22 (1) (e) 3. c. of the statutes is created to read:

12           46.22 (1) (e) 3. c. A county department of social services shall develop, under  
13 the requirements of s. 301.08 (2), plans and contracts for juvenile  
14 delinquency-related care and services to be purchased. The department of  
15 corrections may review the contracts and approve them if they are consistent with  
16 s. 301.08 (2) and to the extent that state or federal funds are available for such  
17 purposes. The joint committee on finance may require the department of corrections  
18 to submit the contracts to the committee for review and approval. The department  
19 of corrections may not make any payments to a county for programs included in the  
20 contract that is under review by the committee. The department of corrections shall  
21 reimburse each county for the contracts from the appropriations under s. 20.410 (3)  
22 (cd) and (oo) as appropriate.

23           **SECTION 2107.** 46.22 (2) (b) of the statutes is amended to read:

24           46.22 (2) (b) Appoint the county social services director under sub. (3) subject  
25 to s. ~~49.50 (2) to (5)~~ 49.33 (4) to (7) and the rules promulgated thereunder and subject

**SECTION 2107**

1 to the approval of the county board of supervisors in a county with a single-county  
2 department of social services or the county boards of supervisors in counties with a  
3 multicounty department of social services.

4 **SECTION 2108.** 46.22 (2g) (d) of the statutes is amended to read:

5 46.22 (2g) (d) Prepare, with the assistance of the county social services director  
6 under sub. (3m) (b) 5., a proposed budget for submission to the county executive or  
7 county administrator and, a final budget for submission to the department of health  
8 and social services in accordance with s. 46.031 (1) for authorized services, except  
9 services under subch. III of ch. 49 or s. 301.08 (2), a final budget for submission to  
10 the department of industry, labor and human relations in accordance with s. 49.325  
11 for authorized services under subch. III of ch. 49 and a final budget for submission  
12 to the department of corrections in accordance with s. 301.031 (1) for authorized  
13 juvenile delinquency-related services.

14 **SECTION 2109.** 46.22 (3m) (a) of the statutes is amended to read:

15 46.22 (3m) (a) In any county with a county executive or a county administrator  
16 which has established a single-county department of social services, the county  
17 executive or county administrator, subject to s. ~~49.50 (2) to (5)~~ 49.33 (4) to (7) and the  
18 rules promulgated thereunder, shall appoint and supervise the county social services  
19 director. The appointment is subject to the confirmation of the county board of  
20 supervisors unless the county board of supervisors, by ordinance, elects to waive  
21 confirmation or unless the appointment is made under a civil service system  
22 competitive examination procedure established under s. 59.07 (20) or ch. 63.

23 **SECTION 2110.** 46.22 (3m) (b) 12. of the statutes is amended to read:

1           46.22 (3m) (b) 12. Establish priorities in addition to those mandated by the  
2 department of health and social services, by the department of industry, labor and  
3 human relations or by the department of corrections.

4           **SECTION 2111.** 46.22 (3m) (b) 17. b. of the statutes is amended to read:

5           46.22 (3m) (b) 17. b. Such other reports as are required by the secretary of  
6 health and social services, the secretary of industry, labor and human relations, the  
7 secretary of corrections and the county board of supervisors.

8           **SECTION 2112.** 46.23 (2) (a) of the statutes is amended to read:

9           46.23 (2) (a) "Human services" means the total range of services to people  
10 including, but not limited to, health care, mental illness treatment, developmental  
11 disabilities services, general relief funded by a block grant under ch. 49, income  
12 maintenance, probation and parole services, alcohol and drug abuse services,  
13 services to children, youth and aging, family counseling, exceptional educational  
14 services and manpower services.

15           **SECTION 2113.** 46.23 (3) (a) of the statutes is amended to read:

16           46.23 (3) (a) *Creation.* Upon approval by the secretary of health and social  
17 services, by the secretary of corrections and by the secretary of industry, labor and  
18 human relations of a feasibility study and a program implementation plan, the  
19 county board of supervisors of any county with a population of less than 500,000, or  
20 the county boards of supervisors of 2 or more contiguous counties, each of which has  
21 a population of less than 500,000, may establish by resolution a county department  
22 of human services on a single-county or multicounty basis to provide the services  
23 required under this section. The county department of human services shall consist  
24 of the county human services board, the county human services director and  
25 necessary personnel.

**SECTION 2114**

1           **SECTION 2114.** 46.23 (3) (am) 4. of the statutes is amended to read:

2           46.23 (3) (am) 4. No funds may be allocated to any multicounty department of  
3 human services until the counties have drawn up a detailed contractual agreement,  
4 approved by the secretary of health and social services, by the secretary of corrections  
5 and by the secretary of industry, labor and human relations, setting forth the plan  
6 for joint sponsorship.

7           **SECTION 2115.** 46.23 (3) (c) of the statutes is repealed.

8           **SECTION 2116.** 46.23 (3) (e) of the statutes is amended to read:

9           46.23 (3) (e) *Exchange of information.* Notwithstanding ss. 49.45 (4), 49.53  
10 ~~(1m)~~ 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7) and 253.07 (3) (c),  
11 any subunit of a county department of human services acting under this section may  
12 exchange confidential information about a client, without the informed consent of  
13 the client, with any other subunit of the same county department of human services  
14 or with any person providing services to the client under a purchase of services  
15 contract with the county department of human services, if necessary to enable an  
16 employe or service provider to perform his or her duties, or to enable the county  
17 department of human services to coordinate the delivery of services to the client.

18           **SECTION 2117.** 46.23 (5) (a) of the statutes is renumbered 46.23 (5) (a) 1. and  
19 amended to read:

20           46.23 (5) (a) 1. Shall determine administrative and program policies, except as  
21 provided under subch. III of ch. 49 and except for juvenile delinquency-related  
22 policies, within limits established by the department of health and social services.  
23 Policy decisions, except as provided under subch. III of ch. 49 and except for juvenile  
24 delinquency-related policies, not reserved by statute for the department of health

1 and social services may be delegated by the secretary to the county human services  
2 board.

3 **SECTION 2118.** 46.23 (5) (a) 2. of the statutes is created to read:

4 46.23 (5) (a) 2. Shall determine administrative and program policies under  
5 subch. III of ch. 49 within limits established by the department of industry, labor and  
6 human relations. Policy decisions under subch. III of ch. 49 not reserved by statute  
7 for the department of industry, labor and human relations may be delegated by the  
8 secretary of industry, labor and human relations to the county human services board.

9 **SECTION 2118m.** 46.23 (5) (a) 3. of the statutes is created to read:

10 46.23 (5) (a) 3. Shall determine juvenile delinquency-related administrative  
11 programs and policies within limits established by the department of corrections.  
12 Juvenile delinquency-related policy decisions not reserved by statute for the  
13 department of corrections may be delegated by the secretary of corrections to the  
14 county human services board.

15 **SECTION 2119.** 46.23 (5) (b) of the statutes is amended to read:

16 46.23 (5) (b) Shall establish priorities in addition to those mandated by the  
17 department of health and social services, the department of corrections or the  
18 department of industry, labor and human relations.

19 **SECTION 2120.** 46.23 (5) (c) of the statutes is renumbered 46.23 (5) (c) 1. and  
20 amended to read:

21 46.23 (5) (c) 1. Shall determine whether state mandated services, except for  
22 services under subch. III of ch. 49 and juvenile delinquency-related services, are  
23 provided or purchased or contracted for with local providers, and monitor the  
24 performance of such contracts. Purchase of services contracts shall be subject to the  
25 conditions specified in s. 46.036.

**SECTION 2121**

1           **SECTION 2121.** 46.23 (5) (c) 2. of the statutes is created to read:

2           46.23 (5) (c) 2. Shall determine whether state mandated services under subch.  
3           III of ch. 49 are provided or purchased or contracted for with local providers, and  
4           monitor the performance of such contracts. Purchase of services contracts shall be  
5           subject to the conditions specified in s. 49.34.

6           **SECTION 2121m.** 46.23 (5) (c) 3. of the statutes is created to read:

7           46.23 (5) (c) 3. Shall determine whether state mandated juvenile  
8           delinquency-related services are provided or purchased or contracted for with local  
9           providers, and monitor the performance of such contracts. Purchase of service  
10          contracts shall be subject to the conditions specified in s. 301.031.

11          **SECTION 2122.** 46.23 (5) (n) of the statutes is renumbered 46.23 (5) (n) 1. and  
12          amended to read:

13          46.23 (5) (n) 1. Shall submit a final budget in accordance with s. 46.031 (1) for  
14          authorized services, except for services under subch. III of ch. 49 and juvenile  
15          delinquency-related services. Notwithstanding the categorization of or limits  
16          specified for funds allocated under s. ~~49.52 (1) (d)~~ 46.495 or 51.423 (2), with the  
17          approval of the department of health and social services the county human services  
18          board may expend these funds consistent with any service provided under s. ~~49.52~~  
19          ~~(1) (d)~~ 46.495 or 51.42.

20          **SECTION 2123.** 46.23 (5) (n) 2. of the statutes is created to read:

21          46.23 (5) (n) 2. Shall submit a final budget in accordance with s. 49.325 (1) for  
22          authorized services under subch. III of ch. 49.

23          **SECTION 2123m.** 46.23 (5) (n) 3. of the statutes is created to read:

24          46.23 (5) (n) 3. Shall submit a final budget in accordance with s. 301.031 (1) for  
25          authorized juvenile delinquency-related services.

1           **SECTION 2124.** 46.23 (5m) (c) of the statutes is amended to read:

2           46.23 **(5m)** (c) Prepare, with the assistance of the county human services  
3 director under sub. (6m) (e), a proposed budget for submission to the county executive  
4 or county administrator ~~and~~, a final budget for submission to the department of  
5 health and social services in accordance with s. 46.031 (1) for authorized services,  
6 except services under subch. III of ch. 49 and juvenile delinquency-related services,  
7 a final budget for submission to the department of industry, labor and human  
8 relations in accordance with s. 49.325 for authorized services under subch. III of ch.  
9 49 and a final budget for submission to the department of corrections in accordance  
10 with s. 301.031 for authorized juvenile delinquency-related services.

11           **SECTION 2125.** 46.23 (6) (a) (intro.) of the statutes is amended to read:

12           46.23 **(6)** (a) (intro.) A county human services director appointed under sub. (5)  
13 (f) shall have all of the administrative and executive powers and duties of managing,  
14 operating, maintaining and improving the programs of the county department of  
15 human services, subject to the rules promulgated by the department of health and  
16 social services ~~under this section~~ for programs, except services or programs under  
17 subch. III of ch. 49 and juvenile delinquency-related services or programs, subject  
18 to the rules promulgated by the department of industry, labor and human relations  
19 for services or programs under subch. III of ch. 49 and subject to the rules  
20 promulgated by the department of corrections for juvenile delinquency-related  
21 services or programs. In consultation with the county human services board under  
22 sub. (5) and subject to its approval, the county human services director shall prepare:

23           **SECTION 2126.** 46.23 (6) (a) 3. of the statutes is amended to read:

24           46.23 **(6)** (a) 3. Such other reports as are required by the secretary of health and  
25 social services, by the secretary of corrections or by the secretary of industry, labor

1 and human relations and the county board of supervisors in a county with a  
2 single-county department of human services or the county boards of supervisors in  
3 counties with a multicounty department of human services.

4 **SECTION 2127.** 46.23 (6m) (a) of the statutes is amended to read:

5 46.23 **(6m)** (a) Supervise and administer any program established for which  
6 supervision and administration is authorized under this section.

7 **SECTION 2128bm.** 46.25 (title) of the statutes is renumbered 73.25 (title).

8 **SECTION 2128bn.** 46.25 (1) of the statutes is renumbered 73.25 (1m).

9 **SECTION 2128bp.** 46.25 (2) to (7) of the statutes are renumbered 73.25 (2) to  
10 (7), and 73.25 (7), as renumbered, is amended to read:

11 73.25 **(7)** The department may represent the state in any action to establish  
12 paternity or to establish or enforce a support or maintenance obligation. The  
13 department may delegate its authority to represent the state in any action to  
14 establish paternity or to establish or enforce a support or maintenance obligation  
15 under this section to an attorney responsible for support enforcement under s. 59.458  
16 (1) pursuant to a contract entered into under s. 59.07 (97). The department shall  
17 ensure that any such contract is for an amount reasonable and necessary to assure  
18 quality service. The department may, by such a contract, authorize a county to  
19 contract with any attorney, collection agency or other person to collect unpaid child  
20 support or maintenance. If a county fails to fully implement the programs under s.  
21 59.07 (97), the department may implement them and may contract with any  
22 appropriate person to obtain necessary services. The department shall establish a  
23 formula for disbursing funds appropriated under s. ~~20.435~~ 20.566 (4) (p) to carry out  
24 a contract under this subsection.

25 **SECTION 2129.** 46.25 (7m) of the statutes is amended to read:

**SECTION 2129**

1           46.25 (7m) The department may contract with or employ a collection agency,  
2 attorney or other person to enforce a support obligation of a parent residing outside  
3 ~~this state, or who is delinquent in making support payments and may contract with~~  
4 ~~or employ an attorney to appear in an action in state or federal court to enforce such~~  
5 an obligation, ~~or both.~~ To pay for the department's administrative costs of  
6 implementing this subsection, the department may charge a fee to counties, retain  
7 up to 50% of any incentive payment made to this state under 42 USC 658 for a  
8 collection under this subsection, and retain 30% of this state's share of a collection  
9 made under this subsection on behalf of a recipient of aid to families with dependent  
10 children.

11           **SECTION 2129m.** 46.25 (7m) to (11) of the statutes, as affected by 1995  
12 Wisconsin Act .... (this act), are renumbered 73.25 (7m) to (11), and 73.25 (8), as  
13 renumbered, is amended to read:

14           73.25 (8) The department may charge other states and counties seeking  
15 collection of child and spousal support for any administrative costs it incurs in  
16 providing services related to interstate child support collections, the federal parent  
17 locator service under 42 USC 653, the interception of unemployment compensation  
18 under 42 USC 654 or the withholding of state and federal income tax refunds under  
19 s. ~~46.255~~ 73.255 and 42 USC 664.

20           **SECTION 2130m.** 46.25 (12) of the statutes is repealed.

21           **SECTION 2134.** 46.25 (14) of the statutes is repealed.

22           **SECTION 2135.** 46.253 (title) of the statutes is renumbered 49.36 (title).

23           **SECTION 2136.** 46.253 (1) of the statutes is renumbered 49.36 (1).

24           **SECTION 2137.** 46.253 (2) of the statutes is renumbered 49.36 (2) and amended  
25 to read:

**SECTION 2137**

1           49.36 (2) The department may contract with any county to administer a work  
2 experience and job training program for parents who are not custodial parents and  
3 who fail to pay child support or to meet their children's needs for support as a result  
4 of unemployment or underemployment. The program may provide the kinds of work  
5 experience and job training services available from the program under s. 49.193. The  
6 department shall fund the program from the appropriation under s. ~~20.435 (4) (df)~~  
7 20.445 (3) (df).

8           **SECTION 2138.** 46.253 (3) of the statutes is renumbered 49.36 (3).

9           **SECTION 2139.** 46.253 (4) of the statutes is renumbered 49.36 (4).

10          **SECTION 2140.** 46.253 (5) of the statutes is renumbered 49.36 (5).

11          **SECTION 2141.** 46.253 (6) of the statutes is renumbered 49.36 (6).

12          **SECTION 2142.** 46.253 (7) of the statutes is renumbered 49.36 (7).

13          **SECTION 2143.** 46.254 (title) of the statutes is renumbered 49.85 (title).

14          **SECTION 2145.** 46.254 (1) of the statutes is amended to read:

15           46.254 (1) COUNTY DEPARTMENT NOTIFICATION REQUIREMENT. If a county  
16 department under s. 46.215, 46.22 or 46.23 or a governing body of a federally  
17 recognized American Indian tribe or band determines that the department of health  
18 and social services may recover an amount under s. 49.083, 49.125, 49.195 (3) or  
19 49.497, the county department or governing body shall notify the department of  
20 health and social services of the determination.

21          **SECTION 2146.** 46.254 (1) of the statutes, as affected by 1995 Wisconsin Act ....  
22 (this act), is renumbered 49.85 (1) and amended to read:

23           49.85 (1) COUNTY DEPARTMENT NOTIFICATION REQUIREMENT. If a county  
24 department under s. 46.215, 46.22 or 46.23 or a governing body of a federally  
25 recognized American Indian tribe or band determines that the department of health

1 and social services may recover an amount under s. ~~49.125, 49.195 (3) or 49.497 or~~  
2 that the department of industry, labor and human relations may recover an amount  
3 under s. 49.125 or 49.195 (3), the county department or governing body shall notify  
4 the affected department of ~~health and social services~~ of the determination.

5 **SECTION 2148.** 46.254 (2) of the statutes is amended to read:

6 46.254 (2) DEPARTMENT CERTIFICATION. At least annually, the department shall  
7 certify to the department of revenue the amounts that, based on the notifications  
8 received under sub. (1) and on other information received by the department of  
9 health and social services, the department has determined that it may recover under  
10 ss. ~~49.083~~, 49.125, 49.195 (3) and 49.497, except that the department may not certify  
11 an amount under this subsection unless the department has met the notice  
12 requirements under sub. (3) and unless the department's determination has either  
13 not been appealed or is no longer under appeal.

14 **SECTION 2149.** 46.254 (2) of the statutes, as affected by 1995 Wisconsin Act ....  
15 (this act), is renumbered 49.85 (2) (a) and amended to read:

16 49.85 (2) (a) At least annually, the department of health and social services  
17 shall certify to the department of revenue the amounts that, based on the  
18 notifications received under sub. (1) and on other information received by the  
19 department of health and social services, the department of health and social  
20 services has determined that it may recover under ss. ~~49.125, 49.195 (3) and s.~~  
21 ~~49.497~~, except that the department of health and social services may not certify an  
22 amount under this subsection unless ~~the department~~ it has met the notice  
23 requirements under sub. (3) and unless ~~the department's~~ its determination has  
24 either not been appealed or is no longer under appeal.

**SECTION 2150**

1           **SECTION 2150.** 46.254 (3) (intro.) of the statutes is renumbered 49.85 (3) (a)  
2 (intro.) and amended to read:

3           49.85 (3) (a) (intro.) At least 30 days before certification of an amount, the  
4 department of health and social services shall send a notice to the last-known  
5 address of the person from whom ~~the~~ that department intends to recover the amount.  
6 The notice shall do all of the following:

7           **SECTION 2152.** 46.254 (3) (a) of the statutes is amended to read:

8           46.254 (3) (a) Inform the person that the department intends to certify to the  
9 department of revenue an amount that the department of health and social services  
10 has determined to be due under s. ~~49.083~~, 49.125, 49.195 (3) or 49.497, for setoff from  
11 any state tax refund that may be due the person.

12           **SECTION 2153.** 46.254 (3) (a) of the statutes, as affected by 1995 Wisconsin Act  
13 .... (this act), is renumbered 49.85 (3) (a) 1. and amended to read:

14           49.85 (3) (a) 1. Inform the person that the department of health and social  
15 services intends to certify to the department of revenue an amount that the  
16 department of health and social services has determined to be due under s. ~~49.125~~,  
17 ~~49.195 (3) or~~ 49.497, for setoff from any state tax refund that may be due the person.

18           **SECTION 2154.** 46.254 (3) (b) to (e) of the statutes are renumbered 49.85 (3) (a)  
19 2. to 5. and amended to read:

20           49.85 (3) (a) 2. Inform the person that he or she may appeal the department's  
21 determination of the department of health and social services to certify the amount  
22 by requesting a hearing under sub. (4) within 30 days after the date of the letter and  
23 inform the person of the manner in which he or she may request a hearing.

24           3. Inform the person that, if the department's determination of the department  
25 of health and social services is appealed, ~~the~~ that department will not certify the

1 amount to the department of revenue while the determination of the department of  
2 health and social services is under appeal.

3 4. Inform the person that, unless a contested case hearing is requested to  
4 appeal the department's determination of the department of health and social  
5 services, the person may be precluded from challenging any subsequent setoff of the  
6 certified amount by the department of revenue, except on the grounds that the  
7 certified amount has been partially or fully paid or otherwise discharged, since the  
8 date of the notice.

9 5. Request that the person inform the department of health and social services  
10 if a bankruptcy stay is in effect with respect to the person or if the claim has been  
11 discharged in bankruptcy.

12 **SECTION 2155.** 46.254 (3) (f) of the statutes is renumbered 49.85 (3) (a) 6.

13 **SECTION 2156.** 46.254 (4) of the statutes is renumbered 49.85 (4) (a) and  
14 amended to read:

15 49.85 (4) (a) If a person has requested a hearing under this subsection, the  
16 department of health and social services shall hold a contested case hearing under  
17 s. 227.44, except that the department of health and social services may limit the  
18 scope of the hearing to exclude issues that were presented at a prior hearing or that  
19 could have been presented at a prior opportunity for hearing.

20 **SECTION 2157.** 46.254 (5) of the statutes is renumbered 49.85 (5) and amended  
21 to read:

22 49.85 (5) EFFECT OF CERTIFICATION. Receipt of a certification by the department  
23 of revenue shall constitute a lien, equal to the amount certified, on any state tax  
24 refunds or credits owed to the obligor. The lien shall be foreclosed by the department  
25 of revenue as a setoff under s. 71.93. Certification of an amount under this section

**SECTION 2157**

1 does not prohibit the department of health and social services or the department of  
2 industry, labor and human relations from attempting to recover the amount through  
3 other legal means. The department of health and social services or the department  
4 of industry, labor and human relations shall promptly notify the department of  
5 revenue upon recovery of any amount previously certified under this section.

6 **SECTION 2157em.** 46.255 (title) and (1) of the statutes are renumbered 73.255  
7 (title) and (1).

8 **SECTION 2157f.** 46.255 (2) of the statutes is repealed.

9 **SECTION 2157g.** 46.255 (2m) of the statutes is renumbered 73.255 (2) and  
10 amended to read:

11 73.255 (2) At least annually, the department of health and social services shall  
12 certify to the department of revenue any obligation owed to the department of health  
13 and social services under s. 46.10 if the obligation is rendered to a judgment.

14 **SECTION 2157h.** 46.255 (3) of the statutes is renumbered 73.255 (3) and  
15 amended to read:

16 73.255 (3) Receipt of a certification by the department of revenue a certification  
17 under sub. (1) or (2) or a certification of a delinquency or outstanding amount from  
18 another state because the obligor resides in this state shall constitute a lien, equal  
19 to the amount certified, on any state tax refunds or credits owed to the obligor. The  
20 lien shall be foreclosed by the department of revenue as a setoff under s. 71.93 (3),  
21 (6) and (7). When the department of revenue determines that the obligor is otherwise  
22 entitled to a state tax refund or credit, it shall notify the obligor that the state intends  
23 to reduce any state tax refund or credit due the obligor by the amount the obligor is  
24 delinquent under the support or maintenance order, by the outstanding amount for  
25 past support, medical expenses or birth expenses under the court order or by the

**SECTION 2157h**

1 amount due under s. 46.10 (4). The notice shall provide that within 20 days the  
2 obligor may request a hearing before the circuit court rendering the order. Within  
3 10 days after receiving a request for hearing under this subsection, the court shall  
4 set the matter for hearing. Pending further order by the court or family court  
5 commissioner, the clerk of circuit court is prohibited from disbursing the obligor's  
6 state tax refund or credit. The family court commissioner may conduct the hearing.  
7 The sole issues at that hearing shall be whether the obligor owes the amount certified  
8 and, if not and it is a support or maintenance order, whether the money withheld  
9 from a tax refund or credit shall be paid to the obligor or held for future support or  
10 maintenance. An obligor may, within 20 days of receiving notice that the amount  
11 certified shall be withheld from his or her federal tax refund or credit, request a  
12 hearing under this subsection.

13 **SECTION 2157i.** 46.255 (4) of the statutes is renumbered 73.255 (4) and  
14 amended to read:

15 73.255 (4) The department of revenue shall send that portion of any state or  
16 federal tax refunds or credits withheld to the department of health and social  
17 services for distribution to the appropriate clerk of circuit court. The department of  
18 health and social services shall make a settlement at least annually with the  
19 department of revenue and with each clerk of circuit court who has certified a  
20 delinquent obligation or outstanding amount for past support, medical expenses or  
21 birth expenses. The settlement shall state the amounts certified, the amounts  
22 deducted from tax refunds and credits and returned to the clerk of circuit court and  
23 the administrative costs incurred by the department of revenue. The department of  
24 health and social services may charge the county whose clerk of circuit court certified

1 the obligation or outstanding amount the related administrative costs incurred by  
2 the department of health and social services and the department of revenue.

3 **SECTION 2157im.** 46.255 (4m) (a) of the statutes is renumbered 73.255 (4m) (a).

4 **SECTION 2157j.** 46.255 (4m) (b) of the statutes is renumbered 73.255 (4m) (b)  
5 and amended to read:

6 73.255 (4m) (b) The department may provide a certification that it receives  
7 under sub. (1) or (2) or (2m) or a certification of a delinquency or outstanding amount  
8 that it receives from another state because the obligor resides in this state to the  
9 department of administration. Upon receipt of the certification, the department of  
10 administration shall determine whether the obligor is a vendor or is receiving any  
11 other payments from this state, except for wages, retirement benefits or assistance  
12 under s. 45.352, 1971 stats., s. 45.351 (1), ~~this chapter~~ or ch. 46, 49 or 108. If the  
13 department of administration determines that the obligor is a vendor or is receiving  
14 payments from this state, except for wages, retirement benefits or assistance under  
15 s. 45.352, 1971 stats., s. 45.351 (1), ~~this chapter~~ or ch. 46, 49 or 108, it shall begin to  
16 withhold the amount certified from those payments and shall notify the obligor that  
17 the state intends to reduce any payments due the obligor by the amount the obligor  
18 is delinquent under the support or maintenance order, by the outstanding amount  
19 for past support, medical expenses or birth expenses under the court order or by the  
20 amount due under s. 46.10 (4). The notice shall provide that within 20 days after  
21 receipt of the notice the obligor may request a hearing before the circuit court  
22 rendering the order. An obligor may, within 20 days after receiving notice, request  
23 a hearing under this paragraph. Within 10 days after receiving a request for hearing  
24 under this paragraph, the court shall set the matter for hearing. The family court  
25 commissioner may conduct the hearing. Pending further order by the court or family

1 court commissioner, the clerk of circuit court may not disburse the payments  
2 withheld from the obligor. The sole issues at the hearing are whether the obligor  
3 owes the amount certified and, if not and it is a support or maintenance order,  
4 whether the money withheld shall be paid to the obligor or held for future support  
5 or maintenance.

6 **SECTION 2157k.** 46.255 (4m) (c) of the statutes is renumbered 73.255 (4m) (c)  
7 and amended to read:

8 73.255 (4m) (c) Except as provided by order of the court after hearing under  
9 par. (b), the department of administration shall continue withholding until the  
10 amount certified is recovered in full. The department of administration shall  
11 transfer the amounts withheld under this paragraph to the department of health and  
12 social services, or to the department of revenue for distribution to the appropriate  
13 clerk of court, whichever is appropriate.

14 **SECTION 2157km.** 46.255 (4m) (d) of the statutes is renumbered 73.255 (4m)  
15 (d).

16 **SECTION 2157L.** 46.255 (5) of the statutes is renumbered 73.255 (5) and  
17 amended to read:

18 73.255 (5) Certification of an obligation to the department of ~~health and social~~  
19 ~~services~~ does not deprive any party of the right to collect the obligation or to prosecute  
20 the obligor. The clerk of court shall immediately notify the department of any  
21 collection of an obligation that has been certified. The department shall correct the  
22 certified obligation according to the amount the county has collected ~~and report the~~  
23 ~~correction to the department of revenue~~.

24 **SECTION 2157m.** 46.255 (6) of the statutes is renumbered 73.255 (6).

25 **SECTION 2157n.** 46.255 (7) of the statutes is renumbered 73.255 (7).

**SECTION 2157r**

1           **SECTION 2157r.** 46.258 (title) of the statutes is renumbered 73.258 (title).

2           **SECTION 2157x.** 46.258 (1) of the statutes is amended to read:

3           46.258 (1) From the appropriation under s. 20.435 (4) (~~ga~~) (c), the department  
4 shall award grants to counties for programs to revise child support orders. Each  
5 county receiving a grant shall review child support orders awarded to persons whose  
6 children receive benefits under s. 49.19 and to persons whose children do not receive  
7 benefits under s. 49.19 and shall initiate actions to revise the orders based on that  
8 review. Each county receiving a grant shall review child support orders awarded to  
9 persons whose children receive benefits under s. 49.19 and child support orders  
10 awarded to persons whose children do not receive benefits under s. 49.19 in  
11 proportion to the number of those 2 categories of orders in the county's child support  
12 case load. Before a county may initiate an action to revise a child support order under  
13 this subsection for a person whose children do not receive benefits under s. 49.19, the  
14 custodial parent of the children must voluntarily consent to the revision.

15           **SECTION 2158b.** 46.258 (1) of the statutes, as affected by 1995 Wisconsin Act  
16 .... (this act), is renumbered 73.258 (1) and amended to read:

17           73.258 (1) From the appropriation under s. ~~20.435~~ 20.566 (4) (c), the  
18 department shall award grants to counties for programs to revise child support  
19 orders. Each county receiving a grant shall review child support orders awarded to  
20 persons whose children receive benefits under s. 49.19 and to persons whose children  
21 do not receive benefits under s. 49.19 and shall initiate actions to revise the orders  
22 based on that review. Each county receiving a grant shall review child support orders  
23 awarded to persons whose children receive benefits under s. 49.19 and child support  
24 orders awarded to persons whose children do not receive benefits under s. 49.19 in  
25 proportion to the number of those 2 categories of orders in the county's child support

**SECTION 2158b**

1 case load. Before a county may initiate an action to revise a child support order under  
2 this subsection for a person whose children do not receive benefits under s. 49.19, the  
3 custodial parent of the children must voluntarily consent to the revision.

4 **SECTION 2159.** 46.258 (2) (a) (intro.) of the statutes is amended to read:

5 46.258 (2) (a) (intro.) From the appropriation under s. 20.435 (4) ~~(g)~~ (c), the  
6 department shall provide state incentive payments, in a total amount of not less than  
7 \$259,000 in each fiscal year, to counties that meet the child support collection and  
8 child support administrative efficiency criteria, according to a distribution formula  
9 determined by the department that does all of the following:

10 **SECTION 2160b.** 46.258 (2) (a) (intro.) of the statutes, as affected by 1995  
11 Wisconsin Act .... (this act), is renumbered 73.258 (2) (a) (intro.) and amended to read:

12 73.258 (2) (a) (intro.) From the appropriation under s. ~~20.435~~ 20.566 (4) (c), the  
13 department shall provide state incentive payments, in a total amount of not less than  
14 \$259,000 in each fiscal year, to counties that meet the child support collection and  
15 child support administrative efficiency criteria, according to a distribution formula  
16 determined by the department that does all of the following:

17 **SECTION 2160f.** 46.258 (2) (a) 1. to 3. of the statutes are renumbered 73.258 (2)  
18 (a) 1. to 3., and 73.258 (2) (a) 3., as renumbered, is amended to read:

19 73.258 (2) (a) 3. Provides for state incentive payments to a county in an amount  
20 such that the total of state and federal incentive payments to the county is not more  
21 than 5% more than the costs of the county's child support program under s. ~~46.25~~  
22 73.25.

23 **SECTION 2160h.** 46.258 (2) (b) of the statutes is renumbered 73.258 (2) (b) and  
24 amended to read:

1           73.258 (2) (b) A county that receives a state incentive payment under par. (a)  
2 may use the funds only to pay the costs of its child support program under s. ~~46.25~~  
3 73.25.

4           **SECTION 2160m.** 46.26 (title) of the statutes is repealed.

5           **SECTION 2160p.** 46.26 (1) of the statutes is repealed.

6           **SECTION 2161m.** 46.26 (2) (title) and (a) of the statutes are repealed.

7           **SECTION 2161p.** 46.26 (2) (b) of the statutes is repealed.

8           **SECTION 2162m.** 46.26 (2) (c) of the statutes is repealed.

9           **SECTION 2162p.** 46.26 (2m) of the statutes is repealed.

10          **SECTION 2162r.** 46.26 (3) (title) and (a) of the statutes are repealed.

11          **SECTION 2163m.** 46.26 (3) (c) of the statutes is repealed.

12          **SECTION 2164m.** 46.26 (3) (d) of the statutes, as affected by 1993 Wisconsin Act  
13 377, is amended to read:

14           46.26 (3) (d) Subject to pars. (dd), (de) and (dg), in addition to the funds  
15 allocated under par. (c), the department of health and social services shall allocate  
16 funds to counties under sub. (4) (b) 2. and shall consider each county's proportionate  
17 use of applicable services of the department of health and social services under ss.  
18 48.34 and 48.366 or the department of corrections under ss. s. 48.366 and ~~48.537~~  
19 during previous calendar years.

20          **SECTION 2164p.** 46.26 (3) (d) of the statutes, as affected by 1993 Wisconsin Act  
21 377 and 1995 Wisconsin Act .... (this act), is repealed.

22          **SECTION 2165.** 46.26 (3) (dd) of the statutes is repealed.

23          **SECTION 2166.** 46.26 (3) (de) of the statutes is repealed.

24          **SECTION 2167.** 46.26 (3) (dg) of the statutes is repealed.

25          **SECTION 2168.** 46.26 (3) (dm) of the statutes is amended to read:

**SECTION 2168**

1           46.26 (3) (dm) The department of health and social services may carry forward  
2 for a county from one calendar year to another funds allocated under this subsection  
3 that are not spent or encumbered. The amount that the department may carry  
4 forward for a county under this paragraph may not exceed ~~3%~~ 5% of the amount  
5 allocated to the county for the 12-month period ending December 31. The funds  
6 carried forward under this paragraph do not affect a county's base allocation.

7           **SECTION 2168m.** 46.26 (3) (dm) of the statutes, as affected by 1995 Wisconsin  
8 Act .... (this act), is repealed.

9           **SECTION 2168p.** 46.26 (3) (e) of the statutes is repealed.

10          **SECTION 2169.** 46.26 (3) (em) of the statutes is created to read:

11          46.26 (3) (em) The department of health and social services may carry forward  
12 any emergency funds allocated under sub. (7) (e) and not encumbered or carried  
13 forward under par. (dm) by December 31 to the next 2 calendar years. The  
14 department may transfer moneys from or within s. 20.435 (3) (cd) to accomplish this  
15 purpose. The department may allocate these transferred moneys to counties that are  
16 eligible for emergency payments under sub. (7) (e). The allocation does not affect a  
17 county's base allocation.

18          **SECTION 2169m.** 46.26 (3) (em) of the statutes, as created by 1995 Wisconsin  
19 Act .... (this act), is repealed.

20          **SECTION 2170.** 46.26 (3) (f) of the statutes is repealed.

21          **SECTION 2171g.** 46.26 (4) (title) of the statutes is repealed.

22          **SECTION 2171m.** 46.26 (4) (a) of the statutes, as affected by 1993 Wisconsin Act  
23 377, is amended to read:

24          46.26 (4) (a) Except as provided in pars. (c) and (cm), the department of health  
25 and social services shall bill counties or deduct from the allocations under s. 20.435

**SECTION 2171m**

1 (3) (cd) for the costs of care, services and supplies purchased or provided by the  
2 department of health and social services for each person receiving services under ss.  
3 48.34, 48.366 and 51.35 (3) or the department of corrections for each person receiving  
4 services under s. 48.366. The department of health and social services may not bill  
5 a county for or deduct from a county's allocation the cost of care, services and supplies  
6 provided to a person subject to an order under s. 48.366 after the person reaches 19  
7 years of age ~~or provided to a person subject to an order under s. 48.34 (4g)~~. Payment  
8 shall be due within 60 days of the billing date. If any payment has not been received  
9 within 60 days, the department of health and social services may withhold aid  
10 payments in the amount due from the appropriation under s. 20.435 (3) (cd) or (7) (b).

11 **SECTION 2171p.** 46.26 (4) (a) of the statutes, as affected by 1993 Wisconsin Act  
12 377 and 1995 Wisconsin Act .... (this act), section 2171m, is repealed and recreated  
13 to read:

14 46.26 (4) (a) Except as provided in pars. (c) and (cm), the department of health  
15 and social services shall bill counties or deduct from the allocations under s. 20.435  
16 (3) (cd) for the costs of care, services and supplies purchased or provided by the  
17 department of health and social services for each person receiving services under ss.  
18 48.34, 48.366 and 51.35 (3) or the department of corrections for each person receiving  
19 services under s. 48.366. The department of health and social services may not bill  
20 a county for or deduct from a county's allocation the cost of care, services and supplies  
21 provided to a person subject to an order under s. 48.366 after the person reaches 18  
22 years of age. Payment shall be due within 60 days of the billing date. If any payment  
23 has not been received within 60 days, the department of health and social services  
24 may withhold aid payments in the amount due from the appropriation under s.  
25 20.435 (3) (cd) or (7) (b).

**SECTION 2171r**

1           **SECTION 2171r.** 46.26 (4) (a) of the statutes, as affected by 1993 Wisconsin Act  
2 377 and 1995 Wisconsin Act .... (this act), sections 2171m and 2171p, is repealed.

3           **SECTION 2173m.** 46.26 (4) (b) 1. of the statutes, as affected by 1993 Wisconsin  
4 Act 377, is amended to read:

5           46.26 (4) (b) 1. Assessment of costs under par. (a) shall be made periodically on  
6 the basis of a per person per day cost estimate adjusted at least annually by the  
7 department. Except as provided in pars. (bm), (c), and (cm) ~~and (dr)~~, liability shall  
8 apply to county departments under s. 46.21, 46.22 or 46.23 in the county of the court  
9 exercising jurisdiction under ch. 48 for each person receiving services from the  
10 department of health and social services under ss. 48.34, 48.366 and 51.35 (3) or the  
11 department of corrections under s. 48.366. Except as provided in pars. (bm), (c), and  
12 (cm) ~~and (dr)~~, in multicounty court jurisdictions, the county of residency within the  
13 jurisdiction shall be liable for costs under this subsection. Assessment of costs under  
14 par. (a) shall also be made according to the general placement type or level of care  
15 provided, as defined by the department, and prorated according to the ratio of the  
16 amount designated under sub. (3) (c) and (d) to the total applicable estimated costs  
17 of care, services and supplies provided by the department of health and social  
18 services under ss. 48.34, 48.366 and 51.35 (3) or the department of corrections under  
19 ~~ss. 48.34 (4g) and s.~~ 48.366.

20           **SECTION 2173p.** 46.26 (4) (b) 1. of the statutes, as affected by 1993 Wisconsin  
21 Act 377 and 1995 Wisconsin Act .... (this act), is repealed.

22           **SECTION 2174.** 46.26 (4) (b) 2. of the statutes is repealed.

23           **SECTION 2175m.** 46.26 (4) (bm) of the statutes is repealed.

24           **SECTION 2176m.** 46.26 (4) (c) of the statutes, as affected by 1993 Wisconsin Act  
25 377, is amended to read:

**SECTION 2176m**

1           46.26 (4) (c) Notwithstanding pars. (a), (b) 1. and (bm), ~~but subject to par. (dr)~~,  
2           the department of health and social services shall pay, from the appropriation under  
3           s. 20.435 (3) (hm), the costs of care, services and supplies provided for each person  
4           receiving services under ss. 48.34, 48.366 and 51.35 (3) who was under the  
5           guardianship of the department pursuant to an order under ch. 48 at the time that  
6           the person was adjudicated delinquent.

7           **SECTION 2176p.** 46.26 (4) (c) of the statutes, as affected by 1993 Wisconsin Act  
8           377 and 1995 Wisconsin Act .... (this act), is repealed.

9           **SECTION 2177m.** 46.26 (4) (cm) 1. of the statutes, as affected by 1993 Wisconsin  
10          Act 377, is amended to read:

11          46.26 (4) (cm) 1. Notwithstanding pars. (a), (b) 1. and (bm), ~~but subject to par.~~  
12          ~~(dr)~~, the department shall transfer funds from the appropriation under s. 20.435 (3)  
13          (cg) to the appropriation under s. 20.435 (3) (hm) for the purpose of reimbursing  
14          juvenile correctional institutions for costs incurred beginning on January 1, 1995, for  
15          the care of any child who is placed in a juvenile correctional facility based on a  
16          delinquent act that is a violation of s. 940.01, 940.02, 940.03, 940.05, 940.225 (1) or  
17          943.32 (2).

18          **SECTION 2177p.** 46.26 (4) (cm) 1. of the statutes, as affected by 1993 Wisconsin  
19          Act 377 and 1995 Wisconsin Act .... (this act), is repealed.

20          **SECTION 2177r.** 46.26 (4) (cm) 2. of the statutes is repealed.

21          **SECTION 2177t.** 46.26 (4) (cm) 3. of the statutes is repealed.

22          **SECTION 2178m.** 46.26 (4) (d) 1. of the statutes is repealed.

23          **SECTION 2179m.** 46.26 (4) (d) 1m. of the statutes is repealed.

24          **SECTION 2180m.** 46.26 (4) (d) 2. of the statutes is amended to read:

**SECTION 2180m**

1           46.26 (4) (d) 2. Beginning July 1, ~~1993~~ 1995, and ending December 31, ~~1993~~  
2           1995, the per person daily cost assessment to counties shall be \$~~101.55~~ \$120.73 for  
3           care in a juvenile correctional institution, \$~~101.55~~ \$120.73 for care for children  
4           transferred from a juvenile correctional institution under s. 51.35 (3), the dollar  
5           amount set by the department of corrections by rule for maintaining a prisoner in an  
6           adult correctional institution, \$~~131.65~~ \$147.91 for care in a child caring institution,  
7           \$~~92.03~~ \$102.53 for care in a group home for children, \$~~21.02~~ \$22.84 for care in a foster  
8           home, \$~~58.37~~ \$65.94 for care in a treatment foster home, \$~~86.51~~ \$86.51 for departmental  
9           corrective sanctions services and \$~~11.57~~ \$12.20 for departmental aftercare services.

10           **SECTION 2180p.** 46.26 (4) (d) 2. of the statutes, as affected by 1995 Wisconsin  
11           Act .... (this act), is repealed.

12           **SECTION 2181m.** 46.26 (4) (d) 3. of the statutes is amended to read:

13           46.26 (4) (d) 3. ~~In calendar year 1994~~ Beginning January 1, 1996, and ending  
14           June 30, 1996, the per person daily cost assessment to counties shall be \$~~111.73~~  
15           \$120.73 for care in a juvenile correctional institution, \$~~111.73~~ \$120.73 for care for  
16           children transferred from a juvenile correctional institution under s. 51.35 (3), the  
17           dollar amount set by the department of corrections by rule for maintaining a prisoner  
18           in an adult correctional institution, \$~~141.05~~ \$153.87 for care in a child caring  
19           institution, \$~~98.47~~ \$106.69 for care in a group home for children, \$~~22.49~~ \$23.80 for  
20           care in a foster home, \$~~62.46~~ \$68.58 for care in a treatment foster home, \$~~66.75~~  
21           \$86.51 for departmental corrective sanctions services and \$~~12.96~~ \$12.20 for  
22           departmental aftercare services.

23           **SECTION 2181p.** 46.26 (4) (d) 3. of the statutes, as affected by 1995 Wisconsin  
24           Act .... (this act), is repealed.

25           **SECTION 2183m.** 46.26 (4) (d) 4. of the statutes is repealed.

**SECTION 2184m**

1           **SECTION 2184m.** 46.26 (4) (dm) of the statutes is repealed.

2           **SECTION 2185m.** 46.26 (4) (dr) of the statutes, as created by 1993 Wisconsin Act  
3 377, is repealed.

4           **SECTION 2186m.** 46.26 (4) (e) of the statutes is repealed.

5           **SECTION 2189m.** 46.26 (4) (f) of the statutes is repealed.

6           **SECTION 2190.** 46.26 (4) (g) of the statutes is amended to read:

7           46.26 (4) (g) For juvenile field and institutional aftercare services under ch. 48  
8 and for the juvenile offender review program ~~in the division of youth services in the~~  
9 ~~department of health and social services~~, all payments and deductions made under  
10 this subsection and uniform fee collections under s. 46.03 (18) shall be deposited in  
11 the general fund and shall be treated as a nonappropriated receipt.

12           **SECTION 2190m.** 46.26 (4) (g) of the statutes, as affected by 1995 Wisconsin Act  
13 .... (this act), is repealed.

14           **SECTION 2190r.** 46.26 (6) of the statutes is repealed.

15           **SECTION 2191.** 46.26 (7) (intro.) of the statutes is amended to read:

16           46.26 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability  
17 of federal funds and of the appropriations under s. 20.435 (3) (cd) and (oo), the  
18 department shall allocate funds for community youth and family aids for the period  
19 beginning July 1, 1993 1995, and ending June 30, ~~1995~~ 1996, as provided in this  
20 subsection to county departments under ss. 46.215, 46.22 and 46.23 as follows:

21           **SECTION 2192g.** 46.26 (7) (intro.) of the statutes, as affected by 1995 Wisconsin  
22 Act .... (this act), is repealed.

23           **SECTION 2192m.** 46.26 (7) (a) of the statutes is amended to read:

**SECTION 2192m**

1           46.26 (7) (a) For community youth and family aids under this section, amounts  
2 not to exceed \$36,190,500 \$36,569,500 for the last 6 months of 1993, ~~\$72,381,000~~ for  
3 ~~1994~~ 1995 and ~~\$36,190,500~~ \$36,569,500 for the first 6 months of ~~1995~~ 1996.

4           **SECTION 2192p.** 46.26 (7) (a) of the statutes, as affected by 1995 Wisconsin Act  
5 .... (this act), is repealed.

6           **SECTION 2193.** 46.26 (7) (b) 1. of the statutes is amended to read:

7           46.26 (7) (b) 1. For an adjustment to compensate selected counties, amounts  
8 not to exceed \$4,991,100 for the last 6 months of 1993, ~~\$5,991,300~~ for ~~1994~~ 1995 and  
9 \$1,000,200 for the first 6 months of ~~1995~~ 1996.

10          **SECTION 2193m.** 46.26 (7) (b) 1. of the statutes, as affected by 1995 Wisconsin  
11 Act .... (this act), is repealed.

12          **SECTION 2194.** 46.26 (7) (b) 2. of the statutes is amended to read:

13          46.26 (7) (b) 2. To determine eligibility for payments under this paragraph for  
14 fiscal year ~~1993-94~~ 1995-96, the department shall determine a percentage for each  
15 county by dividing the combined number of ~~1990~~ 1992 and ~~1991~~ 1993 assaultive and  
16 total Part I juvenile arrests in a county by the population of that county under 18  
17 years of age. A county having a percentage exceeding 3.5% is eligible to receive these  
18 payments.

19          **SECTION 2195.** 46.26 (7) (b) 2. of the statutes, as affected by 1995 Wisconsin Act  
20 .... (this act), section 2194, is repealed and recreated to read:

21          46.26 (7) (b) 2. To determine eligibility for payments under this paragraph for  
22 fiscal year 1995-96, the department shall determine a percentage for each county by  
23 dividing the combined number of 1992 and 1993 assaultive and total Part I juvenile  
24 arrests in a county by the population of that county under 17 years of age. A county  
25 having a percentage exceeding 3.5% is eligible to receive these payments.

**SECTION 2195m**

1           **SECTION 2195m.** 46.26 (7) (b) 2. of the statutes, as affected by 1995 Wisconsin  
2 Act .... (this act), sections 2194 and 2195, is repealed.

3           **SECTION 2196.** 46.26 (7) (b) 3. of the statutes is repealed.

4           **SECTION 2196m.** 46.26 (7) (b) 4. and 5. of the statutes are repealed.

5           **SECTION 2197.** 46.26 (7) (bn) of the statutes is amended to read:

6           46.26 (7) (bn) For counties not eligible for payments under par. (b), amounts  
7 not to exceed \$100,000 for the last 6 months of ~~1993, \$200,000 for 1994~~ 1995 and  
8 \$100,000 for the first 6 months of ~~1995~~ 1996.

9           **SECTION 2197m.** 46.26 (7) (bn) of the statutes, as affected by 1995 Wisconsin  
10 Act .... (this act), is repealed.

11           **SECTION 2198m.** 46.26 (7) (e) of the statutes is amended to read:

12           46.26 (7) (e) For emergencies related to community youth and family aids  
13 under this section, amounts not to exceed \$125,000 for the last 6 months of ~~1993,~~  
14 ~~\$250,000 for 1994~~ 1995 and \$125,000 for the first 6 months of ~~1995~~ 1996. A county  
15 is eligible for payments under this paragraph only if it has a population of not more  
16 than 45,000.

17           **SECTION 2198p.** 46.26 (7) (e) of the statutes, as affected by 1995 Wisconsin Act  
18 .... (this act), is repealed.

19           **SECTION 2199.** 46.26 (7) (f) of the statutes is amended to read:

20           46.26 (7) (f) For adjustments to have allocations to compensate for increases  
21 in per person daily cost assessments, amounts not to exceed ~~\$216,400~~ \$1,179,600 for  
22 the last 6 months of ~~1993, \$1,552,200 for 1994 and \$1,469,300~~ 1995 and \$1,360,500  
23 for the first 6 months of ~~1995~~ 1996. The department shall allocate funds under this  
24 paragraph in accordance with the requirements of sub. (3) (d).

1           **SECTION 2200.** 46.26 (7) (f) of the statutes, as affected by 1995 Wisconsin Act  
2 .... (this act), is repealed.

3           **SECTION 2201.** 46.26 (7) (g) of the statutes is repealed.

4           **SECTION 2202m.** 46.26 (7) (h) of the statutes is amended to read:

5           46.26 (7) (h) For counties that are participating in the corrective sanctions  
6 program under s. 48.533 (2), ~~\$768,100 in 1994 and \$768,100 in the first \$1,146,800~~  
7 in the last 6 months of 1995 and \$1,146,800 in the first 6 months of 1996 for the  
8 provision of corrective sanctions services for children from that county. In  
9 distributing funds to counties under this paragraph, the department shall determine  
10 a county's distribution by dividing the amount allocated under this paragraph by ~~105~~  
11 the number of slots authorized for the program under s. 48.533 (2) and multiplying  
12 the quotient by the average daily population of children from that county who are  
13 participating in the program number of slots allocated to that county by agreement  
14 between the department and the county. The department may transfer funds among  
15 counties as necessary to distribute funds based on the number of slots allocated to  
16 each county.

17           **SECTION 2202p.** 46.26 (7) (h) of the statutes, as affected by 1995 Wisconsin Act  
18 .... (this act), is repealed.

19           **SECTION 2203g.** 46.26 (8) (title) of the statutes is repealed.

20           **SECTION 2203m.** 46.26 (8) (a) of the statutes is amended to read:

21           46.26 (8) (a) From the amount of the allocations specified in sub. (7) (a), the  
22 department shall allocate \$666,700 in the last 6 months of ~~1993, \$1,333,400 in 1994~~  
23 1995 and \$666,700 in the first 6 months of ~~1995~~ 1996 for alcohol and other drug abuse  
24 treatment programs.

1           **SECTION 2203p.** 46.26 (8) (a) of the statutes, as affected by 1995 Wisconsin Act  
2 .... (this act), is repealed.

3           **SECTION 2204.** 46.26 (8) (b) of the statutes is amended to read:

4           46.26 (8) (b) From the amount of the allocations specified in sub. (7) (b) 1., the  
5 department shall allocate \$333,300 in the last 6 months of 1993, ~~\$666,600 in 1994~~  
6 1995 and \$333,300 in the first 6 months of ~~1995~~ 1996 for alcohol and other drug abuse  
7 treatment programs.

8           **SECTION 2204m.** 46.26 (8) (b) of the statutes, as affected by 1995 Wisconsin Act  
9 .... (this act), is repealed.

10          **SECTION 2205.** 46.262 of the statutes is repealed.

11          **SECTION 2205m.** 46.263 (title) of the statutes is repealed and recreated to read:

12          **46.263 (title) Community intervention program.**

13          **SECTION 2205p.** 46.263 (title) of the statutes, as affected by 1995 Wisconsin Act  
14 .... (this act), is repealed.

15          **SECTION 2206g.** 46.263 (1) of the statutes is amended to read:

16          46.263 (1) From the appropriation under s. 20.435 (3) (f), the department shall  
17 distribute ~~\$2,500,000 in the first 6 months of 1995~~ \$3,750,000 in each year to counties  
18 for early intervention services for first offenders and for intensive community-based  
19 intervention services for seriously chronic offenders.

20          **SECTION 2206m.** 46.263 (1) of the statutes, as affected by 1995 Wisconsin Act  
21 .... (this act), is repealed.

22          **SECTION 2207.** 46.263 (2) of the statutes is amended to read:

23          46.263 (2) To determine eligibility for a payment under sub. (1), the department  
24 shall require a county to submit a plan for the expenditure of that payment that  
25 ensures that the county targets the programs to be funded under that payment

**SECTION 2207**

1 appropriately and that ensures that the county maintains or increases its aggregate  
2 expenditures from sources other than that payment for juvenile delinquency-related  
3 services at or above the average level of those expenditures in the 2 years preceding  
4 the year in which the payment is made under sub. (1).

5 **SECTION 2207m.** 46.263 (2) of the statutes, as affected by 1995 Wisconsin Act  
6 .... (this act), is repealed.

7 **SECTION 2208.** 46.263 (3) of the statutes is amended to read:

8 46.263 (3) The department shall distribute 33% of the amounts distributed  
9 under sub. (1) based on each county's proportion of the number of children who are  
10 taken into custody statewide for alleged violations that are punishable as a Class A  
11 or a Class B felony if committed by an adult violent Part I juvenile arrests reported  
12 statewide under the uniform crime reporting system of the office of justice assistance  
13 in the department of administration, during the most recent 2-year period for which  
14 that information is available. The department shall distribute 33% of the amounts  
15 distributed under sub. (1) based on each county's proportion of the number of  
16 children statewide who are placed in a juvenile correctional institution, during the  
17 most recent 2-year period for which that information is available. The department  
18 shall distribute 34% of the amounts distributed under sub. (1) based on each county's  
19 proportion of the number of total Part I juvenile offenses arrests reported statewide  
20 under the uniform crime reporting system of the Wisconsin department office of  
21 justice assistance, during the most recent 2-year period for which that information  
22 is available.

23 **SECTION 2208m.** 46.263 (3) of the statutes, as affected by 1995 Wisconsin Act  
24 .... (this act), is repealed.

25 **SECTION 2208p.** 46.265 (title) and (1) of the statutes are repealed.

**SECTION 2209m**

1           **SECTION 2209m.** 46.265 (2) of the statutes is amended to read:

2           46.265 (2) From the appropriation under s. 20.435 (3) ~~(ex)~~ (p), the department  
3 shall allocate \$300,000 in each fiscal year to the organization that it has contracted  
4 with under sub. (1) for alcohol and other drug abuse education and treatment  
5 services for participants in that organization's youth diversion program.

6           **SECTION 2209p.** 46.265 (2) of the statutes, as affected by 1995 Wisconsin Act  
7 .... (this act), is repealed.

8           **SECTION 2209r.** 46.265 (3) of the statutes is repealed.

9           **SECTION 2209w.** 46.27 (1) (ai) of the statutes is created to read:

10          46.27 (1) (ai) "Community-based residential facility" means a facility that  
11 meets the definition in s. 50.01 (1g) and that is licensed under s. 50.03 (1).

12          **SECTION 2210.** 46.27 (2) (d) of the statutes is amended to read:

13          46.27 (2) (d) In consultation with representatives of counties, hospitals and  
14 nursing homes and with recipients of long-term community support services,  
15 develop guidelines for implementing the program and criteria for reviewing  
16 community options plans from counties participating in the program. The guidelines  
17 and criteria shall address cost-effectiveness, scope, feasibility and impact on the  
18 quality and appropriateness of health services and social services and shall provide  
19 counties with maximum flexibility to develop programs that address local needs.

20          **SECTION 2211.** 46.27 (2) (h) of the statutes is renumbered 46.27 (2) (h) (intro.)  
21 and amended to read:

22          46.27 (2) (h) (intro.) Promulgate all of the following as rules to adopt:

23          1. Adoption of a long-term community support service fee schedule as part of  
24 the uniform fee schedule under s. 46.03 (18) that is substantially similar to the fee

**SECTION 2211**

1 calculation schedule existing on January 1, 1985, that was developed as a part of the  
2 guidelines required under par. (d).

3 **SECTION 2212.** 46.27 (2) (h) 2. of the statutes is created to read:

4 46.27 (2) (h) 2. Conditions of hardship under which the department may grant  
5 an exception to the requirement of sub. (6r) (c).

6 **SECTION 2213.** 46.27 (2) (i) of the statutes is created to read:

7 46.27 (2) (i) Review and approve or disapprove waiver requests under sub. (3)  
8 (f), review and approve or disapprove requests for exceptions under sub. (6r) (c) and  
9 provide technical assistance to a county that reaches or exceeds the annual allocation  
10 limit specified in sub. (3) (f) in order to explore alternative methods of providing  
11 long-term community support services for persons who are in group living  
12 arrangements in that county.

13 **SECTION 2214.** 46.27 (2) (j) of the statutes is created to read:

14 46.27 (2) (j) By January 1, 1997, develop a model contract for use by counties  
15 for purchase of long-term community support services for persons who reside in  
16 community-based residential facilities. The governor and the joint committee on  
17 finance shall approve the model contract before it is implemented.

18 **SECTION 2215.** 46.27 (3) (e) 1. of the statutes is amended to read:

19 46.27 (3) (e) 1. For a county with an annual allocation for provision of long-term  
20 community support services under sub. (7) (b) ~~1m.~~ that exceeds \$185,000, the  
21 department shall, unless the department finds that an emergency or unusual  
22 circumstance exists, designate a portion of the county's allocation for increased  
23 service in each calendar year that the county fails to meet the requirement, to one  
24 or more of the groups specified under sub. (4) (a) 1. a. to e.

25 **SECTION 2216.** 46.27 (3) (e) 2. of the statutes is amended to read:

**SECTION 2216**

1           46.27 (3) (e) 2. For a county with an annual allocation for provision of long-term  
2           community support services under sub. (7) (b) ~~1m.~~ that is \$185,000 or less, the  
3           department may designate a portion of the county's allocation for increased service  
4           in each calendar year that the county fails to meet the requirement, to one or more  
5           of the groups specified under sub. (4) (a) 1. a. to e.

6           **SECTION 2217.** 46.27 (3) (f) of the statutes is created to read:

7           46.27 (3) (f) Beginning on January 1, 1996, from the annual allocation to the  
8           county for the provision of long-term community support services under subs. (7) (b)  
9           and (11), annually establish a maximum total amount, not to exceed 25% of the  
10          annual allocation, that may be encumbered in a calendar year for services for eligible  
11          individuals in community-based residential facilities. If the total amount that is  
12          encumbered for services for individuals in community-based residential facilities  
13          who are receiving services under sub. (7) (b) on January 1, 1996, exceeds 25% of the  
14          county's annual allocation, a county may request a waiver of the requirement under  
15          this paragraph from the department. The department need not promulgate as rules  
16          under ch. 227 the standards for granting a waiver request under this paragraph.

17          **SECTION 2218.** 46.27 (4) (c) 4. of the statutes is amended to read:

18          46.27 (4) (c) 4. A description of the method to be used to coordinate the use of  
19          funds received under this program with the use of other funds allocated to the county  
20          under ss. 46.495 (1) (d), 46.80 (5), and 46.85 (3m) (b) 1. and 2. ~~and 49.52 (1) (d)~~ and  
21          to county departments under s. 51.423.

22          **SECTION 2219.** 46.27 (5) (b) of the statutes is amended to read:

23          46.27 (5) (b) Within the limits of state and federal funds allocated under sub.  
24          (7), arrange service contracts under s. 46.036 and ensure the provision of necessary  
25          long-term community support services for each person who meets the criteria

1 specified in sub. (6) (b). No county department or aging unit may use funds allocated  
2 under sub. (7) (b) to provide services in any community-based residential facility  
3 unless the county department or aging unit uses as a service contract the approved  
4 model contract developed under sub. (2) (j) or a contract that includes all of the  
5 provisions of the approved model contract.

6 **SECTION 2220.** 46.27 (5) (i) of the statutes is amended to read:

7 46.27 (5) (i) In the instances in which an individual who is provided long-term  
8 community support services under par. (b) for which the individual receives direct  
9 funding, serve directly as a fiscal agent or contract with a fiscal intermediary to serve  
10 as a fiscal agent for that individual for the purposes of performing the responsibilities  
11 and protecting the interests of the individual under the unemployment  
12 compensation law. The county department or aging unit may elect to act as a fiscal  
13 agent or contract with a fiscal intermediary to serve as a fiscal agent for an individual  
14 who is provided long-term support services under s. 46.275, 46.277, 46.278, ~~49.52,~~  
15 ~~46.495,~~ 51.42 or 51.437. The fiscal agent under this paragraph is responsible for  
16 remitting any federal unemployment compensation taxes or state unemployment  
17 compensation contributions owed by the individual, including any interest and  
18 penalties which are owed by the individual; for serving as the representative of the  
19 individual in any investigation, meeting, hearing or appeal involving ch. 108 or the  
20 federal unemployment tax act (26 USC 3301 to 3311) in which the individual is a  
21 party; and for receiving, reviewing, completing and returning all forms, reports and  
22 other documents required under ch. 108 or the federal unemployment tax act on  
23 behalf of the individual. An individual may make an informed, knowing and  
24 voluntary election to waive the right to a fiscal agent. The waiver may be as to all

**SECTION 2220**

1 or any portion of the fiscal agent's responsibilities. The waiver may be rescinded in  
2 whole or in part at any time.

3 **SECTION 2220j.** 46.27 (6) (a) 1. of the statutes is amended to read:

4 46.27 (6) (a) 1. Within the limits of state and federal funds allocated under sub.  
5 (7) and within the limits of fees collected, an assessment shall be conducted for any  
6 person identified in sub. (5) (e) or who is seeking admission to or is about to be  
7 admitted to a nursing home. A fee may be charged, unless prohibited, for the  
8 assessment.

9 **SECTION 2220k.** 46.27 (6) (b) (intro.) of the statutes is amended to read:

10 46.27 (6) (b) (intro.) Within the limits of state and federal funds allocated under  
11 sub. (7) and within the limits of fees collected unless prohibited, a community  
12 services case plan shall be developed for any person with chronic disabilities:

13 **SECTION 2220L.** 46.27 (6) (c) of the statutes is created to read:

14 46.27 (6) (c) The amount of any fee charged for conduct of an assessment under  
15 par. (a) or for development of a case plan under par. (b) shall be in accordance with  
16 a sliding scale formula established by the department by rule under sub. (12) (c). A  
17 fee may not be charged if prohibited under 42 USC 1396 to 1396v or under  
18 regulations under 42 USC 1396 to 1396v.

19 **SECTION 2221.** 46.27 (6r) (a) of the statutes is amended to read:

20 46.27 (6r) (a) A person who is initially eligible for services under sub. (7) (b),  
21 for whom home and community-based services are available under sub. (11) or s.  
22 46.275, 46.277 or 46.278 that require less total expenditure of state funds than do  
23 comparable services under sub. (7) (b) and who is eligible for and offered the home  
24 and community-based services under sub. (11) or s. 46.275, 46.277 or 46.278, but who  
25 declines the offer, except that a county may use funds received under sub. (7) (b) to

1 pay for long-term community support services for the person for a period of up to 90  
2 days during which an application for services under sub. (11) or s. 46.275, 46.277 or  
3 46.278 for the person is processed.

4 **SECTION 2222.** 46.27 (6r) (c) of the statutes is created to read:

5 46.27 **(6r)** (c) A person who resides or intends to reside in a community-based  
6 residential facility and who is initially applying for long-term community support  
7 services, if the projected cost of services for the person, plus the cost of services for  
8 existing participants, would cause the county to exceed the limitation under sub. (3)  
9 (f), unless the department grants an exception to the requirement under this  
10 paragraph, under the conditions specified by rule, to avoid hardship to the person.

11 **SECTION 2223c.** 46.27 (6r) (e) of the statutes is created to read:

12 46.27 **(6r)** (e) A person who has not resided in this state for at least 180  
13 consecutive days before applying for or receiving long-term community support  
14 services that are funded under sub. (7) (b).

15 **SECTION 2223m.** 46.27 (6u) (c) 2. of the statutes is amended to read:

16 46.27 **(6u)** (c) 2. For a person who is determined to be financially eligible under  
17 subd. 1. calculate, by use of the uniform fee system under s. 46.03 (18), the amount  
18 of cost sharing required for receipt of long-term community support services  
19 provided under sub. (5) (b). The county department or aging unit shall require  
20 payment by the person of ~~at least 50%~~ 100% of the amount calculated under this  
21 subdivision.

22 **SECTION 2223t.** 46.27 (7) (am) of the statutes is amended to read:

23 46.27 **(7)** (am) From the appropriation under s. 20.435 (7) (bd), the department  
24 shall allocate funds to each county or private nonprofit agency with which the  
25 department contracts to pay assessment and case plan costs under sub. (6) not

1 otherwise paid by fee or under s. 46.032 or 49.45. The department shall reimburse  
2 counties for the cost of assessing persons eligible for medical assistance under s.  
3 49.46, 49.468 or 49.47 as part of the administrative services of medical assistance,  
4 payable under s. 49.45 (3) (a). Counties may use unspent funds allocated under this  
5 paragraph to pay the cost of long-term community support services.

6 **SECTION 2224.** 46.27 (7) (am) of the statutes, as affected by 1995 Wisconsin Act  
7 .... (this act), is amended to read:

8 46.27 (7) (am) From the appropriation under s. 20.435 (7) (bd), the department  
9 shall allocate funds to each county or private nonprofit agency with which the  
10 department contracts to pay assessment and case plan costs under sub. (6) not  
11 otherwise paid by fee or under s. ~~46.032~~ 49.33 (2) or 49.45. The department shall  
12 reimburse counties for the cost of assessing persons eligible for medical assistance  
13 under s. 49.46, 49.468 or 49.47 as part of the administrative services of medical  
14 assistance, payable under s. 49.45 (3) (a). Counties may use unspent funds allocated  
15 under this paragraph to pay the cost of long-term community support services.

16 **SECTION 2226m.** 46.27 (7) (b) 1m. of the statutes is amended to read:

17 46.27 (7) (b) 1m. From the ~~appropriation~~ appropriations under s. 20.435 (7) (bd)  
18 and (im), the department shall allocate funds to each county to pay the cost of  
19 providing long-term community support services under sub. (5) (b) not otherwise  
20 paid under s. 49.45 to persons eligible for medical assistance under s. 49.46 or 49.47  
21 or to persons whom the county department or aging unit administering the program  
22 finds likely to become medically indigent within 6 months by spending excess income  
23 or assets for medical or remedial care. The average per person reimbursement under  
24 this paragraph may not exceed the state share of the average per person payment  
25 rate the department expects under s. 49.45 (6m). The county department or aging

**SECTION 2226m**

1 unit administering the program may spend funds received under this paragraph  
2 only in accordance with the case plan and service contract created for each person  
3 receiving long-term community support services.

4 **SECTION 2226n.** 46.27 (7) (b) 1r. of the statutes is created to read:

5 46.27 (7) (b) 1r. Reimbursement under this paragraph for long-term  
6 community support services provided to a person in a month may not exceed the  
7 average monthly cost of nursing home care, as determined by the department, except  
8 that this limitation does not apply to any of the following:

9 a. A person under the age of 22.

10 b. A ventilator-dependent person.

11 c. A person not specified under subd. 1r. a. or b., if the department determines  
12 that the cost of providing the person with nursing home care would exceed the cost  
13 of providing the person with care in the community. In making this determination,  
14 the department shall consider the actual nursing home costs of that person and the  
15 extent to which publicly funded costs or, if the person is ineligible for medical  
16 assistance under s. 49.46, 49.468 or 49.47, private costs for nursing home care would  
17 actually exceed the cost of providing the person with care in the community.

18 d. Any individual, if the department determines that nursing home care is not  
19 available for that individual.

20 e. Any individual, if the department determines that public funding is not  
21 available for the institutional care of that individual.

22 **SECTION 2227.** 46.27 (7) (b) 2. of the statutes is renumbered 46.27 (7) (cg) and  
23 amended to read:

24 46.27 (7) (cg) No county may use funds received under ~~this paragraph~~ par. (b)  
25 to pay for long-term community support services provided any person who resides

1 in a nursing home, unless the department waives this restriction on use of funds and  
2 the services are provided in accordance with a discharge plan.

3 **SECTION 2228.** 46.27 (7) (c) 2. of the statutes is amended to read:

4 46.27 (7) (c) 2. Receipt of funds under this section is subject to s. ~~49.52 (2)~~ 46.495  
5 (2).

6 **SECTION 2229.** 46.27 (7) (cm) of the statutes is created to read:

7 46.27 (7) (cm) 1. Beginning on January 1, 1996, no county, private nonprofit  
8 agency or aging unit may use funds received under par. (b) to provide services in any  
9 community-based residential facility that has more than 8 beds, unless one of the  
10 following applies:

11 a. The department approves the provision of services in a community-based  
12 residential facility that is licensed on the effective date of this subd. 1. a. .... [revisor  
13 inserts date], and that meets standards established under subd. 2.

14 b. The department approves the provision of services in a community-based  
15 residential facility that entirely consists of independent apartments, each of which  
16 has an individual lockable entrance and exit and individual separate kitchen,  
17 bathroom, sleeping and living areas, to individuals who are provided services under  
18 sub. (5) (b) and are physically disabled or are at least 65 years of age.

19 2. By January 1, 1996, the department shall establish standards for approvals  
20 made under subd. 1. a., including whether the proposed use of funds for residents at  
21 the community-based residential facility in question adequately provides for all of  
22 the following:

23 a. Sufficient responsiveness to individual resident needs.

24 b. Maintenance of approved levels of quality of care.

25 c. Cost effectiveness, in comparison with other feasible funding uses.

1           d. Sufficient consideration of care for facility residents with dementia or related  
2 conditions.

3           3. The department need not promulgate as rules under ch. 227 the standards  
4 required to be established under subd. 2.

5           4. This paragraph does not apply to individuals who are receiving services  
6 under this section that are funded under par. (b) and who are residing in  
7 community-based residential facilities with more than 8 beds on January 1, 1996.

8           **SECTION 2229r.** 46.27 (7g) of the statutes is created to read:

9           46.27 (7g) RECOVERY OF COSTS OF CARE. (a) In this subsection:

10          1. "Client" means a person who receives or received long-term community  
11 support services that are funded under sub. (7).

12          2. "Disabled" has the meaning given in s. 49.468 (1) (a) 1.

13          3. "Home" means property in which a person has an ownership interest  
14 consisting of the person's dwelling and the land used and operated in connection with  
15 the dwelling.

16          (b) 1. Except as provided in subd. 2., the department may obtain a lien on a  
17 client's home if the client resides in a nursing home, community-based residential  
18 facility, adult family home or assisted living facility and cannot reasonably be  
19 expected to be discharged from the nursing home, community-based residential  
20 facility, adult family home or assisted living facility and return home. The lien is for  
21 the amount of long-term support community services paid on behalf of the client  
22 under sub. (7).

23          2. The department may not obtain a lien under this paragraph if any of the  
24 following persons lawfully reside in the home:

25          a. The client's spouse.

- 1           b. The client's child who is under age 21 or is disabled.
- 2           c. The client's sibling who has an ownership interest in the home and who has  
3 lived in the home continuously beginning at least 12 months before the client was  
4 admitted to the nursing home, community-based residential facility, adult family  
5 home or assisted living facility.
- 6           3. Before obtaining a lien on a client's home under this paragraph, the  
7 department shall do all of the following:
- 8           a. Notify the client in writing of its determination that the client cannot  
9 reasonably be expected to be discharged from the nursing home, community-based  
10 residential facility, adult family home or assisted living facility, its intent to impose  
11 a lien on the client's home and the client's right to a hearing on whether the  
12 requirements for the imposition of a lien are satisfied.
- 13           b. Provide the client with a hearing if he or she requests one.
- 14           4. The department shall obtain a lien under this paragraph by recording a lien  
15 claim in the office of the register of deeds of the county in which the home is located.
- 16           5. The department may not enforce a lien under this paragraph while the client  
17 lives unless the client sells the home and does not have a living child who is under  
18 age 21 or disabled or a living spouse.
- 19           6. The department may not enforce a lien under this paragraph after the death  
20 of the client as long as any of the following survive the client:
- 21           a. A spouse.
- 22           b. A child who is under age 21 or disabled.
- 23           c. A child of any age who resides in the home, if that child resided in the home  
24 for at least 24 months before the client was admitted to the nursing home,  
25 community-based residential facility, adult family home or assisted living facility

1 and provided care to the client that delayed the client's admission to the nursing  
2 home, community-based residential facility, adult family home or assisted living  
3 facility.

4 d. A sibling who resides in the home, if the sibling resided in the home for at  
5 least 12 months before the client was admitted to the nursing home,  
6 community-based residential facility, adult family home or assisted living facility.

7 7. The department may enforce a lien imposed under this paragraph by  
8 foreclosure in the same manner as a mortgage on real property.

9 8. The department shall file a release of a lien imposed under this paragraph  
10 if the client is discharged from the nursing home, community-based residential  
11 facility, adult family home or assisted living facility and returns to live in the home.

12 (c) 1. Except as provided in subd. 4., the department shall file a claim against  
13 the estate of a client or against the estate of the surviving spouse of a client for the  
14 amount of long-term community support services funded under sub. (7) paid on  
15 behalf of the client after the client attained 55 years of age, unless already recovered  
16 by the department under this subsection.

17 2. The affidavit of a person designated by the secretary to administer this  
18 paragraph is evidence of the amount of the claim.

19 3. The court shall reduce the amount of a claim under subd. 1. by up to \$3,000  
20 if necessary to allow the client's heirs or the beneficiaries of the client's will to retain  
21 the following personal property:

22 a. The decedent's wearing apparel and jewelry held for personal use.

23 b. Household furniture, furnishings and appliances.

24 c. Other tangible personal property not used in trade, agriculture or other  
25 business, not to exceed \$1,000 in value.

1           4. A claim under subd. 1. is not allowable if the decedent has a surviving child  
2 who is under age 21 or disabled or a surviving spouse.

3           5. If the department's claim is not allowable because of subd. 4. and the estate  
4 includes an interest in a home, the court exercising probate jurisdiction shall, in the  
5 final judgment, assign the interest in the home subject to a lien in favor of the  
6 department for the amount described in subd. 1. The personal representative shall  
7 record the final judgment as provided in s. 863.29.

8           6. The department may not enforce the lien under subd. 5. as long as any of the  
9 following survive the decedent:

10           a. A spouse.

11           b. A child who is under age 21 or disabled.

12           7. The department may enforce a lien under subd. 5. by foreclosure in the same  
13 manner as a mortgage on real property.

14           (d) The department may require the county department or aging unit selected  
15 to administer the program in each county to gather and provide the department with  
16 information needed to recover payment of long-term community support services  
17 under this subsection. The department shall pay to the county department or aging  
18 unit an amount equal to 5% of the recovery collected by the department relating to  
19 a beneficiary for whom the county department or aging unit made the last  
20 determination of eligibility for funding under sub. (7). A county department or aging  
21 unit may use funds received under this paragraph only to pay costs incurred under  
22 this paragraph and shall remit the remainder, if any, to the department for deposit  
23 in the appropriation account under s. 20.435 (7) (im). The department may withhold  
24 payments under this paragraph for failure to comply with the department's

1 requirements under this paragraph. The department shall treat payments made  
2 under this paragraph as costs of administration of the program.

3 (e) From the appropriation under s. 20.435 (7) (im), the department shall pay  
4 the amount of the payments under par. (d) and shall spend the remainder of the funds  
5 recovered under this subsection for long-term community support services funded  
6 under sub. (7) (b) 1m.

7 (f) 1. The department may recover amounts under this subsection for the  
8 provision of long-term community support services paid on and after January 1,  
9 1996.

10 2. The department may file a claim under par. (c) only with respect to a client  
11 who dies after February 15, 1996.

12 (g) The department shall promulgate rules establishing standards for  
13 determining whether the application of this subsection would work an undue  
14 hardship in individual cases. If the department determines that the application of  
15 this subsection would work an undue hardship in a particular case, the department  
16 shall waive application of this subsection in that case.

17 **SECTION 2231r.** 46.27 (11) (c) 3m. of the statutes is created to read:

18 46.27 (11) (c) 3m. Reimbursement under this paragraph for long-term  
19 community support services provided to a person in a month may not exceed the  
20 average monthly cost of nursing home care, as determined by the department, except  
21 that this limitation does not apply to any of the following:

22 a. A person under the age of 22.

23 b. A ventilator-dependent person.

24 c. A person not specified under subd. 3m. a. or b., if the department determines  
25 that the cost of providing the person with nursing home care would exceed the cost

1 of providing the person with care in the community. In making this determination,  
2 the department shall consider the actual nursing home costs of that person and the  
3 extent to which costs under the medical assistance program for nursing home care  
4 would actually exceed the cost of providing the person with care in the community.

5 d. Any individual, if the department determines that nursing home care is not  
6 available for that individual.

7 e. Any individual, if the department determines that public funding is not  
8 available for the institutional care of that individual.

9 **SECTION 2232.** 46.27 (11) (c) 7. of the statutes is created to read:

10 46.27 (11) (c) 7. A county may use funds received under this subsection to  
11 provide supportive, personal or nursing services, as defined in rules promulgated  
12 under s. 49.45 (2) (a) 23., to a person who resides in a certified assisted living facility,  
13 as defined in s. 50.01 (1d). Funding of the services may not exceed 85% of the  
14 statewide medical assistance daily cost of nursing home care, as determined by the  
15 department.

16 **SECTION 2233.** 46.27 (11) (c) 8. of the statutes is created to read:

17 46.27 (11) (c) 8. No county, private nonprofit agency or aging unit may use funds  
18 received under this subsection to provide services in any community-based  
19 residential facility unless the county, agency or aging unit uses as a service contract  
20 the approved model contract developed under sub. (2) (j) or a contract that includes  
21 all of the provisions of the approved model contract.

22 **SECTION 2234m.** 46.27 (11g) of the statutes is created to read:

23 46.27 (11g) REPORT. Beginning January 1, 1997, and every January 1  
24 thereafter, the department shall submit a report to the joint committee on finance  
25 and to the appropriate standing committees under s. 13.172 (3), summarizing the

**SECTION 2234m**

1 data collected for the state and for individual counties under the program in the  
2 calendar year ending immediately before the preceding calendar year.

3 **SECTION 2235g.** 46.27 (12) (c) of the statutes is created to read:

4 46.27 (12) (c) A sliding scale formula for a fee chargeable for conduct of an  
5 assessment under sub. (6) (a) or for development of a case plan under sub. (6) (b) that  
6 is based on the person's ability to pay, unless prohibited from payment under 42 USC  
7 1396 to 1396v or under regulations under 42 USC 1396 to 1396v.

8 **SECTION 2236.** 46.275 (1m) (a) of the statutes is amended to read:

9 46.275 (1m) (a) "Medical assistance" means aid provided under ~~ss. 49.43 to~~  
10 ~~49.47~~ subch. IV of ch. 49, except s. 49.468.

11 **SECTION 2240.** 46.275 (5) (b) 2. of the statutes is amended to read:

12 46.275 (5) (b) 2. Reduce federal, state or county matching expenditures for  
13 long-term community support services provided to any person as part of this  
14 program from funds allocated under s. ~~46.495 (1) (d)~~, 46.80 (5), 46.85 (3m) (b) 1. and  
15 ~~2., 49.52 (1) (d)~~ or 51.423, as indicated in the county's budget or by actual  
16 expenditures.

17 **SECTION 2244.** 46.277 (1m) (a) of the statutes is amended to read:

18 46.277 (1m) (a) "Medical assistance" means aid provided under ~~ss. 49.43 to~~  
19 ~~49.47~~ subch. IV of ch. 49, except s. 49.468.

20 **SECTION 2245.** 46.277 (1m) (b) of the statutes is amended to read:

21 46.277 (1m) (b) "Program" means the community integration program for  
22 ~~facilities certified as medical assistance providers, for which a waiver has been~~  
23 received under sub. (2).

24 **SECTION 2247.** 46.277 (2) (e) of the statutes is created to read:

1           46.277 (2) (e) Review and approve or disapprove waiver requests under sub.  
2           (3) (c), review and approve or disapprove requests for exceptions under sub. (5) (d)  
3           3. and provide technical assistance to a county that reaches or exceeds the annual  
4           allocation limit specified in sub. (3) (c) in order to explore alternative methods of  
5           providing long-term community support services for persons who are in group living  
6           arrangements in that county.

7           **SECTION 2248.** 46.277 (3) (a) of the statutes is amended to read:

8           46.277 (3) (a) Sections 46.27 (3) (b) and 46.275 (3) (a) and (c) to (e) apply to  
9           county participation in this program, except that services provided in the program  
10          shall substitute for care provided a person in a skilled nursing facility or  
11          intermediate care facility who meets the level of care requirements for medical  
12          assistance reimbursement to that facility rather than for care provided at a state  
13          center for the developmentally disabled. The number of persons who receive services  
14          provided by the program under this paragraph may not exceed the number of  
15          nursing home beds, other than beds specified in sub. (5g) (b), that are delicensed as  
16          part of a plan submitted by the facility and approved by the department.

17          **SECTION 2249.** 46.277 (3) (b) 2. of the statutes is amended to read:

18          46.277 (3) (b) 2. Each county department participating in the program shall  
19          provide home or community-based care to persons eligible under this section, except  
20          that the number of persons who receive home or community-based care under this  
21          section may not exceed the number of nursing home beds, other than beds specified  
22          in sub. (5g) (b), that are delicensed as part of a plan submitted by the facility and  
23          approved by the department.

24          **SECTION 2250.** 46.277 (3) (c) of the statutes is created to read:

1           46.277 (3) (c) Beginning on January 1, 1996, from the annual allocation to the  
2 county for the provision of long-term community support services under sub. (5),  
3 annually establish a maximum total amount, not to exceed 25% of the annual  
4 allocation, that may be encumbered in a calendar year for services for eligible  
5 individuals in community-based residential facilities. If the total amount that is  
6 encumbered for services for individuals in community-based residential facilities  
7 who are receiving services under sub. (5) on January 1, 1996, exceeds 25% of the  
8 county's annual allocation, a county may request a waiver of the requirement under  
9 this paragraph from the department. The department need not promulgate as rules  
10 under ch. 227 the standards for granting a waiver request under this paragraph.

11           **SECTION 2251.** 46.277 (4) (a) of the statutes is amended to read:

12           46.277 (4) (a) Any medical assistance recipient who meets the level of care  
13 requirements for medical assistance reimbursement in a skilled nursing facility or  
14 intermediate care facility is eligible to participate in the program, except that the  
15 number of participants may not exceed the number of nursing home beds, other than  
16 beds specified in sub. (5g) (b), that are delicensed as part of a plan submitted by the  
17 facility and approved by the department. Such a recipient may apply, or any person  
18 may apply on behalf of such a recipient, for participation in the program. Section  
19 46.275 (4) (b) applies to participation in the program.

20           **SECTION 2253.** 46.277 (4) (b) of the statutes is amended to read:

21           46.277 (4) (b) To the extent authorized under 42 USC 1396n, if a person  
22 discontinues participation in the program, a medical assistance recipient may  
23 participate in the program in place of the participant who discontinues if that  
24 recipient meets the level of care requirements for medical assistance reimbursement  
25 in a skilled nursing facility or intermediate care facility, except that the number of

1 participants may not exceed the number of nursing home beds, other than beds  
2 specified in sub. (5g) (b), that are delicensed as part of a plan submitted by the facility  
3 and approved by the department.

4 **SECTION 2254.** 46.277 (5) (d) 3. of the statutes is created to read:

5 46.277 (5) (d) 3. If subd. 2. a. or b. applies, no county may use funds received  
6 under this section to pay for services provided to a person who resides or intends to  
7 reside in a community-based residential facility and who is initially applying for the  
8 services, if the projected cost of services for the person, plus the cost of services for  
9 existing participants, would cause the county to exceed the limitation under sub. (3)  
10 (c). The department may grant an exception to the requirement under this  
11 subdivision, under the conditions specified by rule, to avoid hardship to the person.

12 **SECTION 2255.** 46.277 (5) (e) of the statutes is created to read:

13 46.277 (5) (e) A county may use funds received under this subsection to provide  
14 supportive, personal or nursing services, as defined in rules promulgated under s.  
15 49.45 (2) (a) 23., to a person who resides in a certified assisted living facility, as  
16 defined in s. 50.01 (1d). Funding of the services may not exceed 85% of the statewide  
17 medical assistance daily cost of nursing home care, as determined by the  
18 department.

19 **SECTION 2257.** 46.277 (5g) (title) of the statutes is amended to read:

20 46.277 (5g) (title) ~~LIMITATION~~ LIMITATIONS ON SERVICE.

21 **SECTION 2258.** 46.277 (5g) of the statutes is renumbered 46.277 (5g) (a).

22 **SECTION 2259.** 46.277 (5g) (b) of the statutes is created to read:

23 46.277 (5g) (b) This section does not apply to the delicensure of a bed of an  
24 institution for mental diseases of an individual who is aged 21 to 64, who has a

1 primary diagnosis of mental illness and who otherwise meets the requirements of s.  
2 46.266 (1) (a), (b) or (c).

3 **SECTION 2261.** 46.277 (5r) of the statutes is created to read:

4 46.277 (5r) RULE MAKING. The department shall promulgate rules that specify  
5 conditions of hardship under which the department may grant an exception to the  
6 requirement of sub. (5) (d) 3.

7 **SECTION 2263.** 46.278 (1m) (b) of the statutes is amended to read:

8 46.278 (1m) (b) "Medical assistance" means aid provided under ~~ss. 49.43 to~~  
9 ~~49.47~~ subch. IV of ch. 49, except s. 49.468.

10 **SECTION 2266.** 46.278 (6) (e) of the statutes is created to read:

11 46.278 (6) (e) The department may provide enhanced reimbursement for  
12 services under the program for an individual who was relocated to the community  
13 by a county department from an intermediate care facility for the mentally retarded  
14 that closes under s. 50.03 (14). The enhanced reimbursement rate under this  
15 paragraph shall be determined under a formula that is developed by the department.

16 **SECTION 2269.** 46.29 (1) (intro.) of the statutes is amended to read:

17 46.29 (1) (intro.) From the appropriation under s. 20.435 (6) (d), the  
18 department shall allocate up to \$12,000 \$10,000 in each fiscal year for operation of  
19 the council on physical disabilities. The council on physical disabilities shall do all  
20 of the following:

21 **SECTION 2270.** 46.293 (title) of the statutes is created to read:

22 **46.293 (title) Specialized programs for the blind and visually impaired.**

23 **SECTION 2271.** 46.295 (title) of the statutes is created to read:

24 **46.295 (title) Interpreters for the hearing-impaired.**

25 **SECTION 2272.** 46.30 (3) (a) 1. of the statutes is amended to read:

1           46.30 (3) (a) 1. Administer funds received ~~from the department~~ under sub. (4)  
2 and funds from other sources provided to support a community action program.

3           **SECTION 2276c.** 46.30 (4) (a) of the statutes is amended to read:

4           46.30 (4) (a) The department shall ~~allocate~~ distribute the federal community  
5 services block grant funds received under 42 USC 9903 and deposited in the  
6 appropriations under s. 20.435 (4) ~~(mc) and (md) and the state supplement under s.~~  
7 ~~20.435 (4) (cr)~~ as provided in this subsection (6) (mc) and (7) (md).

8           **SECTION 2276d.** 46.30 (4) (cm) of the statutes is renumbered 49.32 (11) and  
9 amended to read:

10           49.32 (11) (title) COMMUNITY ACTION AGENCIES. The department shall ~~allocate~~  
11 distribute all of the funds under s. ~~20.435 (4)~~ 20.445 (3) (cr) to community action  
12 agencies and organizations, including any of the 11 federally recognized tribal  
13 governing bodies in this state and limited-purpose agencies, in proportion to the  
14 share of funds actually allocated to these entities under 42 USC 1315 and from other  
15 federal and private foundation sources that provide funds for job creation and  
16 development for individuals with low incomes.

17           **SECTION 2276e.** 46.30 (4) (d) of the statutes is amended to read:

18           46.30 (4) (d) Before January 1 of each year the department shall contract with  
19 each agency and organization being funded, specifying the amount of money the  
20 organization will receive under this section and the activities to be carried out by the  
21 organization.

22           **SECTION 2277b.** 46.31 of the statutes, as affected by 1995 Wisconsin Act .... (this  
23 act), is renumbered 49.37, and 49.37 (1) (intro.) and (3), as renumbered, are amended  
24 to read:

**SECTION 2277b**

1           49.37 (1) (intro.) From the appropriation under s. ~~20.435 (4)~~ 20.445 (3) (dk), the  
2 department shall allocate funds to new hope project, inc., for a demonstration project  
3 that will be conducted in 2 areas in the city of Milwaukee, if all of the following  
4 conditions are satisfied:

5           (3) The contract under sub. (1) (g) shall require an interim evaluation to be  
6 submitted to the department no later than January 1, 1993. New hope project, inc.,  
7 may not use funds appropriated under s. ~~20.435 (4)~~ 20.445 (3) (dk) to fund the  
8 evaluation under sub. (1) (g).

9           **SECTION 2277d.** 46.31 (4) of the statutes is amended to read:

10           46.31 (4) This section does not apply after June 30, ~~1995~~ 1997.

11           **SECTION 2278.** 46.32 of the statutes is repealed.

12           **SECTION 2280.** 46.40 (1) of the statutes is renumbered 46.40 (1) (a) and  
13 amended to read:

14           46.40 (1) (a) Within the limits of available federal funds and of the  
15 appropriations under s. 20.435 (7) (b) and (o), the department shall distribute funds  
16 for community social, mental health, developmental disabilities and alcohol and  
17 other drug abuse services and for services under ss. 46.51, 46.87, 46.98 (2m), (3) and  
18 (4g), 46.985 and 51.421 to county departments under ss. 46.215, 46.22, 46.23, 51.42  
19 and 51.437, to county aging units and to private nonprofit organizations as  
20 authorized under s. 46.98 (2) (a), as provided in subs. (2) to ~~(12)~~ (8).

21           **SECTION 2281m.** 46.40 (2) of the statutes is amended to read:

22           46.40 (2) BASIC COUNTY ALLOCATION. For social services under s. 49.52 (1) (d) and  
23 services under s. 51.423 (2), the department shall distribute not more than  
24 \$121,552,100 for the last 6 months of 1993, ~~not more than \$246,743,400 for 1994 and~~

**SECTION 2281m**

1 ~~not more than \$127,281,500 for the first 6 months of 1995~~ \$292,368,400 for fiscal year  
2 1995-96 and \$292,109,500 for fiscal year 1996-97.

3 **SECTION 2281s.** 46.40 (2) of the statutes, as affected by 1995 Wisconsin Act ...  
4 (this act), is amended to read:

5 46.40 (2) BASIC COUNTY ALLOCATION. For social services under s. ~~49.52 (1) (d)~~  
6 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not  
7 more than \$292,368,400 for fiscal year 1995-96 and \$292,109,500 for fiscal year  
8 1996-97.

9 **SECTION 2282.** 46.40 (2m) of the statutes is created to read:

10 46.40 (2m) FEDERAL BLOCK GRANT ALLOCATIONS. (a) *Prevention and treatment*  
11 *of substance abuse.* For prevention and treatment of substance abuse under 42 USC  
12 300x-21 to 300x-35, the department shall distribute not more than \$11,049,700 in  
13 fiscal year 1995-96 and not more than \$11,247,700 in fiscal year 1996-97.

14 (b) *Community mental health services.* For community mental health services  
15 under 42 USC 300x to 300x-9, the department shall distribute not more than  
16 \$2,513,400 in fiscal year 1995-96 and not more than \$2,513,400 in fiscal year  
17 1996-97.

18 **SECTION 2283.** 46.40 (3) (a) of the statutes is repealed.

19 **SECTION 2284.** 46.40 (3) (b) 1. of the statutes is repealed.

20 **SECTION 2285.** 46.40 (3) (b) 2. of the statutes is repealed.

21 **SECTION 2286.** 46.40 (3) (b) 3. of the statutes, as created by 1993 Wisconsin Act  
22 446, is renumbered 46.40 (1) (b) and amended to read:

23 46.40 (1) (b) Notwithstanding s. 46.49, if the department receives any federal  
24 moneys under 42 USC 670 to 679a in reimbursement of moneys allocated under sub.

1     ~~(1)~~ par. (a) for the provision of foster care, the department shall distribute those  
2     federal moneys for services and projects to assist children and families.

3             **SECTION 2287.** 46.40 (3m) of the statutes is repealed.

4             **SECTION 2288.** 46.40 (4) of the statutes is repealed.

5             **SECTION 2289b.** 46.40 (4m) of the statutes is created to read:

6             **46.40 (4m) LOW-INCOME CHILD CARE ALLOCATION.** For low-income and at-risk  
7     child care, the department shall distribute under s. 46.98 (2) not more than  
8     \$21,404,100 in fiscal year 1995-96 and not more than \$21,504,800 in fiscal year  
9     1996-97.

10            **SECTION 2290.** 46.40 (5) of the statutes is repealed.

11            **SECTION 2291.** 46.40 (6) of the statutes is repealed.

12            **SECTION 2292m.** 46.40 (7) of the statutes is amended to read:

13            **46.40 (7) (title) FAMILY SUPPORT PROGRAMS ALLOCATION.** For family support  
14     programs for the families of disabled children under s. 46.985, the department shall  
15     distribute not more than \$1,506,600 for the last 6 months of 1993, not more than  
16     ~~\$4,339,800 for 1994 and not more than \$2,169,900 for the first 6 months of 1995~~  
17     \$4,339,800 in each fiscal year.

18            **SECTION 2293m.** 46.40 (8) of the statutes is amended to read:

19            **46.40 (8) (title) ALZHEIMER'S FAMILY AND CAREGIVER SUPPORT ALLOCATION.** For  
20     services to persons with Alzheimer's disease and their caregivers under s. 46.87, the  
21     department shall distribute not more than ~~\$938,500 for the last 6 months of 1993,~~  
22     ~~not more than \$1,877,000 for 1994 and not more than \$938,500 for the first 6 months~~  
23     ~~of 1995~~ \$1,877,000 for each fiscal year.

24            **SECTION 2294.** 46.40 (9) of the statutes is repealed.

25            **SECTION 2295.** 46.40 (10) of the statutes is repealed.

1           **SECTION 2296.** 46.40 (12) of the statutes is repealed.

2           **SECTION 2296m.** 46.40 (14m) of the statutes is created to read:

3           **46.40 (14m) COUNTY COMMUNITY AIDS BUDGETS.** Before December 1 of each year,  
4 each county department under ss. 46.215, 46.22, 46.23, 51.42 and 51.437 and each  
5 tribal governing body shall submit to the department a proposed budget for the  
6 expenditure of funds allocated under this section. The proposed budget shall be  
7 submitted on a form developed by the department and approved by the department  
8 of administration.

9           **SECTION 2297.** 46.45 (intro.) of the statutes is amended to read:

10           **46.45 Carry-over of community aids funds.** (intro.) Funds allocated by  
11 the department under ss. 46.495 (1) (d), 46.87 (3) (c) 4. and (4), 46.98 (2) (a), ~~49.52~~  
12 ~~(1)-(d)~~ and 51.423 (2) but not spent or encumbered by counties, governing bodies of  
13 federally recognized American Indian tribes or private nonprofit organizations by  
14 December 31 of each year and funds recovered under ss. ~~49.52 (2) (b)~~ 46.495 (2) (b)  
15 and 51.423 (15) and deposited in the appropriation under s. 20.435 (7) (b) lapse to the  
16 general fund on the succeeding January 1 unless carried forward to the next calendar  
17 year under s. 20.435 (7) (b) or as follows:

18           **SECTION 2298.** 46.45 (1) of the statutes is amended to read:

19           **46.45 (1)** The department shall carry forward funds allocated for child care  
20 under s. 46.98 (2) (a) as provided under s. 20.435 ~~(6)~~ (3) (jg) and (n).

21           **SECTION 2299.** 46.45 (3) (a) of the statutes is amended to read:

22           **46.45 (3) (a)** Except as provided in par. (b), at the request of a county, tribal  
23 governing body or private nonprofit organization, the department shall carry  
24 forward up to 3% of the total amount allocated to the county, tribal governing body  
25 or nonprofit organization for a calendar year, ~~except for funds allocated for child care~~

## SECTION 2299

1 under s. 46.98 (2) (a), for use by the county, tribal governing body or nonprofit  
2 organization in the following calendar year. The department may not carry forward  
3 more than 25% of the amount distributed to a county, tribal governing body or  
4 nonprofit organization for any allocation under s. 46.40 (3) (a), (3m) and (5) to (12).  
5 The department may permit a county department or nonprofit organization to carry  
6 forward amounts allocated under s. 46.40 (4) (a) for child care services under s. 46.98  
7 (3), as provided in s. 46.40 (4) (b). All funds carried forward for a tribal governing  
8 body or nonprofit organization, all federal child welfare funds under 42 USC 620 to  
9 626, federal alcohol, drug abuse and mental health block grant funds under 42 USC  
10 300x to 300x-9 and all child care funds under s. 46.98 (2) (a) and all funds allocated  
11 under s. 46.40 (2m) carried forward for a county shall be used for the purpose for  
12 which the funds were originally allocated. Except as provided under par. (am), other  
13 funds carried forward may be used for any purpose under s. 20.435 (7) (b). ~~If a county~~  
14 ~~match was required by s. 49.52 (1) (d) or 51.423 (2) when funds carried forward were~~  
15 ~~originally distributed, the county match requirement applies to the funds in the~~  
16 ~~following calendar year.~~

17 **SECTION 2300.** 46.47 (1) of the statutes is renumbered 46.47 and amended to  
18 read:

19 **46.47 Community aids performance standards.** The department, ~~with the~~  
20 ~~assistance of representatives from counties and human services advocates, after~~  
21 consultation with the department of administration and with county departments  
22 under ss. 46.215, 46.22, 46.23, 51.42 and 51.437, shall develop performance  
23 standards for ~~mental health and juvenile justice services funded by community aids~~  
24 funds allocated under s. 46.40. These performance standards shall require a  
25 performance evaluation of any private sector human service provider receiving

**SECTION 2300**

1 community aids funds allocated under s. 46.40. The department shall implement the  
2 performance standards no later than July 1, 1996.

3 **SECTION 2301.** 46.47 (2) of the statutes is repealed.

4 **SECTION 2301m.** 46.48 (5) of the statutes is amended to read:

5 46.48 (5) ALCOHOL AND OTHER DRUG ABUSE RESIDENTIAL TREATMENT. For funding  
6 of at least 8 beds at a community-based residential facility in which English and  
7 Spanish are spoken, to provide treatment for alcohol and other drug abuse to  
8 residents of a 1st class city, the department may distribute not more than \$248,200  
9 for each fiscal year as a grant to the New Beginning residential treatment program  
10 in the city of Milwaukee. ~~This paragraph does not apply after June 30, 1995.~~

11 **SECTION 2301n.** 46.48 (6) (a) of the statutes is renumbered 46.48 (6).

12 **SECTION 2301p.** 46.48 (6) (b) of the statutes is repealed.

13 **SECTION 2302m.** 46.48 (13) of the statutes is amended to read:

14 46.48 (13) SUPPORTED EMPLOYMENT OPPORTUNITIES. The department shall  
15 distribute ~~not more than \$30,000 in the last 6 months of 1993, not more than at least~~  
16 ~~\$60,000 for 1994 and not more than \$30,000 for the first 6 months of 1995~~ in each  
17 fiscal year for programs to provide supported employment opportunities for severely  
18 disabled persons.

19 **SECTION 2303m.** 46.48 (14) of the statutes is amended to read:

20 46.48 (14) EPILEPSY SERVICES GRANTS. The department shall distribute not more  
21 than ~~\$75,000 for the last 6 months of 1993, not more than \$150,000 for 1994 and not~~  
22 ~~more than \$75,000 for the first 6 months of 1995~~ in each fiscal year for grants under  
23 s. 46.57 for services to persons with epilepsy.

24 **SECTION 2304.** 46.48 (16) (b) of the statutes is created to read:

**SECTION 2304**

1           46.48 **(16)** (b) In addition to the amounts distributed under par. (a), if the  
2 department receives any federal moneys under 45 CFR 1356.60 to match the  
3 expenditure of funds under par. (a), the department shall distributed those moneys  
4 for the purposes specified in par. (a).

5           **SECTION 2306.** 46.485 (1) of the statutes is amended to read:

6           46.485 **(1)** In this section, ~~“severely:~~

7           (d) “Severely emotionally disturbed child” has the meaning given in s. 49.45  
8 (25) (a).

9           **SECTION 2307.** 46.485 (1) (a) to (c) of the statutes are created to read:

10          46.485 **(1)** (a) “Inpatient facility” has the meaning given in s. 51.01 (10).

11          (b) “Limited service health organization” has the meaning given in s. 609.01  
12 (3).

13          (c) “Serious emotional disturbance” has the meaning given in 42 USC 290ff-4

14 (d) (4).

15          **SECTION 2308.** 46.485 (2) of the statutes is repealed.

16          **SECTION 2309.** 46.485 (2g) of the statutes is created to read:

17          46.485 **(2g)** From the appropriation under s. 20.435 (1) (b), the department may  
18 in each fiscal year transfer funds to the appropriation under s. 20.435 (7) (kb) for  
19 distribution under this section and from the appropriation under s. 20.435 (7) (md)  
20 the department shall distribute \$240,000 in each fiscal year to applying counties in  
21 this state that meet all of the following requirements, as determined by the  
22 department:

23          (a) Any of the following applies to the county:

24           1. The county receives a grant under 42 USC 290ff to 290ff-4 for community  
25 mental health services for children with serious emotional disturbances.

1           2. The county receives any grant for services to severely emotionally disturbed  
2 children.

3           3. The county is in compliance with the requirements of s. 46.56, except that  
4 the county need not receive funding under s. 46.56 (15).

5           (b) The county submits to the department a plan that specifies the proposed use  
6 of funds to implement the program under this section, including, at the time of  
7 termination of funding under this section, enrollment of children served under the  
8 program in a limited service health organization that covers both inpatient and  
9 outpatient expenses.

10           **SECTION 2310.** 46.485 (2g) (intro.) of the statutes, as created by 1995 Wisconsin  
11 Act .... (this act), is amended to read:

12           46.485 **(2g)** (intro.) From the appropriation under s. 20.435 (1) (b), the  
13 department may in each fiscal year transfer funds to the appropriation under s.  
14 20.435 ~~(7)~~ (3) (kb) for distribution under this section and from the appropriation  
15 under s. 20.435 (7) (md) the department shall distribute \$240,000 in each fiscal year  
16 to applying counties in this state that meet all of the following requirements, as  
17 determined by the department:

18           **SECTION 2311.** 46.485 (2m) of the statutes is repealed.

19           **SECTION 2312.** 46.485 (3) of the statutes is repealed.

20           **SECTION 2313.** 46.485 (3g), (3m) and (3r) of the statutes are created to read:

21           46.485 **(3g)** The amount that the department may transfer under sub. (2g) for  
22 a county may not exceed the estimated state share of payments under s. 49.45, 49.46  
23 or 49.47 for mental health care and treatment that is provided in inpatient facilities  
24 for children with a severe emotional disturbance who reside in the county.

**SECTION 2313**

1           **(3m)** Funds that are distributed under sub. (2g) may be used for all of the  
2 following:

3           (a) Mental health care and treatment, other than care and treatment under s.  
4 51.35 (3), in an inpatient facility for children with severe emotional disturbances.

5           (b) Community mental health services for children with severe emotional  
6 disturbances.

7           **(3r)** Funds that a county does not encumber before 24 months after June 30  
8 of the fiscal year in which the funds were distributed under sub. (2g) lapse to the  
9 appropriation under sub. 20.435 (1) (b).

10           **SECTION 2314.** 46.485 (4) of the statutes is amended to read:

11           46.485 (4) The county receiving funds under sub. ~~(2)~~ (2g) is not liable for  
12 payment for any care and treatment of the type authorized to be paid under sub. ~~(2)~~  
13 ~~(a)~~ 1. (3m) that is above the amount transferred under sub. ~~(2)~~ ~~(a)~~ ~~(intro.)~~ (2g) (intro.).

14           **SECTION 2315.** 46.49 (1) of the statutes, as affected by 1993 Wisconsin Act 446,  
15 is amended to read:

16           46.49 (1) Subject to ss. 46.40 ~~(3)~~ ~~(b)~~ ~~3.~~ (1) (b) and 46.48 (15) (b), if the department  
17 receives unanticipated federal alcohol, drug abuse and community mental health  
18 services block grant funds under 42 USC 300x to 300x-9, federal prevention and  
19 treatment of substance abuse block grant funds under 42 USC 300x-21 to 300x-35,  
20 federal child care grant funds under 42 USC 603 (n), foster care and adoption  
21 assistance payments under 42 USC 670 to 679a or child care and development block  
22 grant funds under 42 USC 9858 and it proposes to allocate the unanticipated funds  
23 so that an allocation limit in s. 46.40 is exceeded, the department shall submit a plan  
24 for the proposed allocation to the secretary of administration. If the secretary of  
25 administration approves the plan, he or she shall submit it to the joint committee on

1 finance. If the cochairpersons of the committee do not notify the secretary of  
2 administration that the committee has scheduled a meeting for the purpose of  
3 reviewing the plan within 14 working days after the date of his or her submittal, the  
4 department may implement the plan, notwithstanding any allocation limits under  
5 s. 46.40. If within 14 working days after the date of the submittal by the secretary  
6 of administration the cochairpersons of the committee notify him or her that the  
7 committee has scheduled a meeting for the purpose of reviewing the plan, the  
8 department may implement the plan, notwithstanding s. 46.40, only with the  
9 approval of the committee.

10 **SECTION 2316.** 46.51 (1) of the statutes is amended to read:

11 46.51 (1) From the amounts distributed under s. 46.40 ~~(3)~~ (a) (1) for services  
12 for children and families, the department shall distribute funds to eligible counties  
13 for services related to child abuse and neglect, including child abuse and neglect  
14 prevention, investigation and treatment.

15 **SECTION 2316m.** 46.52 of the statutes is created to read:

16 **46.52 Integrated community services.** From the appropriation under s.  
17 20.435 (7) (md), the department shall distribute \$350,000 in each fiscal year to  
18 counties to assist in relocating individuals with mental illness from institutional or  
19 residential care to less restrictive and more cost-effective community settings and  
20 services.

21 **SECTION 2316n.** 46.53 of the statutes is created to read:

22 **46.53 Mental health treatment provider training.** From the  
23 appropriation under s. 20.435 (7) (md), the department shall distribute \$182,000 in  
24 each fiscal year to counties to provide training for mental health treatment  
25 professionals on new mental health treatment approaches in working with special

1 populations, including seriously mentally ill individuals and children with serious  
2 emotional disturbances, and on the use of new mental health treatment medications.

3 **SECTION 2316p.** 46.54 of the statutes is created to read:

4 **46.54 Consumer and family self-help and peer-support programs.**

5 From the appropriation under s. 20.435 (7) (md), the department shall distribute  
6 \$180,000 in each fiscal year to counties to increase support for mental health family  
7 support projects, employment projects operated by consumers of mental health  
8 services, mental health crisis intervention and drop-in projects and public mental  
9 health information activities.

10 **SECTION 2317.** 46.56 (14) (a) (intro.) of the statutes is amended to read:

11 46.56 (14) (a) (intro.) In order to support the development of a comprehensive  
12 system of coordinated care for children with severe disabilities and their families, the  
13 department shall establish a statewide advisory committee with representatives of  
14 county departments, the department of public instruction, educational agencies,  
15 professionals experienced in the provision of services to children with severe  
16 disabilities, families with children with severe disabilities, advocates for such  
17 families and their children, the subunit of the department of industry, labor and  
18 human relations that administers vocational rehabilitation, the technical college  
19 system, health care providers, courts assigned to exercise jurisdiction under ch. 48,  
20 child welfare officials, and other appropriate persons as selected by the department.  
21 The department may use an existing committee for this purpose if it has  
22 representatives from the listed groups and is willing to perform the required  
23 functions. This committee shall do all of the following:

24 **SECTION 2318.** 46.56 (15) (a) of the statutes is amended to read:

**SECTION 2318**

1           46.56 **(15)** (a) From the appropriation under s. 20.435 ~~(7)~~ (3) (co), the  
2 department shall make available funds to implement programs. The funds may be  
3 used to pay for the intake, assessment, case planning and service coordination  
4 provided under sub. (8) and for expanding the capacity of the county to provide  
5 community-based care and treatment for children with severe disabilities.

6           **SECTION 2319.** 46.62 (title) of the statutes is renumbered 49.26 (2) (title).

7           **SECTION 2320.** 46.62 (1) of the statutes is renumbered 49.26 (2) (a) and  
8 amended to read:

9           49.26 **(2)** (a) In this ~~section~~ subsection, “county department” means a county  
10 department under s. 46.215, 46.22 or 46.23.

11           **SECTION 2322b.** 46.62 (2) of the statutes is renumbered 49.26 (2) (b) and  
12 amended to read:

13           49.26 **(2)** (b) From the appropriation under s. 20.435 ~~(4)~~ (dg) 20.445 (3) (dg), the  
14 department shall allocate funds to county departments for the provision of case  
15 management services to individuals who are ~~required to attend school~~ subject to the  
16 school attendance requirement under the learnfare program under s. 49.50 ~~(7)~~ (g)  
17 sub. (1) and their families to improve the school attendance and achievement of those  
18 individuals. At least 75% of the funds that the department allocates under this  
19 ~~subsection~~ paragraph to provide case management services to individuals who are  
20 13 to 19 years of age shall be allocated to a county department of a county with a  
21 population of 500,000 or more. A county department is eligible to receive funds under  
22 this ~~section~~ subsection to provide case management services to individuals who are  
23 13 to 19 years of age in a year if 35 or more individuals, 13 to 19 years of age, residing  
24 in the county were sanctioned under s. 49.50 ~~(7)~~ (h) sub. (1) (h) or were subject to the

**SECTION 2322b**

1 monthly attendance requirement under s. HSS 201.195 (4) (b) 2., Wis. adm. code, in  
2 any month during the previous year.

3 **SECTION 2323.** 46.62 (3) of the statutes is renumbered 49.26 (1) (c) and  
4 amended to read:

5 49.26 (1) (c) A county department may provide services under this ~~section~~  
6 subsection directly or may contract with a nonprofit agency or a school district to  
7 provide the services.

8 **SECTION 2324.** 46.62 (4) of the statutes is renumbered 49.26 (1) (d) and  
9 amended to read:

10 49.26 (1) (d) A county department that provides services under this ~~section~~  
11 subsection directly shall develop a plan, in coordination with the school districts  
12 located in whole or in part in the county, describing the assistance that the county  
13 department and school districts will provide to individuals receiving services under  
14 this ~~section~~ subsection, the number of individuals that will be served and the  
15 estimated cost of the services. The county department shall submit the plan to the  
16 department of ~~health and social services~~ industry, labor and human relations and the  
17 department of public instruction by August 15, annually.

18 **SECTION 2326m.** 46.71 (3) of the statutes is repealed.

19 **SECTION 2326n.** 46.715 (3) of the statutes is repealed.

20 **SECTION 2327.** 46.74 of the statutes is repealed.

21 **SECTION 2328.** 46.75 (2) (a) of the statutes is amended to read:

22 46.75 (2) (a) From the appropriation under s. 20.435 (4) ~~(dn)~~ (7) (dn), the  
23 department shall award grants to agencies to operate food distribution programs  
24 that qualify for participation in the emergency food assistance program under P.L.  
25 98-8, as amended.

**SECTION 2329**

1           **SECTION 2329.** 46.765 (2) (intro.) of the statutes is amended to read:

2           46.765 **(2)** PURPOSE; AMOUNT. (intro.) From the appropriation under s. 20.435  
3           ~~(4) (ds)~~ (7) (dr), the department shall provide start-up grants, awarded by the board  
4           on hunger, to one or more agencies, but not to exceed \$20,000 per grant per year, for  
5           any of the following purposes:

6           **SECTION 2330.** 46.77 of the statutes is amended to read:

7           **46.77 Food distribution administration.** From the appropriation under s.  
8           20.435 ~~(4) (dn)~~ (7) (dn), the department shall allocate funds to eligible recipient  
9           agencies, as defined in the emergency food assistance act, P.L. 98-8, section 201A,  
10          as amended, for the storage, transportation and distribution of commodities  
11          provided under the hunger prevention act of 1988, P.L. 100-435, as amended.

12          **SECTION 2330m.** 46.80 (2m) (c) of the statutes is renumbered 49.365 and  
13          amended to read:

14          **49.365** (title) **Older American community service employment**  
15          **program.** ~~May~~ The department may operate the older American community service  
16          employment program under 42 USC 3056.

17          **SECTION 2331.** 46.81 (1) (a) of the statutes is repealed and recreated to read:

18          46.81 **(1)** (a) "Aging unit" means an aging unit director and necessary  
19          personnel, directed by a county commission on aging and organized as one of the  
20          following:

21                 1. An agency of county government with the primary purpose of administering  
22                 programs of services for older individuals of the county.

23                 2. A unit, within a county department under s. 46.215, 46.22 or 46.23, with the  
24                 primary purpose of administering programs of services for older individuals of the  
25                 county.

1           3. A private, nonprofit corporation that is organized under ch. 181.

2           **SECTION 2332.** 46.82 (3) (a) 4. of the statutes is amended to read:

3           46.82 (3) (a) 4. ~~Consistent with~~ As specified under s. 46.81, provide older  
4 individuals with services of benefit specialists or appropriate referrals for  
5 assistance.

6           **SECTION 2333.** 46.855 of the statutes is repealed.

7           **SECTION 2333g.** 46.86 (1) (a) of the statutes is renumbered 46.86 (1) and  
8 amended to read:

9           46.86 (1) From the appropriation under s. 20.435 (7) (cp) and (md), the  
10 department may award funds and from the appropriation under s. 20.435 (7) (md)  
11 the department may award not more than \$125,500 in each fiscal year as grants to  
12 counties and private nonprofit entities as funds for treatment for pregnant women  
13 and mothers with alcohol and other drug abuse treatment needs; mothers who have  
14 alcohol and other drug abuse treatment needs and dependent children up to the age  
15 of 5 years; and the dependent children up to the age of 5 years of those mothers. The  
16 grants shall be awarded in accordance with the department's request-for-proposal  
17 procedures. The grants shall be used to establish community-based programs,  
18 residential family-centered treatment programs or home-based treatment  
19 programs. The program under a grant must include alcohol and other drug abuse  
20 treatment services, parent education, support services for the children of the women  
21 who are enrolled in the program, vocational assistance and housing assistance. Any  
22 program funded under this ~~paragraph~~ subsection must also provide follow-up  
23 aftercare services to each woman and her children for at least 2 years after the date  
24 on which a woman has left the program.

25           **SECTION 2333h.** 46.86 (1) (b) of the statutes is repealed.

**SECTION 2333i**

1           **SECTION 2333i.** 46.86 (2m) (b) of the statutes is amended to read:

2           46.86 **(2m)** (b) From the appropriation under s. 20.435 (7) (md), the department  
3 shall distribute not more than ~~\$79,100~~ \$79,500 in each fiscal year for residential  
4 long-term treatment for alcohol and other drug abuse, including treatment with  
5 respect to family relationships, antisocial behavior and employability, in a treatment  
6 facility, as defined in s. 51.01 (19), in a 1st class city.

7           **SECTION 2333k.** 46.86 (3m) (a) of the statutes is renumbered 46.86 (3m) and  
8 amended to read:

9           46.86 **(3m)** From the appropriation under s. 20.435 (7) (md), the department  
10 shall distribute \$900,000 in each fiscal year to fund a multidisciplinary prevention  
11 and treatment team in Milwaukee county for cocaine-abusing women and their  
12 children. The multidisciplinary prevention and treatment team must coordinate its  
13 activities with other prevention and treatment programs in Milwaukee county for  
14 cocaine-abusing women and their children. Residents from other counties may be  
15 served by the multidisciplinary prevention and treatment team. The department  
16 may carry forward funds distributed under this ~~paragraph~~ subsection, but not  
17 encumbered by December 31, for distribution for the purpose under this ~~paragraph~~  
18 subsection in the following calendar year.

19           **SECTION 2333L.** 46.86 (3m) (b) of the statutes is repealed.

20           **SECTION 2334.** 46.90 (4) (b) 2. b. of the statutes is amended to read:

21           46.90 **(4)** (b) 2. b. Any employe of an employer not described in subd. 2. a. who  
22 is discharged or otherwise discriminated against may file a complaint with the  
23 department of industry, labor and human relations under s. ~~101.222~~ 106.06 (5).

24           **SECTION 2335.** 46.90 (9) of the statutes is repealed.

25           **SECTION 2335m.** 46.93 (2) (intro.) of the statutes is amended to read:

**SECTION 2335m**

1           46.93 (2) PURPOSE; ALLOCATION. (intro.) From the appropriation under s. 20.434  
2 (1) (b), the board shall award not more than ~~\$593,800 in each fiscal year~~ \$566,300  
3 in fiscal year 1995-96 and not more than \$439,300 in fiscal year 1996-97 for grants  
4 to organizations to provide adolescent pregnancy prevention programs or pregnancy  
5 services that include health care, education, counseling and vocational training.  
6 Types of services and programs that are eligible for grants include all of the following:

7           **SECTION 2335p.** 46.93 (2m) of the statutes is created to read:

8           46.93 (2m) MATCHING FUNDS REQUIRED. (a) Each organization that receives a  
9 grant under this section shall provide matching funds equal to 20% of the grant  
10 amount awarded. The match may be in the form of money or in-kind services or both,  
11 but any moneys used by an organization toward a match may not include moneys  
12 received from the state government.

13           (b) Each grant application shall include proof of the organization's ability to  
14 comply with par. (a). Any proposed match under par. (a) that includes in-kind  
15 services is subject to the approval of the board.

16           **SECTION 2336.** 46.94 of the statutes is renumbered 16.385 (9).

17           **SECTION 2337.** 46.95 (2) (a) of the statutes is amended to read:

18           46.95 (2) (a) The secretary shall make grants from the appropriations under  
19 s. 20.435 ~~(7)-(eb)~~ (1) (cd) and (hh) to organizations for the provision of any of the  
20 services specified in sub. (1) (d). Grants may be made to organizations which have  
21 provided those domestic abuse services in the past or to organizations which propose  
22 to provide those services in the future. No grant may be made to fund services for  
23 child abuse or abuse of elderly persons.

24           **SECTION 2338.** 46.95 (2) (c) (intro.) of the statutes is amended to read:

**SECTION 2338**

1           46.95 (2) (c) (intro.) No grant may be made to an organization which provides  
2 or will provide shelter facilities unless the department of industry, labor and human  
3 relations development determines that the physical plant of the facility will not be  
4 dangerous to the health or safety of the residents when the facility is in operation.  
5 No grant may be given to an organization which provides or will provide shelter  
6 facilities or private home shelter care unless the organization ensures that the  
7 following services will be provided either by that organization or by another  
8 organization, person or agency:

9           **SECTION 2339.** 46.95 (2) (f) (intro.) of the statutes is amended to read:

10           46.95 (2) (f) (intro.) From the appropriations under s. 20.435 ~~(7) (cb)~~ (1) (cd) and  
11 (hh), the department shall do all of the following:

12           **SECTION 2340.** 46.95 (2) (f) 1. of the statutes is amended to read:

13           46.95 (2) (f) 1. Award \$95,000 in grants in each fiscal year ~~1994-95~~ to  
14 organizations for domestic abuse services that are targeted to children. In awarding  
15 the grants, the department shall use a competitive request-for-proposals process  
16 and, to the extent possible, shall ensure that the grants are equally distributed on  
17 a statewide basis.

18           **SECTION 2341.** 46.95 (2) (f) 2. of the statutes is repealed.

19           **SECTION 2342.** 46.95 (2) (f) 3. of the statutes is repealed.

20           **SECTION 2343.** 46.95 (2) (f) 4. of the statutes is repealed.

21           **SECTION 2344.** 46.95 (2) (f) 5. (intro.) of the statutes is amended to read:

22           46.95 (2) (f) 5. (intro.) Expend ~~\$10,300 in fiscal year 1993-94~~ and \$20,700 in  
23 each fiscal year ~~1994-95~~ to contract with a nonstate agency to do all of the following:

24           **SECTION 2345.** 46.95 (2) (f) 6. (intro.) of the statutes is amended to read:

1           46.95 (2) (f) 6. (intro.) Expend \$34,800 in fiscal year 1993-94 and \$69,700 in  
2 each fiscal year 1994-95 to provide ongoing training and technical assistance to do  
3 all of the following:

4           **SECTION 2345j.** 46.95 (4) of the statutes is created to read:

5           46.95 (4) DOMESTIC ABUSE PREVENTION AND AWARENESS. The department shall  
6 develop a domestic abuse statewide public awareness and prevention campaign  
7 program and, from the appropriation under s. 20.435 (1) (hk), distribute funds to  
8 support the program. The purposes of the program are to increase public awareness  
9 of domestic abuse and develop strategies to prevent domestic abuse.

10          **SECTION 2346.** 46.955 (title) of the statutes is repealed.

11          **SECTION 2347.** 46.955 (1) of the statutes is repealed.

12          **SECTION 2348.** 46.955 (2) of the statutes is repealed.

13          **SECTION 2349.** 46.96 (2) of the statutes is amended to read:

14          46.96 (2) The department shall make grants from the appropriations  
15 appropriation under s. 20.435 (5) ~~(bm)~~ and (na) or (7) (c) or (kc) to independent living  
16 centers for nonresidential services to severely disabled persons.

17          **SECTION 2350.** 46.96 (2) of the statutes, as affected by 1995 Wisconsin Act ....  
18 (this act), is amended to read:

19          46.96 (2) The department shall make grants from the appropriation under s.  
20 20.435 ~~(5) (na)~~ or (7) (c) or (kc) to independent living centers for nonresidential  
21 services to severely disabled persons.

22          **SECTION 2351.** 46.976 (2) of the statutes is amended to read:

23          46.976 (2) DISTRIBUTION OF LOANS. From the appropriation under s. 20.435 (7)  
24 (ma), the department shall establish, and from the appropriation under s. 20.435 (6)  
25 (gd), the department shall continue, a revolving fund to make 2-year loans of up to

**SECTION 2351**

1 \$4,000 each to applying nonprofit organizations for the costs of establishing  
2 programs to provide housing for groups of no fewer than ~~4~~ 6 individuals who are  
3 recovering from alcohol or other drug abuse. The department may establish the  
4 terms of loans under this section, including interest rates, payment intervals and  
5 requirements for full repayment of principal and interest.

6 **SECTION 2352.** 46.977 (2) (a) of the statutes is amended to read:

7 46.977 (2) (a) Annually, prior to April 30, an organization may apply to the  
8 department for a grant under this section for the purpose of recruiting, training,  
9 monitoring and assisting guardians for persons determined to be incompetent under  
10 ch. 880. By June 30, the department shall determine which organizations will  
11 receive a grant during the following fiscal year based on the criteria under par. (c).  
12 No grant may be awarded unless the applicant provides matching funds equal to the  
13 amount of the award. The department shall make grants under this section from the  
14 appropriation under s. 20.435 (7) (cg).

15 **SECTION 2353.** 46.979 (2) (a) of the statutes is amended to read:

16 46.979 (2) (a) From the appropriation under s. 20.435 (7) (o), as allocated in s.  
17 46.40 (4) (a) ~~(2m) (c)~~, distribute ~~\$9,117,400~~ \$9,998,500 in fiscal year ~~1993-94~~  
18 1995-96 and ~~\$9,250,100~~ \$10,099,200 in fiscal year ~~1994-95~~ 1996-97 for child day  
19 care services under s. 46.98 (2m) and (3).

20 **SECTION 2354.** 46.979 (2) (b) of the statutes is renumbered 46.979 (2) (b) 1. and  
21 amended to read:

22 46.979 (2) (b) 1. From the appropriation under s. 20.435 (6) (mc), distribute  
23 ~~\$173,900~~ \$190,800 in fiscal year ~~1993-94~~ 1995-96 and ~~\$180,900~~ \$197,700 in fiscal  
24 year ~~1994-95~~ 1996-97 for the purposes of providing technical assistance for child

1 care providers and of administering the child care programs funded under s. 20.435  
2 (7) (b), (md) and (o) and

3 2. From the appropriation under s. 20.435 (6) (mc) distribute \$633,700  
4 \$948,300 in fiscal year 1993-94 1995-96 and \$699,000 \$1,026,800 in fiscal year  
5 1994-95 1996-97 for the purpose of day care center licensing under s. 48.65.

6 **SECTION 2355.** 46.979 (2) (b) 1. of the statutes, as affected by 1995 Wisconsin  
7 Act .... (this act), is repealed and recreated to read:

8 46.979 (2) (b) 1. From the appropriation under s. 20.435 (3) (kx), distribute  
9 \$190,800 in fiscal year 1995-96 and \$197,700 in fiscal year 1996-97 for the purposes  
10 of providing technical assistance for child care providers and of administering the  
11 child care programs funded under s. 20.435 (3) (ky) and (7) (b) and (o).

12 **SECTION 2356.** 46.979 (2) (c) (intro.) of the statutes is amended to read:

13 46.979 (2) (c) (intro.) From the appropriation under s. 20.435 ~~(7) (md)~~ (3) (ky),  
14 distribute as follows the federal child care and development block grant funds that  
15 are received under 42 USC 9858 and that are not distributed under par. (a) or (b):

16 **SECTION 2357.** 46.979 (2) (c) 1. of the statutes is amended to read:

17 46.979 (2) (c) 1. For grants under s. 46.986 ~~(3) to (5)~~ (2) for the start-up and  
18 expansion of child day care services, \$850,000 in fiscal year 1993-94 and \$600,000  
19 in fiscal year 1994-95 and for child day care start-up and expansion planning.  
20 \$430,000 in fiscal year 1995-96 and \$226,400 in fiscal year 1996-97.

21 **SECTION 2358.** 46.979 (2) (c) 2. of the statutes is amended to read:

22 46.979 (2) (c) 2. For grants under s. 46.984 (2) for child day care resource and  
23 referral services, ~~\$940,000~~ \$960,000 in fiscal year ~~1993-94~~ 1995-96 and ~~\$960,000~~  
24 \$960,000, in fiscal year ~~1994-95~~ 1996-97.

25 **SECTION 2359.** 46.979 (2) (c) 3. of the statutes is amended to read:

**SECTION 2359**

1           46.979 (2) (c) 3. For grants under s. 46.987 (3) to assist child care providers in  
2 meeting the quality of care standards established under s. 46.98 (4) (e) and for a  
3 system of rates or a program of grants, as provided under s. 46.98 (4) (e), to reimburse  
4 child care providers that meet those quality of care standards, ~~\$1,200,000~~ \$1,559,200  
5 in fiscal year ~~1993-94~~ 1995-96 and ~~\$1,200,000~~ \$1,576,700 in fiscal year ~~1994-95~~  
6 1996-97. If an amount distributed under this subdivision will not be fully expended,  
7 the department may transfer the unexpended funds to the distribution under subd.  
8 4.

9           **SECTION 2360.** 46.979 (2) (c) 4. of the statutes is amended to read:

10           46.979 (2) (c) 4. For grants under s. 46.987 (2) and contracts under s. 46.987  
11 (4) to improve the quality of child day care services in this state, ~~\$425,000~~ \$450,000  
12 in fiscal year ~~1993-94~~ 1995-96 and \$450,000 in fiscal year ~~1994-95~~ 1996-97, plus  
13 any amounts that the department transfers to this distribution under subd. 3.

14           **SECTION 2361.** 46.98 (2) (a) of the statutes is amended to read:

15           46.98 (2) (a) The department shall distribute the funds allocated under s. 46.40  
16 ~~(4) (a) (1) and (2m) (c)~~ for at-risk, low-income and respite child care services under  
17 subs. (2m) and (4g) to county departments under s. 46.215, 46.22 or 46.23. In  
18 addition, the department shall distribute the funds allocated under s. 46.40 ~~(4) (a)~~  
19 (1), (2m) (c) and (4m) for low-income and respite child care services under sub. (3)  
20 to private nonprofit child care providers who provide child care for the children of  
21 migrant workers.

22           **SECTION 2362.** 46.98 (2m) (a) of the statutes is amended to read:

23           46.98 (2m) (a) Except as provided in subs. sub. (2) (c) and (4m), funds  
24 distributed under sub. (2) for at-risk child care may only be used for the purposes  
25 specified in this paragraph. The funds shall be used to provide care for all or part

1 of a day for children under age 13 of persons who need child care to be able to work,  
2 who are not receiving aid to families with dependent children and who are at risk of  
3 becoming eligible for aid to families with dependent children if child care under this  
4 subsection is not provided.

5 **SECTION 2363.** 46.98 (2m) (d) 2. of the statutes is amended to read:

6 46.98 (2m) (d) 2. ~~Except as provided in sub. (4m), no~~ No funds distributed under  
7 sub. (2) for at-risk child care may be used for the start-up, improvement or  
8 expansion of child care services or facilities or for the recruitment, education or  
9 training of persons providing child care.

10 **SECTION 2364.** 46.98 (2r) (c) of the statutes is repealed.

11 **SECTION 2365.** 46.98 (2r) (cg) of the statutes is repealed.

12 **SECTION 2366.** 46.98 (2r) (cm) of the statutes is repealed.

13 **SECTION 2367.** 46.98 (3) (a) of the statutes is amended to read:

14 46.98 (3) (a) ~~Except as provided in subs. sub. (2) (c) and (4m),~~ funds distributed  
15 under sub. (2) for low-income child care may only be used for the purposes specified  
16 in this subsection. The funds shall be used to provide care for children under age 13  
17 for all or part of a day during which a child's parent is gainfully employed.

18 **SECTION 2368.** 46.98 (3) (b) of the statutes is amended to read:

19 46.98 (3) (b) Counties may spend moneys distributed for low-income child care  
20 under sub. (2) for child care purposes other than those in par. (a) only as provided in  
21 ~~par. (bg) and subs. sub. (2) (c) and (4m)~~ or with the approval of the department. Child  
22 care purposes include start-up, improvement and expansion of child care services  
23 and facilities, and recruitment, education and training for persons providing child  
24 care.

25 **SECTION 2369.** 46.98 (3) (bg) of the statutes is repealed.

**SECTION 2370**

1           **SECTION 2370.** 46.98 (4g) (a) of the statutes is amended to read:

2           46.98 **(4g)** (a) Except as provided in ~~subs. sub.~~ sub. (2) (c) ~~and (4m)~~, funds  
3 distributed under sub. (2) for respite child care may only be used for the purposes  
4 specified in this paragraph. The funds shall be used to provide care for all or part  
5 of a day for children under age 13 of parents who need child care services to prevent  
6 or remedy child abuse or neglect, to alleviate stress in the family or to preserve the  
7 family unit.

8           **SECTION 2371.** 46.98 (4m) of the statutes is repealed.

9           **SECTION 2372.** 46.98 (5) (e) of the statutes is repealed and recreated to read:

10          46.98 **(5)** (e) The department shall promptly recover all overpayments made  
11 under this section. The department shall promulgate rules establishing policies and  
12 procedures to administer this paragraph.

13          **SECTION 2373.** 46.984 (2) (a) of the statutes is amended to read:

14          46.984 **(2)** (a) From the allocation under s. 46.979 (2) (c) 2., the department  
15 shall make grants to ~~applying~~ local agencies to fund child care resource and referral  
16 services provided by those local agencies. The department shall provide an  
17 allocation formula to determine the amount of a grant awarded under this section.  
18 ~~The allocation formula shall factor in the level of child care resource and referral~~  
19 ~~services provided by the local agency, the number of children in the community~~  
20 ~~served by the local agency and the percentage of the mothers in the community~~  
21 ~~served by the local agency who work outside the home.~~

22          **SECTION 2374.** 46.984 (2) (b) of the statutes is repealed.

23          **SECTION 2375.** 46.984 (4) (a) of the statutes is amended to read:

1           46.984 (4) (a) Administer, or contract for the administration of, the grant  
2 program under this section, provide an application procedure for that program and  
3 disburse funds awarded under that program.

4           **SECTION 2376.** 46.984 (5) of the statutes is repealed.

5           **SECTION 2377.** 46.985 (2) (a) 4. of the statutes is amended to read:

6           46.985 (2) (a) 4. Procedures for coordinating the family support program and  
7 the use of its funds, throughout this state and in each service area, with other  
8 publicly funded programs including the community options program under s. 46.27;  
9 the community integration program under ss. 46.275, 46.277 and 46.278; the social  
10 services, mental health and developmental disabilities programs under ss. ~~49.52~~  
11 46.495, 51.42 and 51.437; the independent living center program under s. 46.96; and  
12 the medical assistance program under ~~ss. 49.45 to 49.47~~ subch. IV of ch. 49.

13           **SECTION 2378.** 46.986 (1) (a) of the statutes is repealed.

14           **SECTION 2379.** 46.986 (1) (c) of the statutes is repealed.

15           **SECTION 2380.** 46.986 (1) (f) of the statutes is repealed.

16           **SECTION 2381.** 46.986 (1) (h) of the statutes is repealed.

17           **SECTION 2382.** 46.986 (1) (i) of the statutes is repealed.

18           **SECTION 2383.** 46.986 (1) (L) of the statutes is repealed.

19           **SECTION 2384.** 46.986 (2) (a) of the statutes is repealed and recreated to read:

20           46.986 (2) (a) From the allocation under s. 46.979 (2) (c) 1., the department  
21 shall award grants for the start-up or expansion of child care services.

22           **SECTION 2385.** 46.986 (2) (b) of the statutes is amended to read:

23           46.986 (2) (b) The department shall attempt to award grants under this section  
24 equally among to head start agencies designated under 42 USC 9836, employers that  
25 provide or wish to provide child care services for their employes, family day care

**SECTION 2385**

1 centers, group day care centers and day care programs for the children of student  
2 parents, ~~but may, after considering proposals from child care providers in each of~~  
3 ~~those categories, award grants under this section in unequal amounts among those~~  
4 ~~categories.~~

5 **SECTION 2386.** 46.986 (2) (c) of the statutes is repealed.

6 **SECTION 2387.** 46.986 (2) (d) of the statutes, as affected by 1995 Wisconsin Act  
7 .... (this act), is repealed.

8 **SECTION 2388.** 46.986 (3) (a) of the statutes is repealed.

9 **SECTION 2389.** 46.986 (3) (b) of the statutes is repealed.

10 **SECTION 2390.** 46.986 (3) (c) of the statutes is renumbered 46.986 (2) (cm) and  
11 amended to read:

12 46.986 (2) (cm) A ~~child care provider or other person that~~ person who is  
13 awarded a grant under this subsection shall contribute matching funds equal to 25%  
14 of the amount awarded under this subsection. The match may be in the form of  
15 money or in-kind goods or services, or both.

16 **SECTION 2391.** 46.986 (3) (d) of the statutes is renumbered 46.986 (2) (d) and  
17 amended to read:

18 46.986 (2) (d) If a ~~child care provider or other person that~~ person who is  
19 awarded a grant under this subsection does not provide the new or expanded child  
20 care services for which the grant was awarded by the end of the grant period, the  
21 department may require the ~~child care provider or other person~~ to return to the  
22 department the full amount of the grant award. If a ~~child care provider or other~~  
23 ~~person that~~ person who is awarded a grant under this subsection provides the new  
24 or expanded child care services for which the grant was awarded, but terminates its  
25 the child care program within 3 years after the awarding of the grant, the ~~child care~~

**SECTION 2391**

1 ~~provider or other~~ person shall return to the department a prorated share of the  
2 amount awarded, based on the time remaining in that 3-year period at the time of  
3 program termination. Amounts returned to the department under this paragraph  
4 shall be deposited in the appropriation under s. 20.435 (7) (ie). The department may  
5 bring an action in any court of competent jurisdiction to enforce repayment of any  
6 moneys that are required under this paragraph to be repaid. The department may  
7 reduce or waive the repayment required under this paragraph if in the opinion of the  
8 department the grant recipient made a good faith effort to comply with the terms of  
9 the grant.

10 **SECTION 2392.** 46.986 (4) of the statutes is repealed.

11 **SECTION 2393.** 46.986 (5) of the statutes is repealed.

12 **SECTION 2394.** 46.986 (7) (a) of the statutes is amended to read:

13 46.986 (7) (a) The department shall ~~promulgate rules for the administration~~  
14 ~~of the grant program under this section, including rules to establish criteria for~~  
15 ~~evaluating and ranking grant applications~~ establish guidelines for eligibility for a  
16 grant under this section. The department need not promulgate those guidelines as  
17 rules under ch. 227.

18 **SECTION 2395.** 46.986 (7) (b) of the statutes is amended to read:

19 46.986 (7) (b) The department may administer the grant application process  
20 under this section or, ~~if a county department under s. 46.215, 46.22 or 46.23 has~~  
21 ~~established a child care advisory committee that has been approved by the~~  
22 ~~department, the department may request the county department to administer the~~  
23 ~~grant application process under this section for grant applicants from the county of~~  
24 ~~the county department. If a county department administers the grant application~~  
25 ~~process under this section, the county department shall review the grant~~

**SECTION 2395**

1 ~~applications submitted to the county department using the criteria established by~~  
2 ~~the department under par. (a). The department may require a county department~~  
3 ~~that reviews grant applications under this section to submit those applications and~~  
4 ~~the county department's ranking of those applications to the department for final~~  
5 ~~review contract for the administration of that process.~~

6 **SECTION 2396.** 46.987 (1) (c) of the statutes is amended to read:

7 46.987 (1) (c) "Family child care system" ~~has the meaning given in s. 46.986 (1)~~  
8 ~~(i) means a centralized administrative unit that offers technical assistance and~~  
9 ~~support to a group of child care providers with the goal of improving child care~~  
10 ~~services.~~

11 **SECTION 2397.** 46.987 (2) (a) of the statutes is amended to read:

12 46.987 (2) (a) From the allocation under s. 46.979 (2) (c) 4. ~~and from the~~  
13 ~~appropriation under s. 20.435 (7) (ie), the department may award grants to child care~~  
14 ~~providers that meet the quality of care standards established under s. 46.98 (4) (e)~~  
15 ~~to improve the retention of skilled and experienced child care staff. In awarding~~  
16 ~~grants under this subsection, the department shall consider the applying child care~~  
17 ~~provider's total enrollment of children and average enrollment of children who~~  
18 ~~receive or are eligible for publicly funded care from the child care provider.~~

19 **SECTION 2398.** 46.987 (3) (a) of the statutes is amended to read:

20 46.987 (3) (a) From the allocation under s. 46.979 (2) (c) 3. ~~and the~~  
21 ~~appropriation under s. 20.435 (7) (ie), the department may award grants to child care~~  
22 ~~providers for assistance in meeting the quality of care standards established under~~  
23 ~~s. 46.98 (4) (e).~~

24 **SECTION 2399.** 46.987 (4) (intro.) of the statutes is amended to read:

**SECTION 2399**

1           46.987 (4) TRAINING AND TECHNICAL ASSISTANCE CONTRACTS. (intro.) From the  
2 allocation under s. 46.979 (2) (c) 4. and the appropriation under s. 20.435 (7) (ie), the  
3 department may contract with one or more agencies for the provision of training and  
4 technical assistance to improve the quality of child care provided in this state. The  
5 training and technical assistance activities contracted for under this subsection may  
6 include any of the following activities:

7           **SECTION 2400.** 46.987 (6) (a) of the statutes is repealed.

8           **SECTION 2401.** 46.987 (6) (b) of the statutes is renumbered 46.987 (6) and  
9 amended to read:

10           46.987 (6) GRANT ADMINISTRATION. The department may administer the grant  
11 application processes under subs. (2) and (3) or, if a county department under s.  
12 46.215, 46.22 or 46.23 has established a child care advisory committee that has been  
13 approved by the department, the department may request the county department to  
14 administer the grant application processes under subs. (2) and (3) for grant  
15 applicants from the county of the county department. If a county department  
16 administers the grant application processes under subs. (2) and (3), the county  
17 department shall review the grant applications submitted to the county department  
18 using the criteria established by the department under par. (a). A county department  
19 that reviews grant applications under subs. (2) and (3) shall submit those  
20 applications and the county department's ranking of those applications to the  
21 department for final review contract for the administration of that process.

22           **SECTION 2402.** 46.987 (6) (c) of the statutes is repealed.

23           **SECTION 2403.** 46.995 (2) (intro.) of the statutes is amended to read:

24           46.995 (2) ADOLESCENT SELF-SUFFICIENCY SERVICES. (intro.) From the  
25 appropriation under s. 20.435 (7) (3) (eg), the department may allocate \$582,100 in

**SECTION 2403**

1 each fiscal year to provide a grant annually to a public or private entity or to the  
2 elected governing body of a federally recognized American Indian tribe or band to  
3 provide services in counties or to a tribe or band for adolescent parents which shall  
4 emphasize high school graduation and vocational preparation, training and  
5 experience and may be structured so as to strengthen the adolescent parent's  
6 capacity to fulfill parental responsibilities by developing social skills and increasing  
7 parenting skills. The public or private entity seeking to receive a grant to provide  
8 these services shall develop a proposed service plan that is approved by the  
9 department. Except with respect to award of a grant to a tribe or band, the  
10 department shall rank individual counties and give priority by this ranking for the  
11 award of grants under this subsection, based on all of the following factors:

12 **SECTION 2404.** 46.995 (3) of the statutes is amended to read:

13 46.995 (3) ADOLESCENT PREGNANCY PREVENTION SERVICES. From the  
14 appropriation under s. 20.435 (7) (3) (eg), the department may allocate \$340,000 in  
15 each fiscal year to provide a grant annually to a public or private entity or to the  
16 elected governing body of a federally recognized American Indian tribe or band to  
17 provide to high-risk adolescents pregnancy and parenthood prevention services  
18 which shall be structured so as to increase development of decision-making and  
19 communications skills, promote graduation from high school and expand career and  
20 other options and which may address needs of adolescents with respect to pregnancy  
21 prevention. Except with respect to award of a grant to a tribe or band, the  
22 department shall rank individual counties and give priority by this ranking for the  
23 award of grants under this subsection, based on the factors specified under sub. (2)  
24 (a) to (d).

25 **SECTION 2405.** 46.996 (intro.) of the statutes is amended to read:

**SECTION 2405**

1           **46.996 Adolescent services.** (intro.) From the appropriation under s.  
2 20.435 (7) (~~er~~) (eg), the department shall allocate funds in the following amounts:

3           **SECTION 2406.** 46.996 (intro.) of the statutes, as affected by 1995 Wisconsin Act  
4 .... (this act), is repealed and recreated to read:

5           **46.996 Adolescent services.** (intro.) From the appropriation under s.  
6 20.435 (3) (eg), the department shall allocate funds in the following amounts:

7           **SECTION 2407.** 46.997 (2) (intro.) of the statutes is amended to read:

8           46.997 (2) (intro.) From the appropriation under s. 20.435 (6) (a), the  
9 department shall allocate not more than \$65,500 in each fiscal year to solicit  
10 applications from organizations and provide technical assistance to grantees and,  
11 from the appropriation under s. 20.435 (7) (3) (eg), the department shall allocate not  
12 more than \$210,000 in each fiscal year to make grants to applying organizations for  
13 the provision, on a regional or tribal project basis, of information to communities in  
14 order to increase community knowledge about problems of adolescents and  
15 information to and activities for adolescents, particularly female adolescents, in  
16 order to enable the adolescents to develop skills with respect to all of the following:

17           **SECTION 2408.** 47.01 (1m) of the statutes is created to read:

18           47.01 (1m) "Department" means the department of industry, labor and human  
19 relations.

20           **SECTION 2409.** 47.02 (1m) of the statutes is created to read:

21           47.02 (1m) The department may cooperate with the federal government in  
22 carrying out federal acts concerning vocational rehabilitation.

23           **SECTION 2410.** 47.02 (4) (a) of the statutes is amended to read:

**SECTION 2410**

1           47.02 (4) (a) From the appropriation under s. ~~20.435~~ 20.445 (5) (bm), provide  
2 financial aid to any handicapped person who is receiving vocational rehabilitation  
3 training and who has no other source of aid.

4           **SECTION 2411.** 47.02 (4) (b) of the statutes is amended to read:

5           47.02 (4) (b) Accept gifts, grants and donations to be used for the purposes of  
6 this chapter. The department shall deposit all moneys received under this  
7 paragraph in the appropriation under s. ~~20.435~~ 20.445 (5) (i).

8           **SECTION 2412.** 47.02 (6) of the statutes is repealed.

9           **SECTION 2413.** 47.03 (1) of the statutes is renumbered 46.293.

10          **SECTION 2414.** 47.03 (2) of the statutes is amended to read:

11          47.03 (2) The department may accept gifts, grants and donations to be used for  
12 the purposes of this section. The department shall deposit all moneys received as  
13 gifts, grants and donations in the appropriation under s. ~~20.435~~ 20.445 (5) (i).

14          **SECTION 2415.** 47.03 (4) (b) of the statutes is amended to read:

15          47.03 (4) (b) The department may charge a portion of the expenses of its  
16 supervised business enterprise program to the net proceeds of each business  
17 operating under the program. The department shall establish the procedure for  
18 setting these charges by rule, with the participation of a committee of blind vendors  
19 established under 20 USC 107b-1. The department shall deposit the moneys from  
20 the charges made under this paragraph in the appropriations under s. ~~ss. 20.435~~ (7)  
21 (kd) and 20.445 (5) (h) and ~~(hd)~~ (he).

22          **SECTION 2416.** 47.03 (7) of the statutes is amended to read:

23          47.03 (7) If the department decides that a business under sub. (4) would not be  
24 feasible and profitable in any state building, the department may contract with  
25 vending machine operators to install vending machines in the building, giving

**SECTION 2416**

1 preference to blind operators of vending machines. The department may, under the  
2 procedures established as required under sub. (4) (b), charge the net proceeds of each  
3 business operating under this subsection. The department shall deposit the moneys  
4 from the charges made under this subsection in the appropriations under s. ~~20.435~~  
5 20.445 (5) (h) and (hd) and shall disburse the proceeds to provide services to blind  
6 persons under sub. (4) ~~and blind or visually impaired persons under sub. (1)~~, in  
7 accordance with 20 USC 107 to 107f.

8 **SECTION 2417.** 47.03 (10) of the statutes is renumbered 46.295, and 46.295 (1),  
9 (4) (b) and (6), as renumbered, are amended to read:

10 46.295 (1) The department may, on the request of any hearing-impaired  
11 person, city, village, town or county or private agency, provide funds from the  
12 appropriations appropriation under s. 20.435 ~~(5) (a) and (hh)~~ (6) (a) and (hs) to  
13 reimburse interpreters for hearing-impaired persons for the provision of interpreter  
14 services.

15 (4) (b) If an interpreter under ~~subd. 1. par. (a)~~ par. (a) is unavailable, an interpreter for  
16 hearing-impaired persons whose qualifications have been determined appropriate  
17 by the department.

18 (6) The department shall promulgate rules to implement this subsection  
19 section.

20 **SECTION 2418f.** 47.03 (11) (a) of the statutes is renumbered 47.03 (11) (a)  
21 (intro.) and amended to read:

22 47.03 (11) (a) (intro.) The department shall provide services, including  
23 vocational training, craft instruction and a supervised business initiatives program  
24 for severely handicapped persons who are eligible for vocational rehabilitation  
25 services. Under this subsection, the department may own, lease, manage, supervise

1 or operate businesses for the benefit of severely handicapped persons, including  
2 home-based employment and craft work, with the ultimate objective of enabling  
3 severely handicapped persons to operate their own businesses. The department  
4 shall assist ~~persons who receive these services~~ do all of the following:

5 4. Assist homecraft clients in marketing the finished products and develop  
6 additional markets for the finished products.

7 **SECTION 2418g.** 47.03 (11) (a) 1. of the statutes is created to read:

8 47.03 (11) (a) 1. Through a wholesale distributor, purchase or provide for the  
9 purchase of any supplies needed by any client participating in the homecraft  
10 program to produce craftwork for the homecraft program.

11 **SECTION 2418h.** 47.03 (11) (a) 2. of the statutes is created to read:

12 47.03 (11) (a) 2. Deliver or provide for the delivery of supplies purchased under  
13 subd. 1. to the homecraft client.

14 **SECTION 2418i.** 47.03 (11) (a) 3. of the statutes is created to read:

15 47.03 (11) (a) 3. Transport or provide for the transportation of finished  
16 homecrafted products to distribution centers.

17 **SECTION 2419c.** 47.03 (11) (e) of the statutes is created to read:

18 47.03 (11) (e) The department shall distribute at least \$218,600 from the  
19 appropriations in s. 20.435 (5) (bm) and (na) in each fiscal year for homecraft services  
20 relating to the marketing and distribution of homecraft products and to the purchase  
21 of capital equipment for each client who participates in the homecraft program.

22 **SECTION 2419d.** 47.03 (11) (e) of the statutes, as created by 1995 Wisconsin Act  
23 .... (this act), is amended to read:

24 47.03 (11) (e) The department shall distribute at least \$218,600 from the  
25 appropriations in s. ~~20.435~~ 20.445 (5) (bm) and (na) in each fiscal year for homecraft

**SECTION 2419d**

1 services relating to the marketing and distribution of homecraft products and to the  
2 purchase of capital equipment for each client who participates in the homecraft  
3 program.

4 **SECTION 2420.** 47.10 of the statutes is repealed.

5 **SECTION 2421.** 47.20 of the statutes is renumbered 46.297, and 46.297 (1), as  
6 renumbered, is amended to read:

7 46.297 (1) ASSISTANCE. From the appropriation under s. 20.435 ~~(5)~~ (7) (d), the  
8 department shall, subject to the availability of funds, provide assistance to  
9 hearing-impaired persons to secure telecommunication devices capable of serving  
10 their needs. Except in extraordinary circumstances, the department shall purchase  
11 or provide funds for the purchase of telecommunication devices.

12 **SECTION 2422.** 47.25 of the statutes is renumbered 46.298.

13 **SECTION 2423.** 48.02 (1) of the statutes is amended to read:

14 48.02 (1) "Adult" means a person who is 18 years of age or older, except that  
15 for purposes of prosecuting a person who is alleged to have violated any state or  
16 federal criminal law, "adult" means a person who has attained 17 years of age.

17 **SECTION 2424.** 48.02 (2) of the statutes is amended to read:

18 48.02 (2) "Child" means a person who is less than 18 years of age, except that  
19 for purposes of prosecuting a person who is alleged to have violated a state or federal  
20 criminal law, "child" does not include a person who has attained 17 years of age.

21 **SECTION 2424m.** 48.02 (2c) of the statutes is created to read:

22 48.02 (2c) "Child caring institution" means a facility operated by a child  
23 welfare agency licensed under s. 48.60 for the care and maintenance of children  
24 residing in that facility.

25 **SECTION 2425.** 48.02 (3m) of the statutes is amended to read:

1           48.02 **(3m)** “Delinquent” means a child who is less than ~~18~~ 17 years of age and  
2           12 years of age or older who has violated any state or federal criminal law, except as  
3           provided in ss. 48.17, 48.18 and 48.183, or who has committed a contempt of court,  
4           as defined in s. 785.01 (1), as specified in s. 48.355 (6g).

5           **SECTION 2426g.** 48.02 (15g) of the statutes is created to read:

6           48.02 **(15g)** “Secured child caring institution” means a child caring institution  
7           operated by a child welfare agency that is licensed under s. 48.66 (1) to hold in secure  
8           custody persons adjudged delinquent.

9           **SECTION 2426m.** 48.02 (15m) of the statutes, as affected by 1993 Wisconsin Act  
10          377, is amended to read:

11          48.02 **(15m)** “Secured correctional facility” means a correctional institution  
12          operated or contracted for by the department of ~~health and social services or the~~  
13          ~~department of corrections~~ for holding in secure custody persons adjudged  
14          delinquent. “Secured correctional facility” includes the facility at which the juvenile  
15          boot camp program under s. 48.532 is operated.

16          **SECTION 2426p.** 48.02 (15m) of the statutes, as affected by 1993 Wisconsin 377  
17          and 1995 Wisconsin Act .... (this act), is repealed and recreated to read:

18          48.02 **(15m)** “Secured correctional facility” means a correctional institution  
19          operated or contracted for by the department of corrections for holding in secure  
20          custody persons adjudged delinquent. “Secured correctional facility” includes the  
21          facility at which the juvenile boot camp program under s. 48.532 is operated.

22          **SECTION 2426r.** 48.023 (4) of the statutes, as affected by 1993 Wisconsin Act  
23          385, is amended to read:

24          48.023 **(4)** The rights and responsibilities of legal custody except when legal  
25          custody has been vested in another person or when the child is under the supervision

**SECTION 2426r**

1 of the department of corrections under s. 48.34 (4h), (4m) or (4n) or the supervision  
2 of a county department under s. 48.34 (4n).

3 **SECTION 2426t.** 48.025 (1) of the statutes is amended to read:

4 48.025 (1) Any person claiming to be the father of a nonmarital child who is not  
5 adopted or whose parents do not subsequently intermarry under s. 767.60 may, in  
6 accordance with procedures under this section, file with the department of revenue  
7 a declaration of his interest in matters affecting such child.

8 **SECTION 2426v.** 48.025 (3) of the statutes is amended to read:

9 48.025 (3) A copy of a declaration filed with the department of revenue under  
10 sub. (1) shall be sent to the mother at her last-known address. Nonreceipt of such  
11 copy shall not affect the validity of the declaration. The mother may send a written  
12 response to the declaration to the department of revenue, and the written response  
13 shall be filed with the declaration. Failure to send a written response shall not  
14 constitute an admission of the statements contained in the declaration.

15 **SECTION 2427.** 48.06 (1) (b) of the statutes is amended to read:

16 48.06 (1) (b) Notwithstanding par. (a), the county board of supervisors may  
17 institute changes in the administration of services to the children's court center in  
18 order to qualify for the maximum amount of federal and state aid as provided in sub.  
19 (4) and s. ~~49.52~~ 46.495.

20 **SECTION 2428.** 48.06 (4) of the statutes is amended to read:

21 48.06 (4) STATE AID. State aid to any county for court services under this section  
22 shall be at the same net effective rate that each county is reimbursed for county  
23 administration under s. ~~49.52~~ 46.495, except as provided in s. ~~46.26~~ 301.26. Counties  
24 having a population of less than 500,000 may use funds received under ss. ~~46.26~~ and  
25 ~~49.52 (1) (d)~~ 46.495 (1) (d) and 301.26, including county or federal revenue sharing

**SECTION 2428**

1 funds allocated to match funds received under s. ~~49.52 (1) (d)~~ 46.495 (1) (d), for the  
2 cost of providing court attached intake services in amounts not to exceed 50% of the  
3 cost of providing court attached intake services or \$30,000 per county per calendar  
4 year, whichever is less.

5 **SECTION 2428m.** 48.069 (1) (intro.) of the statutes is amended to read:

6 48.069 (1) (intro.) The staff of the department of health and social services, the  
7 department of corrections, the court, a county department or a licensed child welfare  
8 agency designated by the court to carry out the objectives and provisions of this  
9 chapter shall:

10 **SECTION 2428p.** 48.069 (2) of the statutes is amended to read:

11 48.069 (2) Licensed child welfare agencies ~~and~~, the department of health and  
12 social services and the department of corrections shall provide services under this  
13 section only upon the approval of the agency from whom services are requested.

14 **SECTION 2429.** 48.07 (1) of the statutes is repealed.

15 **SECTION 2429m.** 48.08 (2) of the statutes is amended to read:

16 48.08 (2) Except as provided in sub. (3), any person authorized to provide or  
17 providing intake or dispositional services for the court under ss. 48.067 and 48.069  
18 ~~and any department of corrections staff member designated by agreement between~~  
19 ~~the department of corrections and the department of health and social services~~ has  
20 the power of police officers and deputy sheriffs only for the purpose of taking a child  
21 into physical custody when the child comes voluntarily or is suffering from illness or  
22 injury or is in immediate danger from his or her surroundings and removal from the  
23 surroundings is necessary.

24 **SECTION 2430.** 48.08 (3) (a) (intro.) of the statutes is amended to read:

1           48.08 (3) (a) (intro.) In addition to the law enforcement authority specified in  
2 sub. (2), ~~department of health and social services personnel designated by that~~  
3 ~~department, personnel of a nonprofit corporation operating a secured correctional~~  
4 ~~facility for girls designated by agreement between that nonprofit corporation and the~~  
5 ~~department of health and social services, and department of corrections personnel~~  
6 ~~designated by agreement between the department of health and social services and~~  
7 the department of corrections have the power of law enforcement authorities to take  
8 a child into physical custody under the following conditions:

9           **SECTION 2431.** 48.12 (1) of the statutes is amended to read:

10           48.12 (1) The court has exclusive jurisdiction, except as provided in ss. 48.17,  
11 48.18 and 48.183, over any child who is less than 17 years of age and 12 years of age  
12 or older and who is alleged to be delinquent as defined in s. 48.02 (3m).

13           **SECTION 2432.** 48.12 (2) of the statutes is amended to read:

14           48.12 (2) If a court proceeding has been commenced under this section before  
15 a child is ~~18~~ 17 years of age, but the child becomes ~~18~~ 17 years of age before admitting  
16 the facts of the petition at the plea hearing or if the child denies the facts, before an  
17 adjudication, the court retains jurisdiction over the case to dismiss the action with  
18 prejudice, to waive its jurisdiction under s. 48.18, or to enter into a consent decree.  
19 If the court finds that the child has failed to fulfill the express terms and conditions  
20 of the consent decree or the child objects to the continuation of the consent decree,  
21 the court may waive its jurisdiction.

22           **SECTION 2433m.** 48.18 (2m) of the statutes, as created by 1993 Wisconsin Act  
23 377, is repealed.

24           **SECTION 2433p.** 48.18 (2r) of the statutes is created to read:

1           48.18 **(2r)** If it appears that the child may be suitable for participation in the  
2 serious juvenile offender program under s. 48.538 or the adult intensive sanctions  
3 program under s. 301.048, the judge shall order the department of corrections to  
4 submit a written report analyzing the child's suitability for participation in those  
5 programs and recommending whether the child should be placed in either of those  
6 programs.

7           **SECTION 2434m.** 48.18 (5) (c) of the statutes, as affected by 1993 Wisconsin Act  
8 377, is amended to read:

9           48.18 **(5)** (c) The adequacy and suitability of facilities, services and procedures  
10 available for treatment of the child and protection of the public within the juvenile  
11 justice system, and, where applicable, the mental health system ~~and the suitability~~  
12 ~~of the child for placement in the youthful offender program under s. 48.537 or the~~  
13 ~~adult intensive sanctions program under s. 301.048.~~

14           **SECTION 2434p.** 48.18 (5) (c) of the statutes, as affected by 1993 Wisconsin Act  
15 377 and 1995 Wisconsin Act .... (this act), is repealed and recreated to read:

16           48.18 **(5)** (c) The adequacy and suitability of facilities, services and procedures  
17 available for treatment of the child and protection of the public within the juvenile  
18 justice system, and, where applicable, the mental health system and the suitability  
19 of the child for placement in the serious juvenile offender program under s. 48.538  
20 or the adult intensive sanctions program under s. 301.048.

21           **SECTION 2435d.** 48.19 (1) (d) 6. of the statutes, as affected by 1993 Wisconsin  
22 Act 377, is amended to read:

23           48.19 **(1)** (d) 6. The child has violated the terms of court-ordered supervision  
24 or aftercare supervision administered by the department ~~of health and social~~  
25 ~~services~~ or a county department, or of corrective sanctions supervision administered

**SECTION 2435d**

1 by the department of ~~health and social services or youthful offender supervision~~  
2 administered by the department of corrections.

3 **SECTION 2435g.** 48.19 (1) (d) 6. of the statutes, as affected by 1993 Wisconsin  
4 Act 377 and 1995 Wisconsin Act .... (this act), is repealed and recreated to read:

5 48.19 (1) (d) 6. The child has violated the terms of court-ordered supervision  
6 or aftercare supervision administered by the department of corrections or a county  
7 department or of corrective sanctions supervision or serious juvenile offender  
8 supervision administered by the department of corrections.

9 **SECTION 2435m.** 48.20 (2) (cm) of the statutes, as created by 1993 Wisconsin  
10 Act 385, is amended to read:

11 48.20 (2) (cm) If the child has violated the terms of aftercare supervision  
12 administered by the department of corrections or a county department, the person  
13 who took the child into custody may release the child to the department of corrections  
14 or county department, whichever has aftercare supervision over the child.

15 **SECTION 2435p.** 48.20 (7) (c) 1m. of the statutes, as created by 1993 Wisconsin  
16 Act 385, is amended to read:

17 48.20 (7) (c) 1m. In the case of a child who has violated the terms of aftercare  
18 supervision administered by the department of corrections or a county department,  
19 to the department of corrections or county department, whichever has aftercare  
20 supervision of the child.

21 **SECTION 2435t.** 48.20 (8) of the statutes, as affected by 1993 Wisconsin Act 385,  
22 is amended to read:

23 48.20 (8) If a child is held in custody, the intake worker shall notify the child's  
24 parent, guardian and legal custodian of the reasons for holding the child in custody  
25 and of the child's whereabouts unless there is reason to believe that notice would

1 present imminent danger to the child. If a child who has violated the terms of  
2 aftercare supervision administered by the department or a county department is  
3 held in custody, the intake worker shall also notify the department or county  
4 department, whichever has supervision over the child, of the reasons for holding the  
5 child in custody, of the child's whereabouts and of the time and place of the detention  
6 hearing required under s. 48.21. The parent, guardian and legal custodian shall also  
7 be notified of the time and place of the detention hearing required under s. 48.21, the  
8 nature and possible consequences of that hearing, ~~the right to counsel under s. 48.23~~  
9 ~~regardless of ability to pay~~, and the right to present and cross-examine witnesses at  
10 the hearing. If the parent, guardian or legal custodian is not immediately available,  
11 the intake worker or another person designated by the court shall provide notice as  
12 soon as possible. When the child is alleged to be in need of protection or services and  
13 is 12 years of age or older, or is alleged to have committed a delinquent act, the child  
14 shall receive the same notice about the detention hearing as the parent, guardian or  
15 legal custodian. The intake worker shall notify both the child and the child's parent,  
16 guardian or legal custodian.

17 **SECTION 2435v.** 48.20 (8) of the statutes, as affected by 1993 Wisconsin Act 385  
18 and 1995 Wisconsin Act .... (this act), is repealed and recreated to read:

19 48.20 (8) If a child is held in custody, the intake worker shall notify the child's  
20 parent, guardian and legal custodian of the reasons for holding the child in custody  
21 and of the child's whereabouts unless there is reason to believe that notice would  
22 present imminent danger to the child. If a child who has violated the terms of  
23 aftercare supervision administered by the department of corrections or a county  
24 department is held in custody, the intake worker shall also notify the department of  
25 corrections or county department, whichever has supervision over the child, of the

1 reasons for holding the child in custody, of the child's whereabouts and of the time  
2 and place of the detention hearing required under s. 48.21. The parent, guardian and  
3 legal custodian shall also be notified of the time and place of the detention hearing  
4 required under s. 48.21, the nature and possible consequences of that hearing, and  
5 the right to present and cross-examine witnesses at the hearing. If the parent,  
6 guardian or legal custodian is not immediately available, the intake worker or  
7 another person designated by the court shall provide notice as soon as possible.  
8 When the child is alleged to be in need of protection or services and is 12 years of age  
9 or older, or is alleged to have committed a delinquent act, the child shall receive the  
10 same notice about the detention hearing as the parent, guardian or legal custodian.  
11 The intake worker shall notify both the child and the child's parent, guardian or legal  
12 custodian.

13 **SECTION 2436m.** 48.205 (1) (c) of the statutes, as affected by 1993 Wisconsin  
14 Act 377, is amended to read:

15 48.205 (1) (c) Probable cause exists to believe that the child will run away or  
16 be taken away so as to be unavailable for proceedings of the court or its officers or  
17 proceedings of the division of hearings and appeals in the department of  
18 administration for revocation of aftercare, or corrective sanctions ~~or youthful~~  
19 ~~offender~~ supervision.

20 **SECTION 2436p.** 48.205 (1) (c) of the statutes, as affected by 1993 Wisconsin Act  
21 377 and 1995 Wisconsin Act .... (this act), is repealed and recreated to read:

22 48.205 (1) (c) Probable cause exists to believe that the child will run away or  
23 be taken away so as to be unavailable for proceedings of the court or its officers or  
24 proceedings of the division of hearings and appeals in the department of

1 administration for revocation of aftercare, corrective sanctions or serious juvenile  
2 offender supervision.

3 **SECTION 2437m.** 48.208 (1) of the statutes, as affected by 1993 Wisconsin Acts  
4 377 and 385, is amended to read:

5 48.208 (1) Probable cause exists to believe that the child has committed a  
6 delinquent act and either presents a substantial risk of physical harm to another  
7 person or a substantial risk of running away as evidenced by a previous act or  
8 attempt so as to be unavailable for a court hearing or a revocation hearing for  
9 children on aftercare, or corrective sanctions ~~or youthful offender~~ supervision. For  
10 children on aftercare, or corrective sanctions ~~or youthful offender~~ supervision, the  
11 delinquent act referred to in this section may be the act for which the child was placed  
12 in a secured correctional facility.

13 **SECTION 2437p.** 48.208 (1) of the statutes, as affected by 1993 Wisconsin Acts  
14 377 and 385 and 1995 Wisconsin Act .... (this act), is repealed and recreated to read:

15 48.208 (1) Probable cause exists to believe that the child has committed a  
16 delinquent act and either presents a substantial risk of physical harm to another  
17 person or a substantial risk of running away as evidenced by a previous act or  
18 attempt so as to be unavailable for a court hearing or a revocation hearing for  
19 children on aftercare, corrective sanctions or serious juvenile offender supervision.  
20 For children on aftercare, corrective sanctions or serious juvenile offender  
21 supervision, the delinquent act referred to in this section may be the act for which  
22 the child was placed in a secured correctional facility.

23 **SECTION 2437r.** 48.21 (3) (d) of the statutes is amended to read:

24 48.21 (3) (d) Prior to the commencement of the hearing, the parent, guardian  
25 or legal custodian shall be informed by the court of the allegations that have been

1 made or may be made, the nature and possible consequences of this hearing as  
2 compared to possible future hearings, ~~the right to counsel under s. 48.23~~ regardless  
3 ~~of ability to pay~~, the right to confront and cross-examine witnesses and the right to  
4 present witnesses.

5 **SECTION 2438.** 48.22 (7) of the statutes is renumbered 48.22 (7) (a) and  
6 amended to read:

7 48.22 (7) (a) No person may establish a shelter care facility without first  
8 obtaining a license under s. 48.66 (1). To obtain a license under s. 48.66 (1) to operate  
9 a shelter care facility, a person must meet the minimum requirements for a license  
10 established by the department under s. 48.67 and pay the license fee under par. (b).  
11 A license issued under s. 48.66 (1) to operate a shelter care facility is valid for 2 years  
12 after the date of issuance, unless sooner revoked or suspended.

13 **SECTION 2439.** 48.22 (7) (b) of the statutes is created to read:

14 48.22 (7) (b) Before the department may issue a license under s. 48.66 (1) to  
15 operate a shelter care facility, the shelter care facility must pay to the department  
16 a biennial fee of \$50, plus a biennial fee of \$15 per child, based on the number of  
17 children that the shelter care facility is licensed to serve. A shelter care facility that  
18 wishes to renew a license issued under s. 48.66 (1) shall pay the fee under this  
19 paragraph by the renewal date of the license. A new shelter care facility shall pay  
20 the fee under this paragraph by no later than 30 days before the opening of the  
21 shelter care facility.

22 **SECTION 2440.** 48.22 (7) (c) of the statutes is created to read:

23 48.22 (7) (c) A shelter care facility that wishes to renew a license issued under  
24 s. 48.66 (1) and that fails to pay the fee under par. (b) by the renewal date of the  
25 license or a new shelter care facility that fails to pay the fee under par. (b) by 30 days

**SECTION 2440**

1 before the opening of the shelter care facility shall pay an additional fee of \$5 per day  
2 for every day after the deadline that the facility fails to pay the fee.

3 **SECTION 2442m.** 48.23 (1) (a) of the statutes, as affected by 1993 Wisconsin Acts  
4 377, 385 and 491, is amended to read:

5 48.23 (1) (a) Any child alleged to be delinquent under s. 48.12 or held in a secure  
6 detention facility shall be represented by counsel at all stages of the proceedings, but  
7 a child 15 years of age or older may waive counsel if the court is satisfied that the  
8 waiver is knowingly and voluntarily made and the court accepts the waiver. If the  
9 waiver is accepted, the court may not place the child in a secured correctional facility,  
10 ~~transfer legal custody of the child to the department of corrections for participation~~  
11 ~~in the youthful offender program~~ or transfer jurisdiction over the child to adult court.

12 **SECTION 2442p.** 48.23 (1) (a) of the statutes, as affected by 1993 Wisconsin Acts  
13 377, 385 and 491 and 1995 Wisconsin Act .... (this act), is repealed and recreated to  
14 read:

15 48.23 (1) (a) Any child alleged to be delinquent under s. 48.12 or held in a secure  
16 detention facility shall be represented by counsel at all stages of the proceedings, but  
17 a child 15 years of age or older may waive counsel if the court is satisfied that the  
18 waiver is knowingly and voluntarily made and the court accepts the waiver. If the  
19 waiver is accepted, the court may not place the child in a secured correctional facility,  
20 transfer supervision of the child to the department of corrections for participation in  
21 the serious juvenile offender program or transfer jurisdiction over the child to adult  
22 court.

23 **SECTION 2442r.** 48.23 (2) (a) of the statutes is renumbered 48.23 (2) and  
24 amended to read:

1           48.23 (2) RIGHT OF PARENTS TO COUNSEL. Whenever a child is ~~alleged to be in need~~  
2 ~~of protection or services under s. 48.13,~~ or is the subject of a proceeding involving a  
3 contested adoption or the involuntary termination of parental rights, any parent  
4 under 18 years of age who appears before the court shall be represented by counsel;  
5 but no such parent may waive counsel. A minor parent petitioning for the voluntary  
6 termination of parental rights shall be represented by a guardian ad litem. If a  
7 proceeding involves a contested adoption or the involuntary termination of parental  
8 rights, any parent 18 years old or older who appears before the court shall be  
9 represented by counsel; but the parent may waive counsel provided the court is  
10 satisfied such waiver is knowingly and voluntarily made.

11           **SECTION 2442t.** 48.23 (2) (b) of the statutes is repealed.

12           **SECTION 2442v.** 48.23 (3) of the statutes is amended to read:

13           48.23 (3) POWER OF THE COURT TO APPOINT COUNSEL. ~~At~~ Except in proceedings  
14 under s. 48.13, at any time, upon request or on its own motion, the court may appoint  
15 counsel for the child or any party, unless the child or the party has or wishes to retain  
16 counsel of his or her own choosing. ~~The court may not appoint counsel for any party~~  
17 other than the child in a proceeding under s. 48.13.

18           **SECTION 2444m.** 48.235 (8) of the statutes is amended to read:

19           48.235 (8) COMPENSATION. On order of the court, the guardian ad litem  
20 appointed under this chapter shall be allowed reasonable compensation to be paid  
21 by the county of venue, except that compensation shall be paid by the proposed  
22 adoptive parents in uncontested termination proceedings and uncontested adoption  
23 cases under ss. 48.835 and 48.837 and by the agency in uncontested termination  
24 proceedings and uncontested adoptions under s. 48.833. If the proposed adoptive  
25 parents are unable to pay, the court may direct that the county of venue pay the

**SECTION 2444m**

1 compensation, in whole or in part, and may direct that the proposed adoptive parents  
2 reimburse the county, in whole or in part, for the payment. If the court orders a  
3 county to pay the compensation of the guardian ad litem, the amount ordered may  
4 not exceed the compensation paid to private attorneys under s. 977.08 (4m) (b). At  
5 any time before the final order for adoption, the court may order that payments be  
6 placed in an escrow account in an amount estimated to be sufficient to pay the  
7 compensation of the guardian ad litem.

8 **SECTION 2445.** 48.243 (1) (b) of the statutes is amended to read:

9 48.243 (1) (b) The nature and possible consequences of the proceedings  
10 including the provisions of ss. 48.17, and 48.18 ~~and 48.366~~ if applicable;

11 **SECTION 2445g.** 48.243 (1) (e) of the statutes is amended to read:

12 48.243 (1) (e) The right of the child to counsel under s. 48.23;

13 **SECTION 2446.** 48.255 (1) (intro.) of the statutes is amended to read:

14 48.255 (1) (intro.) A petition initiating proceedings under this chapter, other  
15 than a petition initiating proceedings under s. 48.12 or 48.13 (12), shall be entitled,  
16 “In the interest of (child’s name), a person under the age of 18”, ~~and, A petition~~  
17 initiating proceedings under s. 48.12 or 48.13 (12) shall be entitled, “In the interest  
18 of (child’s name), a person under the age of 17”. A petition initiating proceedings  
19 under this chapter shall set forth with specificity:

20 **SECTION 2448b.** 48.27 (4) (b) of the statutes is amended to read:

21 48.27 (4) (b) Advise the child ~~and any other party, if applicable,~~ of his or her  
22 right to legal counsel regardless of ability to pay.

23 **SECTION 2448d.** 48.275 (2) (a) of the statutes is amended to read:

24 48.275 (2) (a) If this state or a county provides legal counsel to a child subject  
25 to a proceeding under s. 48.12 or 48.13, the court shall order the child’s parent to

**SECTION 2448d**

1 provide a statement of income, assets and living expenses to the county department  
2 and shall order that parent to reimburse the state or county in accordance with par.  
3 (b) or (c). The court may not order reimbursement if a parent is the complaining or  
4 petitioning party or if the court finds that the interests of the parent and the interests  
5 of the child in the proceeding are substantially and directly adverse and that  
6 reimbursement would be unfair to the parent. The court may not order  
7 reimbursement until the completion of the proceeding or until the state or county is  
8 no longer providing the child with legal counsel in the proceeding.

9 **SECTION 2448f.** 48.275 (2) (b) of the statutes is amended to read:

10 48.275 (2) (b) If this state provides the child with legal counsel and the court  
11 orders reimbursement under par. (a), the county department shall child's parent may  
12 request the state public defender to determine whether the parent is indigent as  
13 provided under s. 977.07 and shall to determine the amount of reimbursement. If  
14 the parent is found not to be indigent, the amount of reimbursement shall be the  
15 maximum amount established by the public defender board. If the parent is found  
16 to be indigent in part, the amount of reimbursement shall be the amount of partial  
17 payment determined in accordance with the rules of the public defender board under  
18 s. 977.02 (3).

19 **SECTION 2448h.** 48.275 (2) (d) of the statutes is amended to read:

20 48.275 (2) (d) Reimbursement payments shall be made to the clerk of courts  
21 of the county where the proceedings took place. Each payment shall be transmitted  
22 to the county treasurer, who shall deposit ~~50%~~ 25% of the amount paid for  
23 state-provided counsel in the county treasury and transmit the remainder to the  
24 state treasurer ~~for deposit.~~ Payments transmitted to the state treasurer shall be  
25 deposited in the general fund and credited to the appropriation account under s.

1     20.550 (1) (L). The county treasurer shall deposit 100% of the amount paid for  
2     county-provided counsel in the county treasury.

3             **SECTION 2448m.** 48.30 (6) of the statutes is amended to read:

4             48.30 (6) If a petition is not contested, the court shall set a date for the  
5     dispositional hearing which allows reasonable time for the parties to prepare but is  
6     no more than 10 days from the plea hearing for the child who is held in secure custody  
7     and no more than 30 days from the plea hearing for a child who is not held in secure  
8     custody. If it appears to the court that disposition of the case may include placement  
9     of the child outside the child's home, the court shall order the child's parent to provide  
10    a statement of income, assets, debts and living expenses to the court or the  
11    designated agency under s. 48.33 (1) at least 5 days before the scheduled date of the  
12    dispositional hearing or as otherwise ordered by the court. The clerk of court shall  
13    provide, without charge, to any parent ordered to provide a statement of income,  
14    assets, debts and living expenses a document setting forth the percentage standard  
15    established by the department of revenue under s. 46.25 73.25 (9) and listing the  
16    factors that a court may consider under s. 46.10 (14) (c). If all parties consent the  
17    court may proceed immediately with the dispositional hearing. If a citation is not  
18    contested, the court may proceed immediately to enter a dispositional order.

19            **SECTION 2448p.** 48.31 (7) of the statutes is amended to read:

20            48.31 (7) At the close of the fact-finding hearing, the court shall set a date for  
21    the dispositional hearing which allows a reasonable time for the parties to prepare  
22    but is no more than 10 days from the fact-finding hearing for a child in secure custody  
23    and no more than 30 days from the fact-finding hearing for a child not held in secure  
24    custody. If it appears to the court that disposition of the case may include placement  
25    of the child outside the child's home, the court shall order the child's parent to provide

1 a statement of income, assets, debts and living expenses to the court or the  
2 designated agency under s. 48.33 (1) at least 5 days before the scheduled date of the  
3 dispositional hearing or as otherwise ordered by the court. The clerk of court shall  
4 provide, without charge, to any parent ordered to provide a statement of income,  
5 assets, debts and living expenses a document setting forth the percentage standard  
6 established by the department of revenue under s. ~~46.25~~ 73.25 (9) and listing the  
7 factors that a court may consider under s. 46.10 (14) (c). If all parties consent, the  
8 court may immediately proceed with a dispositional hearing.

9 **SECTION 2448r.** 48.33 (1) (intro.) of the statutes is amended to read:

10 48.33 (1) REPORT REQUIRED. (intro.) Before the disposition of a child adjudged  
11 to be delinquent or in need of protection or services the court shall designate an  
12 agency, as defined in s. 48.38 (1) (a), to submit a report which shall contain all of the  
13 following:

14 **SECTION 2450.** 48.33 (3m) of the statutes, as created by 1993 Wisconsin Act 377,  
15 is repealed.

16 **SECTION 2450m.** 48.33 (3r) of the statutes is created to read:

17 48.33 (3r) SERIOUS JUVENILE OFFENDER REPORT. If a child 14 years of age or over  
18 has been adjudicated delinquent for committing a violation specified in s. 48.34 (4h)  
19 (a), the report shall be submitted in writing by the department of corrections and, in  
20 addition to the information specified in sub. (1) and in sub. (3) or (4), if applicable,  
21 shall include an analysis of the child's suitability for placement in the serious  
22 juvenile offender program under s. 48.34 (4h) or in a secured correctional facility  
23 under s. 48.34 (4m), a placement specified in s. 48.34 (3) or placement in the child's  
24 home with supervision and community-based programming and a recommendation  
25 as to the type of placement for which the child is best suited.

**SECTION 2451m**

1           **SECTION 2451m.** 48.34 (2) of the statutes, as affected by 1993 Wisconsin Act  
2 377, is amended to read:

3           48.34 (2) Place the child under supervision of an agency, the department of of  
4 corrections, if the department of corrections approves, or a suitable adult, including  
5 a friend of the child, under conditions prescribed by the judge including reasonable  
6 rules for the child's conduct, designed for the physical, mental and moral well-being  
7 and behavior of the child.

8           **SECTION 2451p.** 48.34 (2m) of the statutes, as affected by 1993 Wisconsin Act  
9 377, is amended to read:

10           48.34 (2m) Place the child in his or her home under the supervision of an  
11 agency, ~~as defined under s. 48.38 (1) (a)~~ or the department of health and social  
12 services, if that department approves, and order the agency or department to provide  
13 specified services to the child and the child's family, which may include but are not  
14 limited to individual or group counseling, homemaker or parent aide services, respite  
15 care, housing assistance, day care or parent skills training.

16           **SECTION 2451r.** 48.34 (2m) of the statutes, as affected by 1993 Wisconsin Act  
17 377 and 1995 Wisconsin Act .... (this act), is repealed and recreated to read:

18           48.34 (2m) Place the child in the child's home under the supervision of an  
19 agency, the department of health and social services, if the child is in need of  
20 protection or services and that department approves, or the department of  
21 corrections, if the child is delinquent and that department approves, and order the  
22 agency or department to provide specified services to the child and the child's family,  
23 which may include but are not limited to individual, family or group counseling,  
24 homemaker or parent aide services, respite care, housing assistance, day care or  
25 parent skills training.

**SECTION 2453m**

1           **SECTION 2453m.** 48.34 (3g) of the statutes is amended to read:

2           48.34 **(3g)** ~~If the judge places the child in the community under sub. (2m), (2r),~~  
3 ~~(3) or (10), the judge may order the child to be monitored~~ Monitoring by an electronic  
4 monitoring system for a child subject to an order under sub. (2m), (2r), (3), (4n) or (10)  
5 who is placed in the community.

6           **SECTION 2453p.** 48.34 (3g) of the statutes, as affected by 1995 Wisconsin Act  
7 .... (this act), is repealed and recreated to read:

8           48.34 **(3g)** Monitoring by an electronic monitoring system for a child subject  
9 to an order under sub. (2m), (2r), (3), (4h), (4n) or (10) who is placed in the community.

10          **SECTION 2454m.** 48.34 (4g) of the statutes, as created by 1993 Wisconsin Act  
11 377, is repealed.

12          **SECTION 2457m.** 48.34 (4h) of the statutes is created to read:

13          48.34 **(4h)** Place the child in the serious juvenile offender program under s.  
14 48.538, but only if all of the following apply:

15           (a) The child is 14 years of age or over and has been adjudicated delinquent for  
16 committing a violation of s. 939.31, 939.32 (1) (a), 940.01, 940.02, 940.03, 940.05,  
17 940.21, 940.225 (1), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2), 943.23 (1g),  
18 (1m) or (1r), 943.32 (2), 948.02 (1), 948.025, 948.30, 948.35 (1) (b) or 948.36.

19           (b) The judge finds that the only other disposition that would be appropriate  
20 for the child would be placement of the child in a secured correctional facility under  
21 sub. (4m).

22          **SECTION 2458.** 48.34 (4m) (intro.) of the statutes, as affected by 1993 Wisconsin  
23 Act 385, is amended to read:

24          48.34 **(4m)** (intro.) Place the child in a secured correctional facility under the  
25 supervision of the department of corrections, but only if all of the following apply:

**SECTION 2459**

1           **SECTION 2459.** 48.34 (4m) (a) of the statutes is amended to read:

2           48.34 (4m) (a) The child has been found to be delinquent for the commission  
3 of an act which if committed by an adult would be punishable by a sentence of 6  
4 months or more; ~~and.~~

5           **SECTION 2461.** 48.34 (4n) (intro.) of the statutes, as created by 1993 Wisconsin  
6 Act 385, is amended to read:

7           48.34 (4n) (intro.) Subject to s. 48.532 (3) and to any arrangement between the  
8 department and a county department regarding the provision of aftercare  
9 supervision for children, designate one of the following to provide aftercare  
10 supervision for the child following the child's release from a secured correctional  
11 facility:

12           **SECTION 2461m.** 48.34 (4n) (intro.) of the statutes, as affected by 1995  
13 Wisconsin Act .... (this act), is repealed and recreated to read:

14           48.34 (4n) (intro.) Subject to s. 48.532 (3) and to any arrangement between  
15 the department of corrections and a county department regarding the provision of  
16 aftercare supervision for children, designate one of the following to provide aftercare  
17 supervision for the child following the child's release from a secured correctional  
18 facility:

19           **SECTION 2461r.** 48.34 (4n) (a) of the statutes, as created by 1993 Wisconsin Act  
20 385, is amended to read:

21           48.34 (4n) (a) The department of corrections.

22           **SECTION 2464.** 48.34 (10) (a) of the statutes is amended to read:

23           48.34 (10) (a) The judge may order that a child, on attaining 17 or more years  
24 of age, be allowed to live independently, either alone or with friends, under such  
25 supervision as the judge deems appropriate.

**SECTION 2464m**

1           **SECTION 2464m.** 48.345 (1) (a) of the statutes, as affected by 1993 Wisconsin  
2 Acts 377, 385 and 491, is amended to read:

3           48.345 (1) (a) Place the child in a secured correctional facility ~~or transfer the~~  
4 ~~custody of the child to the department of corrections.~~

5           **SECTION 2464p.** 48.345 (1) (a) of the statutes, as affected by 1993 Wisconsin  
6 Acts 377, 385 and 491 and 1995 Wisconsin Act .... (this act), is repealed and recreated  
7 to read:

8           48.345 (1) (a) Place the child in the serious juvenile offender program or in a  
9 secured correctional facility.

10          **SECTION 2465.** 48.35 (1) (c) of the statutes is amended to read:

11          48.35 (1) (c) Disposition by the court assigned to exercise jurisdiction under this  
12 chapter of any allegation under s. 48.12 shall bar any future proceeding on the same  
13 matter in criminal court when the child reaches the age of ~~18~~ 17. This paragraph  
14 does not affect proceedings in criminal court which have been transferred under s.  
15 48.18.

16          **SECTION 2465m.** 48.355 (4) (a) of the statutes, as affected by 1993 Wisconsin  
17 Acts 377, 385 and 491, is amended to read:

18          48.355 (4) (a) Except as provided under par. (b) or s. 48.368, all orders under  
19 this section shall terminate at the end of one year unless the judge specifies a shorter  
20 period of time. Except if s. 48.368 applies, extensions or revisions shall terminate  
21 at the end of one year unless the judge specifies a shorter period of time. No extension  
22 under s. 48.365 of an original dispositional order may be granted for a child whose  
23 ~~legal custody has been transferred to the department of corrections under s. 48.34~~  
24 ~~(4g) or who is under the supervision of the department of health and social services~~  
25 ~~under s. 48.34 (4m) or (4n) or under the supervision of a county department under~~

**SECTION 2465m**

1 s. 48.34 (4n) if the child is 18 years of age or older when the original dispositional  
2 order terminates. Any order made before the child reaches the age of majority shall  
3 be effective for a time up to one year after its entry unless the judge specifies a shorter  
4 period of time.

5 **SECTION 2465n.** 48.355 (4) (a) of the statutes, as affected by 1993 Wisconsin  
6 Acts 377, 385 and 491 and 1995 Wisconsin Act .... (this act), section 2465m, is  
7 amended to read:

8 48.355 (4) (a) Except as provided under par. (b) or s. 48.368, all orders under  
9 this section shall terminate at the end of one year unless the judge specifies a shorter  
10 period of time. Except if s. 48.368 applies, extensions or revisions shall terminate  
11 at the end of one year unless the judge specifies a shorter period of time. No extension  
12 under s. 48.365 of an original dispositional order may be granted for a child whose  
13 legal custody has been transferred to the department of corrections under s. 48.34  
14 (4g) or who is under the supervision of the department under s. 48.34 (4m) or (4n)  
15 or under the supervision of a county department under s. 48.34 (4n) if the child is 18  
16 17 years of age or older when the original dispositional order terminates. Any order  
17 made before the child reaches the age of majority shall be effective for a time up to  
18 one year after its entry unless the judge specifies a shorter period of time.

19 **SECTION 2465p.** 48.355 (4) (a) of the statutes, as affected by 1993 Wisconsin  
20 Acts 377, 385 and 491 and 1995 Wisconsin Act .... (this act), sections 2465m and  
21 2465n, is repealed and recreated to read:

22 48.355 (4) (a) Except as provided under par. (b) or s. 48.368, all orders under  
23 this section shall terminate at the end of one year unless the judge specifies a shorter  
24 period of time. Except if s. 48.368 applies, extensions or revisions shall terminate  
25 at the end of one year unless the judge specifies a shorter period of time. No extension

**SECTION 2465p**

1 under s. 48.365 of an original dispositional order may be granted for a child who is  
2 under the supervision of the department of corrections under s. 48.34 (4h), (4m) or  
3 (4n) or under the supervision of a county department under s. 48.34 (4n) if the child  
4 is 17 years of age or older when the original dispositional order terminates. Any  
5 order made before the child reaches the age of majority shall be effective for a time  
6 up to one year after its entry unless the judge specifies a shorter period of time.

7 **SECTION 2466d.** 48.355 (4) (b) of the statutes, as affected by 1993 Wisconsin Act  
8 377, is amended to read:

9 48.355 (4) (b) An order under s. 48.34 (4g) ~~or~~ (4m) for which a child has been  
10 adjudicated delinquent is subject to par. (a), except that the judge may make ~~an order~~  
11 ~~under s. 48.34 (4m) the order~~ apply for up to 2 years or until the child's 19th birthdate,  
12 whichever is earlier, ~~and the judge shall make an order under s. 48.34 (4g) apply for~~  
13 ~~5 years, if the child is adjudicated delinquent for committing an act that would be~~  
14 ~~punishable as a Class B, C or D felony if committed by an adult, or until the child~~  
15 ~~reaches 25 years of age, if the child is adjudicated delinquent for committing an act~~  
16 ~~that would be punishable as a Class A felony if committed by an adult.~~

17 **SECTION 2466g.** 48.355 (4) (b) of the statutes, as affected by 1993 Wisconsin Act  
18 377 and 1995 Wisconsin Act ... (this act), section 2466d, is repealed and recreated  
19 to read:

20 48.355 (4) (b) An order under s. 48.34 (4m) for which a child has been  
21 adjudicated delinquent is subject to par. (a), except that the judge may make the  
22 order apply for up to 2 years or until the child's 18th birthdate, whichever is earlier.

23 **SECTION 2466m.** 48.355 (4) (b) of the statutes, as affected by 1993 Wisconsin  
24 Act 377 and 1995 Wisconsin Act ... (this act), sections 2466d and 2466g, is amended  
25 to read:

**SECTION 2466m**

1           48.355 (4) (b) An order under s. 48.34 (4h) or (4m) for which a child has been  
2 adjudicated delinquent is subject to par. (a), except that the judge may make the  
3 ~~order~~ an order under s. 48.34 apply for up to 2 years or until the child's 18th birthdate,  
4 whichever is earlier, and the judge shall make an order under s. 48.34 (4h) apply for  
5 5 years, if the child is adjudicated delinquent for committing an act that would be  
6 punishable as a Class B felony if committed by an adult, or until the child reaches  
7 25 years of age, if the child is adjudicated delinquent for committing an act that  
8 would be punishable as a Class A felony if committed by an adult.

9           **SECTION 2466p.** 48.357 (4) of the statutes, as affected by 1993 Wisconsin Act  
10 385, is renumbered 48.357 (4) (a) and amended to read:

11           48.357 (4) (a) When the child is placed with the department of corrections, the  
12 department of corrections may, after an examination under s. 48.50 ~~48.555~~, place the  
13 child in a secured correctional facility or in a secured child caring institution or on  
14 aftercare or corrective sanctions supervision, either immediately or after a period of  
15 placement in a secured correctional facility. The department shall send written  
16 notice of the change to the parent, guardian, legal custodian, county department  
17 designated under s. 48.34 (4n), if any, and committing court. A child is who placed  
18 in a secured child caring institution remains under the supervision of the  
19 department of corrections, remains subject to the rules and discipline of that  
20 department and is considered to be in custody, as defined in s. 946.42 (1) (a).

21           **SECTION 2466r.** 48.357 (4) (b) of the statutes is created to read:

22           48.357 (4) (b) The child welfare agency that is operating a secured child caring  
23 institution in which a child has been placed under par. (a) may place the child in a  
24 less restrictive placement or in a secured correctional facility and may transfer the  
25 child between secured child caring institutions, without a hearing under sub. (1).

1 The child welfare agency shall establish a rate for each type of placement in the  
2 manner provided in s. 46.037, except that a child welfare agency is not entitled to  
3 receive payment for time that a child is placed in a secured correctional facility.

4 **SECTION 2466t.** 48.357 (4d) of the statutes is created to read:

5 48.357 (4d) If a child who is placed in a child caring institution as a result of  
6 a delinquency adjudication violates a rule of the child caring institution or is  
7 otherwise in need of crisis intervention, the child welfare agency operating the child  
8 caring institution shall notify the department of corrections and may, without a  
9 hearing under sub. (1), place the child in a secured correctional facility or in a secure  
10 detention facility for not more than 30 days. The department shall send written  
11 notice of the change to the parent, guardian, legal custodian and committing court.  
12 If a child is placed in a secured correctional facility or secure detention facility under  
13 this subsection, the child welfare agency operating the child caring institution in  
14 which the child was placed shall reimburse the department of corrections at the rate  
15 specified in s. 301.26 (4) (d) 3m. or 4., whichever is applicable, or county operating  
16 the secure detention facility at the rate established by that county for the cost of the  
17 child's care while placed in the secured correctional facility or secure detention  
18 facility under this subsection.

19 **SECTION 2467.** 48.357 (4g) (a) of the statutes, as created by 1993 Wisconsin Act  
20 385, is amended to read:

21 48.357 (4g) (a) Not later than 120 days after the date on which the child is  
22 placed in a secured correctional facility, or not less than 30 days before the date on  
23 which the department of corrections determines that the child is eligible for release  
24 to aftercare supervision, whichever is earlier, the aftercare provider designated  
25 under s. 48.34 (4n) shall prepare an aftercare plan for the child. If the aftercare

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1 provider designated under s. 48.34 (4n) is a county department, that county  
2 department shall submit the aftercare plan to the department of corrections within  
3 the time limits specified in this paragraph, unless the department of corrections  
4 waives those time limits under par. (b).

5 **SECTION 2467d.** 48.357 (4g) (b) of the statutes, as created by 1993 Wisconsin  
6 Act 385, is amended to read:

7 48.357 (4g) (b) The department of corrections may waive the time period within  
8 which an aftercare plan must be prepared and submitted under par. (a) if ~~the~~ that  
9 department anticipates that the child will remain in the secured correctional facility  
10 for a period exceeding 8 months, if the child is subject to extended jurisdiction under  
11 s. 48.366 or if the child is under corrective sanctions supervision under s. 48.533. If  
12 the department of corrections has waived the time period within which an aftercare  
13 plan must be prepared and submitted and if there will be a reasonable time period  
14 after release from the secured correctional facility or from corrective sanctions  
15 supervision during which the child may remain subject to court jurisdiction, ~~the~~ that  
16 department shall notify the county department providing aftercare supervision of  
17 the anticipated release date not less than 60 days before the date on which the child  
18 will be eligible for release. If the department of corrections waives the time limits  
19 specified under par. (a), the aftercare plan shall be prepared by ~~the~~ that department  
20 or prepared and submitted by the county department providing aftercare  
21 supervision on or before the date on which the child becomes eligible for release.

22 **SECTION 2467m.** 48.357 (4m) of the statutes is amended to read:

23 48.357 (4m) The department of corrections shall try to release a child to  
24 aftercare or corrective sanctions supervision under sub. (4) within 30 days after the  
25 date ~~the~~ that department determines the child is eligible for the release.

**SECTION 2467p**

1           **SECTION 2467p.** 48.357 (5) (a) of the statutes, as affected by 1993 Wisconsin Act  
2 385, is amended to read:

3           48.357 (5) (a) The department of corrections or a county department,  
4 whichever has been designated as a child's aftercare provider under s. 48.34 (4n),  
5 may revoke the aftercare status of that child. The department of corrections may  
6 revoke a child's placement in the community under corrective sanctions supervision.  
7 Revocation of aftercare or corrective sanctions supervision shall not require prior  
8 notice under sub. (1).

9           **SECTION 2467r.** 48.357 (5) (g) of the statutes, as created by 1993 Wisconsin Act  
10 385, is amended to read:

11           48.357 (5) (g) The department of corrections shall promulgate rules setting  
12 standards to be used by a hearing examiner to determine whether to revoke a child's  
13 aftercare or corrective sanctions status. The standards shall specify that the burden  
14 is on the department of corrections or county department seeking revocation to show  
15 by a preponderance of the evidence that the child violated a condition of aftercare or  
16 corrective sanctions supervision.

17           **SECTION 2467t.** 48.357 (5m) of the statutes is amended to read:

18           48.357 (5m) If a proposed change in placement changes a child's placement  
19 from a placement in the child's home to a placement outside the child's home, the  
20 court shall order the child's parent to provide a statement of income, assets, debts  
21 and living expenses to the court or the person or agency primarily responsible for  
22 implementing the dispositional order by a date specified by the court. The clerk of  
23 court shall provide, without charge, to any parent ordered to provide a statement of  
24 income, assets, debts and living expenses a document setting forth the percentage  
25 standard established by the department of revenue under s. ~~46.25~~ 73.25 (9) and

1 listing the factors that a court may consider under s. 46.10 (14) (c). If the child is  
2 placed outside the child's home, the court shall determine the liability of the parent  
3 in the manner provided in s. 46.10 (14).

4 **SECTION 2468.** 48.36 (1) of the statutes is amended to read:

5 48.36 (1) (a) If legal custody is transferred from the parent or guardian or the  
6 court otherwise designates an alternative placement for the child by a disposition  
7 made under s. 48.34 or 48.345 or by a change in placement under s. 48.357, the duty  
8 of the parent or guardian or, in the case of a transfer of guardianship and custody  
9 under s. 48.839 (4), the duty of the former guardian to provide support shall continue  
10 even though the legal custodian or the placement designee may provide the support.  
11 A copy of the order transferring custody or designating alternative placement for the  
12 child shall be submitted to the agency or person receiving custody or placement and  
13 the agency or person may apply to the court for an order to compel the parent or  
14 guardian to provide the support. Support payments for residential services, when  
15 purchased or otherwise funded or provided by the department of health and social  
16 services, the department of corrections, or a county department under s. 46.215,  
17 46.22, 46.23, 51.42 or 51.437, shall be determined under s. 46.10 (14).

18 (b) In determining the amount of support under par. (a), the court may consider  
19 all relevant financial information or other information relevant to the parent's  
20 earning capacity, including information reported to the department of revenue, or  
21 the county child and spousal support agency, under s. ~~46.25~~ 73.25 (2m). If the court  
22 has insufficient information with which to determine the amount of support, the  
23 court shall order the child's parent to furnish a statement of income, assets, debts and  
24 living expenses, if the parent has not already done so, to the court within 10 days

1 after the court's order transferring custody or designating an alternative placement  
2 is entered or at such other time as ordered by the court.

3 **SECTION 2468m.** 48.363 (1) of the statutes is amended to read:

4 48.363 (1) A child, the child's parent, guardian or legal custodian, any person  
5 or agency bound by a dispositional order or the district attorney or corporation  
6 counsel in the county in which the dispositional order was entered may request a  
7 revision in the order that does not involve a change in placement, including a revision  
8 with respect to the amount of child support to be paid by a parent, or the court may  
9 on its own motion propose such a revision. The request or court proposal shall set  
10 forth in detail the nature of the proposed revision and what new information is  
11 available that affects the advisability of the court's disposition. The request or court  
12 proposal shall be submitted to the court. The court shall hold a hearing on the matter  
13 if the request or court proposal indicates that new information is available which  
14 affects the advisability of the court's dispositional order and prior to any revision of  
15 the dispositional order, unless written waivers of objections to the revision are signed  
16 by all parties entitled to receive notice and the court approves. If a hearing is held,  
17 the court shall notify the parent, child, guardian and legal custodian, all parties  
18 bound by the dispositional order and the district attorney or corporation counsel in  
19 the county in which the dispositional order was entered at least 3 days prior to the  
20 hearing. A copy of the request or proposal shall be attached to the notice. If the  
21 proposed revision is for a change in the amount of child support to be paid by a parent,  
22 the court shall order the child's parent to provide a statement of income, assets, debts  
23 and living expenses to the court and the person or agency primarily responsible for  
24 implementing the dispositional order by a date specified by the court. The clerk of  
25 court shall provide, without charge, to any parent ordered to provide a statement of

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1 income, assets, debts and living expenses a document setting forth the percentage  
2 standard established by the department of revenue under s. ~~46.25~~ 73.25 (9) and  
3 listing the factors that a court may consider under s. 46.10 (14) (c). If all parties  
4 consent, the court may proceed immediately with the hearing. No revision may  
5 extend the effective period of the original order.

6 **SECTION 2469m.** 48.365 (7) of the statutes, as affected by 1993 Wisconsin Act  
7 377, is amended to read:

8 48.365 (7) Nothing in this section may be construed to allow any changes in  
9 placement or revocation of aftercare, or corrective sanctions ~~or youthful offender~~  
10 supervision. Revocation and other changes in placement may take place only under  
11 s. 48.357 ~~or, for a child who is a participant in the youthful offender program, s.~~  
12 ~~48.537.~~

13 **SECTION 2469p.** 48.365 (7) of the statutes, as affected by 1993 Wisconsin Act  
14 377 and 1995 Wisconsin Act .... (this act), is repealed and recreated to read:

15 48.365 (7) Nothing in this section may be construed to allow any changes in  
16 placement or revocation of aftercare, corrective sanctions or serious juvenile offender  
17 supervision. Revocation and other changes in placement may take place only under  
18 s. 48.357 or, for a child who is a participant in the serious juvenile offender program,  
19 s. 48.538.

20 **SECTION 2470.** 48.366 (1) (a) (intro.) of the statutes, as affected by 1993  
21 Wisconsin Act 385, is amended to read:

22 48.366 (1) (a) (intro.) If Subject to par. (c), if the person committed any crime  
23 specified under s. 940.01, 940.02, 940.05, 940.21 or 940.225 (1) (a) to (c), 948.03 or  
24 948.04, is adjudged delinquent on that basis and is placed in a secured correctional

1 facility under s. 48.34 (4m), the court shall enter an order extending its jurisdiction  
2 as follows:

3 **SECTION 2471.** 48.366 (1) (b) of the statutes is amended to read:

4 48.366 (1) (b) ~~If Subject to par. (c), if~~ the person committed a crime specified in  
5 s. 940.20 (1) or 946.43 while placed in a secured correctional facility and is adjudged  
6 delinquent on that basis following transfer of jurisdiction under s. 970.032, the court  
7 shall enter an order extending its jurisdiction until the person reaches 21 years of  
8 age or until termination of the order under sub. (6), whichever occurs earlier.

9 **SECTION 2472.** 48.366 (1) (c) of the statutes is created to read:

10 48.366 (1) (c) A court may not enter an order extending its jurisdiction as  
11 provided in par. (a) or (b) with respect to any violation committed after June 30, 1996.

12 **SECTION 2472d.** 48.366 (5) (a) 2. of the statutes, as affected by 1993 Wisconsin  
13 Act 385, is amended to read:

14 48.366 (5) (a) 2. The department of corrections or county department ordered  
15 under s. 48.34 (4n) to provide aftercare supervision of the person.

16 **SECTION 2472g.** 48.366 (5) (b) (intro.) of the statutes is amended to read:

17 48.366 (5) (b) (intro.) The department of corrections or county department may,  
18 at any time, file a petition proposing either release of a person subject to an order to  
19 aftercare supervision or revocation of the person's aftercare supervision. The  
20 petition shall set forth in detail:

21 **SECTION 2472j.** 48.366 (5) (d) 1. of the statutes is amended to read:

22 48.366 (5) (d) 1. At the time the department of corrections or county  
23 department files a petition under par. (a), it shall provide written notice of the  
24 petition to the person who is the subject of the petition. The notice to the person who  
25 is the subject of the petition shall state that the person has a right to request a

1 hearing on the petition and, if the petition is for revocation of a person's aftercare  
2 supervision, that the person has the right to counsel. The department of corrections  
3 or county department shall also provide written notice of the petition to the office of  
4 the district attorney that filed the petition on the basis of which the child was  
5 adjudged delinquent and the victim, if any, of the delinquent act.

6 **SECTION 2472m.** 48.366 (5) (d) 2. of the statutes is amended to read:

7 48.366 (5) (d) 2. At the time a person subject to an order files a petition under  
8 par. (a), the person shall provide written notice of the petition to the department of  
9 corrections or county department, as applicable.

10 **SECTION 2472p.** 48.366 (5) (f) of the statutes is amended to read:

11 48.366 (5) (f) If the court grants a petition to release a person to aftercare  
12 supervision and the person's county of residence is one in which the county  
13 department provides aftercare supervision, the department of corrections may  
14 contract with the county department under s. ~~46.036~~ 301.08 (2) for aftercare  
15 supervision of the person.

16 **SECTION 2472r.** 48.366 (6) (a) 2. of the statutes, as affected by 1993 Wisconsin  
17 Act 385, is amended to read:

18 48.366 (6) (a) 2. The department of corrections or county department ordered  
19 under s. 48.34 (4n) to provide aftercare supervision of the person.

20 **SECTION 2472t.** 48.366 (6) (b) of the statutes is amended to read:

21 48.366 (6) (b) The petition shall state the factual basis for the petitioner's belief  
22 that discharge will not pose a threat of bodily harm to other persons. The department  
23 of corrections or county department may file a petition at any time. The person  
24 subject to the order may file a petition not more often than once a year.

25 **SECTION 2472v.** 48.366 (6) (c) 1. of the statutes is amended to read:

1           48.366 (6) (c) 1. At the time the department of corrections or county department  
2 files a petition under par. (a), it shall provide written notice of the petition to the  
3 person who is the subject of the petition. The notice to the person who is the subject  
4 of the petition shall state that the person has the right to counsel. The department  
5 of corrections or county department shall also provide written notice of the petition  
6 to the office of the district attorney that filed the petition on the basis of which the  
7 person was adjudged delinquent and to the victim, if any, of the delinquent act.

8           **SECTION 2472x.** 48.366 (6) (c) 2. of the statutes, as affected by 1993 Wisconsin  
9 Act 385, is amended to read:

10           48.366 (6) (c) 2. At the time a person subject to an order files a petition under  
11 par. (a), he or she shall provide written notice of the petition to the department of  
12 corrections or county department, whichever has been ordered under s. 48.34 (4n)  
13 to provide aftercare supervision of the person.

14           **SECTION 2472z.** 48.366 (7) of the statutes is amended to read:

15           48.366 (7) NOTICE OF HEARING. Upon receipt of a request for a hearing under  
16 sub. (5) or upon receipt of a petition under sub. (6), the court shall set a date for a  
17 hearing on the matter. In any of those cases, the court shall notify the department  
18 of corrections and each person specified in sub. (5) (d) 1. or (6) (c) 1. of the hearing  
19 at least 7 days before the hearing, except that if any such person lives outside of this  
20 state, the notice shall be mailed at least 14 days before the hearing.

21           **SECTION 2473.** 48.366 (8) of the statutes, as affected by 1993 Wisconsin Act 385,  
22 is amended to read:

23           48.366 (8) TRANSFER TO OR BETWEEN FACILITIES. The department may transfer  
24 a person subject to an order between secured correctional facilities. After the person  
25 attains the age of ~~18~~ 17 years, the department may, after consulting with the

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1 department of corrections, place the person in a state prison named in s. 302.01. The  
2 department of corrections may transfer a person placed in a state prison under this  
3 subsection to or between state prisons named in s. 302.01 without petitioning for  
4 revision of the order under sub. (5) (a).

5 **SECTION 2473m.** 48.366 (8) of the statutes, as affected by 1993 Wisconsin Act  
6 385 and 1995 Wisconsin Act .... (this act), is repealed and recreated to read:

7 48.366 (8) TRANSFER TO OR BETWEEN FACILITIES. The department of corrections  
8 may transfer a person subject to an order between secured correctional facilities.  
9 After the person attains the age of 17 years, the department of corrections may place  
10 the person in a state prison named in s. 302.01. If the department of corrections  
11 places a person subject to an order under this section in a state prison, that  
12 department shall provide services for that person from the appropriate  
13 appropriation under s. 20.410 (1). The department of corrections may transfer a  
14 person placed in a state prison under this subsection to or between state prisons  
15 named in s. 302.01 without petitioning for revision of the order under sub. (5) (a).

16 **SECTION 2474.** 48.38 (1) (a) of the statutes is amended to read:

17 48.38 (1) (a) "Agency" means the department of health and social services, the  
18 department of corrections, a county department or a licensed child welfare agency.

19 **SECTION 2475m.** 48.38 (3) (a) of the statutes, as affected by 1993 Wisconsin Acts  
20 377, 385 and 491, is amended to read:

21 48.38 (3) (a) If the child is alleged to be delinquent and is being held in a secure  
22 detention facility, juvenile portion of a county jail or shelter care facility, and the  
23 agency intends to recommend that the child be placed in a secured correctional  
24 facility ~~or the department of corrections intends to recommend that custody of the~~  
25 ~~child be transferred to the department of corrections for participation in the youthful~~

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1 offender program, the agency is not required to submit the permanency plan unless  
2 the court does not accept the recommendation of the agency ~~or the department of~~  
3 ~~corrections~~. If the court places the child in any facility outside of the child's home  
4 other than a secured correctional facility, the agency shall file the permanency plan  
5 with the court within 60 days after the date of disposition.

6 **SECTION 2476.** 48.38 (3) (a) of the statutes, as affected by 1993 Wisconsin Acts  
7 377, 385 and 491 and 1995 Wisconsin Act .... (this act), is repealed and recreated to  
8 read:

9 48.38 (3) (a) If the child is alleged to be delinquent and is being held in a secure  
10 detention facility, juvenile portion of a county jail or shelter care facility, and the  
11 agency intends to recommend that the child be placed in a secured correctional  
12 facility or in the serious juvenile offender program, the agency is not required to  
13 submit the permanency plan unless the court does not accept the recommendation  
14 of the agency. If the court places the child in any facility outside of the child's home  
15 other than a secured correctional facility, the agency shall file the permanency plan  
16 with the court within 60 days after the date of disposition.

17 **SECTION 2478.** 48.39 of the statutes is amended to read:

18 **48.39 Disposition by court bars criminal proceeding.** Disposition by the  
19 court of any violation of state law coming within its jurisdiction under s. 48.12 bars  
20 any future criminal proceeding on the same matter in circuit court when the child  
21 reaches the age of ~~18~~ 17. This section does not affect criminal proceedings in circuit  
22 court which were transferred under s. 48.18.

23 **SECTION 2479.** 48.396 (1) of the statutes is amended to read:

24 48.396 (1) Peace officers' records of children shall be kept separate from records  
25 of ~~persons 18 or older~~ adults. Peace officers' records of children shall not be open to

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1 inspection or their contents disclosed except under sub. (1m) or (5) or s. 48.293 or by  
2 order of the court. This subsection does not apply to the representatives of  
3 newspapers or other reporters of news who wish to obtain information for the  
4 purpose of reporting news without revealing the identity of the child involved, to the  
5 confidential exchange of information between the police and officials of the school  
6 attended by the child or other law enforcement or social welfare agencies or to  
7 children 16 or older who are transferred to the criminal courts.

8 **SECTION 2480.** 48.396 (2) (b) of the statutes is amended to read:

9 48.396 (2) (b) Upon request of the department of health and social services, the  
10 department of corrections or a federal agency to review court records for the purpose  
11 of monitoring and conducting periodic evaluations of activities as required by and  
12 implemented under 45 CFR 1355, 1356 and 1357, the court shall open those records  
13 for inspection by authorized representatives of the requesting department or federal  
14 agency.

15 **SECTION 2480m.** 48.396 (2) (e) of the statutes is amended to read:

16 48.396 (2) (e) Upon request of the department of ~~health and social services~~  
17 corrections to review court records for the purpose of providing, under s. 980.015 (3)  
18 (a), the department of justice or a district attorney with a person's offense history, the  
19 court shall open for inspection by authorized representatives of the department of  
20 ~~health and social services~~ corrections the records of the court relating to any child  
21 who has been adjudicated delinquent for a sexually violent offense, as defined in s.  
22 980.01 (6).

23 **SECTION 2495.** 48.432 (2) (a) of the statutes is amended to read:

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1           48.432 (2) (a) The department, or agency contracted with under sub. (9), shall  
2 maintain all information obtained under s. 48.427 (6) (b) in a centralized birth record  
3 file.

4           **SECTION 2496.** 48.432 (2) (b) of the statutes is amended to read:

5           48.432 (2) (b) Any birth parent whose rights to a child have been terminated  
6 in this state at any time, or who consented to the adoption of a child before February  
7 1, 1982, may file with the department, or agency contracted with under sub. (9), any  
8 relevant medical or genetic information about the child or the child's birth parents,  
9 and the department or agency shall maintain the information in the centralized birth  
10 record file.

11           **SECTION 2497.** 48.432 (3) (a) (intro.) of the statutes is amended to read:

12           48.432 (3) (a) (intro.) The department, or agency contracted with under sub.  
13 (9), shall release the medical information under sub. (2) to any of the following  
14 persons upon request:

15           **SECTION 2498.** 48.432 (3) (b) of the statutes is amended to read:

16           48.432 (3) (b) Before releasing the information under par. (a), the department,  
17 or agency contracted with under sub. (9), shall delete the name and address of the  
18 birth parent and the identity of any provider of health care to the individual or  
19 adoptee or to the birth parent.

20           **SECTION 2499.** 48.432 (3) (c) of the statutes is amended to read:

21           48.432 (3) (c) The person making a request under this subsection shall pay a  
22 fee for the cost of locating, verifying, purging, summarizing, copying and mailing the  
23 medical or genetic information according to a fee schedule established by the  
24 department, or agency contracted with under sub. (9), based on ability to pay. The  
25 fee may not be more than \$150 and may be waived by the department or agency.

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1           **SECTION 2500.** 48.432 (4) (a) of the statutes is amended to read:

2           48.432 (4) (a) Whenever any person specified under sub. (3) wishes to obtain  
3           medical and genetic information about an individual whose birth parent's rights  
4           have been terminated in this state at any time, or whose birth parent consented to  
5           his or her adoption before February 1, 1982, or medical and genetic information  
6           about the birth parents of such an individual or adoptee, and the information is not  
7           on file with the department, or agency contracted with under sub. (9), the person may  
8           request that the department or agency conduct a search for the birth parents to  
9           obtain the information. The request shall be accompanied by a statement from a  
10          physician certifying either that the individual or adoptee has or may have acquired  
11          a genetically transferable disease or that the individual's or adoptee's medical  
12          condition requires access to the information.

13          **SECTION 2501.** 48.432 (4) (b) of the statutes is amended to read:

14          48.432 (4) (b) Upon receipt of a request under par. (a), the department, or  
15          agency contracted with under sub. (9), shall undertake a diligent search for the  
16          individual's or adoptee's parents. ~~Upon request by the department, an agency shall~~  
17          ~~cooperate in the search and shall make its records available to the department. The~~  
18          ~~department may not require an agency to conduct the search, but may designate an~~  
19          ~~agency to do so with the agency's consent.~~

20          **SECTION 2502.** 48.432 (4) (d) of the statutes is amended to read:

21          48.432 (4) (d) The department, ~~or agency designated by the department~~  
22          contracted with under par. (b) sub. (9), shall charge the requester a reasonable fee  
23          for the cost of the search. When the department or agency determines that the fee  
24          will exceed \$100 for either birth parent, it shall notify the requester. No fee in excess

1 of \$100 per birth parent may be charged unless the requester, after receiving  
2 notification under this paragraph, has given consent to proceed with the search.

3 **SECTION 2503.** 48.432 (4) (f) of the statutes is amended to read:

4 48.432 (4) (f) The department, or agency contracted with under sub. (9), shall  
5 release to the requester any medical or genetic information provided by a birth  
6 parent under this subsection without disclosing the birth parent's identity or  
7 location.

8 **SECTION 2504.** 48.432 (4) (g) of the statutes is amended to read:

9 48.432 (4) (g) If a birth parent is located but refuses to provide the information  
10 requested, the department, or agency contracted with under sub. (9), shall notify the  
11 requester, without disclosing the birth parent's identity or location, and the  
12 requester may petition the circuit court to order the birth parent to disclose the  
13 information. The court shall grant the motion for good cause shown.

14 **SECTION 2505.** 48.432 (8m) (intro.) of the statutes is amended to read:

15 48.432 (8m) (intro.) The department, or agency contracted with under sub. (9),  
16 shall give priority to all of the following:

17 **SECTION 2506.** 48.432 (9) of the statutes is amended to read:

18 48.432 (9) The department shall promulgate rules to implement this section  
19 and may contract with an agency to administer this section.

20 **SECTION 2507.** 48.433 (2) of the statutes is amended to read:

21 48.433 (2) Any birth parent whose rights have been terminated in this state  
22 at any time, or who has consented to the adoption of his or her child in this state  
23 before February 1, 1982, may file with the department, or agency contracted with  
24 under sub. (11), an affidavit authorizing the department or agency to provide the  
25 child with his or her original birth certificate and with any other available

1 information about the birth parent's identity and location. An affidavit filed under  
2 this subsection may be revoked at any time by notifying the department or agency  
3 in writing.

4 **SECTION 2508.** 48.433 (3) (intro.) of the statutes is amended to read:

5 48.433 (3) (intro.) Any person 21 years of age or over whose birth parent's  
6 rights have been terminated in this state or who has been adopted in this state with  
7 the consent of his or her birth parent or parents before February 1, 1982, may request  
8 the department, or agency contracted with under sub. (11), to provide the person with  
9 the following:

10 **SECTION 2509.** 48.433 (4) of the statutes is amended to read:

11 48.433 (4) Before acting on the request, the department, or agency contracted  
12 with under sub. (11), shall require the requester to provide adequate identification.

13 **SECTION 2510.** 48.433 (5) (intro.) of the statutes is amended to read:

14 48.433 (5) (intro.) The department, or agency contracted with under sub. (11),  
15 shall disclose the requested information in either of the following circumstances:

16 **SECTION 2511.** 48.433 (5) (a) of the statutes is amended to read:

17 48.433 (5) (a) The department, or agency contracted with under sub. (11), has  
18 on file unrevoked affidavits filed under sub. (2) from both birth parents.

19 **SECTION 2512.** 48.433 (6) (a) of the statutes is amended to read:

20 48.433 (6) (a) If the department, or agency contracted with under sub. (11), does  
21 not have on file an affidavit from each known birth parent, it shall, within 3 months  
22 after the date of the original request, undertake a diligent search for each birth  
23 parent who has not filed an affidavit. The search shall be completed within 6 months  
24 after the date of the request, unless the search falls within one of the exceptions

1 established by the department by rule. If any information has been provided under  
2 sub. (5), the department or agency is not required to conduct a search.

3 **SECTION 2513.** 48.433 (6) (b) of the statutes is repealed.

4 **SECTION 2514.** 48.433 (6) (d) of the statutes is amended to read:

5 48.433 (6) (d) The department, ~~or agency designated by the department~~  
6 contracted with under ~~par. (b) sub. (11)~~, shall charge the requester a reasonable fee  
7 for the cost of the search. When the department or agency determines that the fee  
8 will exceed \$100 for either birth parent, it shall notify the requester. No fee in excess  
9 of \$100 per birth parent may be charged unless the requester, after receiving  
10 notification under this paragraph, has given consent to proceed with the search.

11 **SECTION 2515.** 48.433 (7) (b) of the statutes is amended to read:

12 48.433 (7) (b) Within 3 working days after contacting a birth parent, the  
13 department, or agency contracted with under sub. (11), shall send the birth parent  
14 a written copy of the information specified under par. (a) and a blank copy of the  
15 affidavit.

16 **SECTION 2516.** 48.433 (7) (c) of the statutes is amended to read:

17 48.433 (7) (c) If the birth parent files the affidavit, the department, or agency  
18 contracted with under sub. (11), shall disclose the requested information if permitted  
19 under sub. (5).

20 **SECTION 2517.** 48.433 (7) (e) of the statutes is amended to read:

21 48.433 (7) (e) If, after a search under this subsection, a known birth parent  
22 cannot be located, the department, or agency contracted with under sub. (11), may  
23 disclose the requested information if the other birth parent has filed an unrevoked  
24 affidavit under sub. (2).

25 **SECTION 2518.** 48.433 (8) (a) (intro.) of the statutes is amended to read:



## 1 SUBCHAPTER IX

2 JURISDICTION OVER PERSON ~~18~~ 17

## 3 OR OLDER

4 **SECTION 2523.** 48.44 (title) and (1) of the statutes are amended to read:5 **48.44** (title) **Jurisdiction over persons ~~18~~ 17 or older.** (1) The court has  
6 jurisdiction over persons ~~18~~ 17 or older as provided under ss. 48.355 (4) and 48.45 and  
7 as otherwise specifically provided in this chapter.8 **SECTION 2524.** 48.45 (1) (a) of the statutes is amended to read:9 48.45 (1) (a) If in the hearing of a case of a child alleged to be in a condition  
10 described in s. 48.12 or 48.13 it appears that any person ~~18~~ 17 or older has been guilty  
11 of contributing to, encouraging, or tending to cause by any act or omission, such  
12 condition of the child, the judge may make orders with respect to the conduct of such  
13 person in his or her relationship to the child, including orders determining the ability  
14 of the person to provide for the maintenance or care of the child and directing when,  
15 how and where funds for the maintenance or care shall be paid.16 **SECTION 2525.** 48.45 (3) of the statutes is amended to read:17 48.45 (3) If it appears at a court hearing that any person ~~18~~ 17 or older has  
18 violated s. 948.40, the judge shall refer the record to the district attorney for criminal  
19 proceedings as may be warranted in the district attorney's judgment. This  
20 subsection does not prevent prosecution of violations of s. 948.40 without the prior  
21 reference by the judge to the district attorney, as in other criminal cases.22 **SECTION 2526.** 48.48 (intro.) of the statutes is amended to read:23 **48.48** (title) **Authority of department of health and social services.**  
24 (intro.) The department of health and social services shall have authority:25 **SECTION 2526m.** 48.48 (1) of the statutes is amended to read:

**SECTION 2526m**

1           48.48 (1) To promote the enforcement of the laws relating to delinquent  
2 children, nonmarital children and children in need of protection or services including  
3 developmentally disabled children and to take the initiative in all matters involving  
4 the interests of such children where adequate provision therefor is not made. This  
5 duty shall be discharged in cooperation with the courts, county departments,  
6 licensed child welfare agencies and with parents and other individuals interested in  
7 the welfare of children.

8           **SECTION 2527m.** 48.48 (3) of the statutes is amended to read:

9           48.48 (3) To accept legal custody of children transferred to it by the court under  
10 s. ~~48.355~~ and guardianship of children when appointed by the court, and to provide  
11 special treatment and care when directed by the court. A court may not direct the  
12 department to administer psychotropic medications to children who receive special  
13 treatment or care under this subsection.

14           **SECTION 2528m.** 48.48 (4) of the statutes, as affected by 1993 Wisconsin Act  
15 385, is repealed.

16           **SECTION 2528r.** 48.48 (4m) (intro.) of the statutes is repealed.

17           **SECTION 2529.** 48.48 (4m) (a) of the statutes is amended to read:

18           48.48 (4m) (a) Is at least ~~18~~ 17 years of age;

19           **SECTION 2529m.** 48.48 (4m) (a) of the statutes, as affected by 1995 Wisconsin  
20 Act .... (this act), is repealed.

21           **SECTION 2530.** 48.48 (4m) (b) of the statutes, as affected by 1993 Wisconsin Act  
22 385, is amended to read:

23           48.48 (4m) (b) Was in the legal custody of the department or under its  
24 supervision under s. 48.34 (4m) or (4n) when the person reached ~~18~~ 17 years of age;

**SECTION 2530m**

1           **SECTION 2530m.** 48.48 (4m) (b) of the statutes, as affected by 1995 Wisconsin  
2 Act .... (this act), is repealed.

3           **SECTION 2530p.** 48.48 (4m) (c) of the statutes is repealed.

4           **SECTION 2530r.** 48.48 (4m) (d) of the statutes is repealed.

5           **SECTION 2530t.** 48.48 (5) of the statutes, as affected by 1993 Wisconsin Act 385,  
6 is repealed.

7           **SECTION 2530v.** 48.48 (6) of the statutes, as affected by 1993 Wisconsin Act 385,  
8 is repealed.

9           **SECTION 2531.** 48.48 (12) (a) of the statutes is amended to read:

10           48.48 (12) (a) To enter into an agreement to assist in the cost of care of a child  
11 after legal adoption when the department has determined that such assistance is  
12 necessary to assure the child's adoption. Agreements under this paragraph shall be  
13 made in accordance with s. 48.975. Payments shall be made from the appropriation  
14 under s. 20.435 (7) (3) (dd).

15           **SECTION 2531m.** 48.48 (13) of the statutes is amended to read:

16           48.48 (13) To promulgate rules for the payment of an allowance to children in  
17 its institutions and a cash grant to a child being discharged from its institutions or  
18 released to aftercare or corrective sanctions supervision.

19           **SECTION 2532.** 48.48 (14) of the statutes, as affected by 1993 Wisconsin Act 385,  
20 is amended to read:

21           48.48 (14) To pay maintenance, tuition and related expenses from the  
22 appropriations under s. 20.435 (3) (ho) and (7) (dd) for persons who when they  
23 reached ~~18~~ 17 years of age were students regularly attending a school, college or  
24 university or regularly attending a course of vocational or technical training  
25 designed to fit them for gainful employment, and who when reaching that age were

1 in the legal custody of the department or under its supervision under s. 48.34 (4m)  
2 or (4n) as a result of a judicial decision.

3 **SECTION 2533m.** 48.48 (14) of the statutes, as affected by 1993 Wisconsin Act  
4 385 and 1995 Wisconsin Act .... (this act), is repealed.

5 **SECTION 2534m.** 48.48 (16) of the statutes is amended to read:

6 48.48 (16) To establish and enforce standards for services provided under ss.  
7 48.34 and s. 48.345 (1) (a) and (e). ~~This authority does not apply to services provided~~  
8 ~~by the department of corrections under s. 48.366 (8).~~

9 **SECTION 2535m.** 48.49 of the statutes, as affected by 1993 Wisconsin Acts 377,  
10 385 and 491, is repealed.

11 **SECTION 2536m.** 48.50 of the statutes, as affected by 1993 Wisconsin Acts 385  
12 and 491, is repealed.

13 **SECTION 2537.** 48.505 of the statutes, as created by 1993 Wisconsin Act 385,  
14 is amended to read:

15 **48.505 (title) Children placed in a secured correctional facility or on**  
16 **aftercare under supervision of department of health and social services or**  
17 **county department.** ~~The~~ When a child is under the supervision of the department  
18 of health and social services under s. 48.34 (4m) or (4n), 48.357 (4) or (5) (e) or 48.366  
19 or under the supervision of a county department under s. 48.34 (4n), the department  
20 or county department having supervision over the child shall have the right and duty  
21 to protect, train, discipline, treat and confine ~~a child who is placed in a secured~~  
22 ~~correctional facility under s. 48.34 (4m), 48.357 (4) or (5) (e) or 48.366, the child~~ and  
23 to provide food, shelter, legal services, education and ordinary medical and dental  
24 care for the child, subject to the rights, duties and responsibilities of the guardian of

1 the child and subject to any residual parental rights and responsibilities and the  
2 provisions of any court order.

3 **SECTION 2537m.** 48.505 of the statutes, as affected by 1993 Wisconsin Act 385  
4 and 1995 Wisconsin Act .... (this act), is repealed and recreated to read:

5 **48.505 Children placed under supervision of department of**  
6 **corrections or county department.** When a child is under the supervision of the  
7 department of corrections under s. 48.34 (4h), (4m) or (4n), 48.357 (4) or (5) (e) or  
8 48.366 or under the supervision of a county department under s. 48.34 (4n), the  
9 department of corrections or county department having supervision over the child  
10 shall have the right and duty to protect, train, discipline, treat and confine the child  
11 and to provide food, shelter, legal services, education and ordinary medical and  
12 dental care for the child, subject to the rights, duties and responsibilities of the  
13 guardian of the child and subject to any residual parental rights and responsibilities  
14 and the provisions of any court order.

15 **SECTION 2538m.** 48.51 (title) of the statutes, as affected by 1993 Wisconsin Act  
16 377, is repealed.

17 **SECTION 2539m.** 48.51 (1) (intro.) of the statutes, as affected by 1993 Wisconsin  
18 Acts 377 and 385, is amended to read:

19 48.51 (1) (intro.) At least 15 days prior to the date of release of a child from a  
20 secured correctional facility or a placement in the community under the corrective  
21 sanctions program ~~or the youthful offender program~~, the department of health and  
22 social services ~~or the department of corrections~~ shall:

23 **SECTION 2540m.** 48.51 (1) (intro.) of the statutes, as affected by 1993 Wisconsin  
24 Acts 377 and 385 and 1995 Wisconsin Act .... (this act), is repealed.

25 **SECTION 2540p.** 48.51 (1) (a) of the statutes is repealed.

1           **SECTION 2540r.** 48.51 (1) (b) of the statutes, as affected by 1993 Wisconsin Acts  
2 377 and 385, is repealed.

3           **SECTION 2540s.** 48.51 (1) (c) of the statutes is repealed.

4           **SECTION 2540t.** 48.51 (2) of the statutes is repealed.

5           **SECTION 2540v.** 48.51 (3) of the statutes is repealed.

6           **SECTION 2541.** 48.52 (title) of the statutes is amended to read:

7           **48.52** (title) **Facilities for care of children in care of department of**  
8 **health and social services.**

9           **SECTION 2541m.** 48.52 (1) (d) of the statutes is repealed.

10          **SECTION 2541p.** 48.52 (2) (a) of the statutes, as affected by 1993 Wisconsin Act  
11 385, is amended to read:

12           48.52 (2) (a) In addition to the facilities and services described in sub. (1), the  
13 department may use other facilities and services under its jurisdiction. The  
14 department may also contract for and pay for the use of other public facilities or  
15 private facilities for the care and treatment of children in its care; ~~but placement of~~  
16 ~~children in private or public facilities not under its jurisdiction does not terminate~~  
17 ~~the legal custody or supervision under s. 48.34 (4m) or (4n) of the department.~~  
18 Placements in institutions for the mentally ill or developmentally disabled shall be  
19 made in accordance with ss. 48.14 (5) and 48.63 and ch. 51.

20          **SECTION 2541r.** 48.52 (2) (c) of the statutes, as affected by 1993 Wisconsin Act  
21 385, is amended to read:

22           48.52 (2) (c) The department shall have the right to inspect all facilities it is  
23 using and to examine and consult with persons ~~in its legal custody or under its~~  
24 ~~supervision under s. 48.34 (4m) or (4n) who have been~~ whom the department has  
25 placed in that facility.

1           **SECTION 2542m.** 48.53 of the statutes, as affected by 1993 Wisconsin Act 385,  
2 is repealed.

3           **SECTION 2543.** 48.532 (1) of the statutes is amended to read:

4           48.532 (1) PROGRAM. ~~Beginning 1995, the~~ The department shall provide a  
5 juvenile boot camp program for children who have been placed under s. 48.34 (4m)  
6 in a secured correctional facility under the supervision of the department.

7           **SECTION 2543m.** 48.532 (1) of the statutes, as affected by 1995 Wisconsin Act  
8 .... (this act), is repealed and recreated to read:

9           48.532 (1) PROGRAM. The department of corrections shall provide a juvenile  
10 bootcamp program for children who have been placed in the serious juvenile offender  
11 program under s. 48.34 (4h) or in a secured correctional facility under s. 48.34 (4m).

12           **SECTION 2544.** 48.532 (2) of the statutes is amended to read:

13           48.532 (2) PROGRAM ELIGIBILITY. The department may place in the juvenile boot  
14 camp program any child ~~whose legal custody has been transferred to the department~~  
15 ~~under s. 48.34 (4m) for placement~~ who has been placed under s. 48.34 (4m) in a  
16 secured correctional facility under the supervision of the department.

17           **SECTION 2544m.** 48.532 (2) of the statutes, as affected by 1995 Wisconsin Act  
18 .... (this act), is repealed and recreated to read:

19           48.532 (2) PROGRAM ELIGIBILITY. The department of corrections may place in the  
20 juvenile boot camp program any child who has been placed in the serious juvenile  
21 offender program under s. 48.34 (4h) or in a secured correctional facility under s.  
22 48.34 (4m).

23           **SECTION 2545.** 48.532 (3) of the statutes is created to read:

24           48.532 (3) AFTERCARE SUPERVISION. Notwithstanding s. 48.34 (4n), a child who  
25 has completed the juvenile boot camp program and who is released from a secured

1 correctional facility shall be placed under aftercare supervision administered by the  
2 department.

3 **SECTION 2545m.** 48.532 (3) of the statutes, as created by 1995 Wisconsin Act  
4 .... (this act), is amended to read:

5 48.532 (3) **AFTERCARE SUPERVISION.** Notwithstanding s. 48.34 (4n), a child who  
6 has completed the juvenile boot camp program and who is released from a secured  
7 correctional facility shall be placed under aftercare supervision administered by the  
8 department of corrections.

9 **SECTION 2546.** 48.533 (1) of the statutes is repealed.

10 **SECTION 2547m.** 48.533 (2) of the statutes is amended to read:

11 48.533 (2) **CORRECTIVE SANCTIONS PROGRAM.** From the appropriation under s.  
12 20.435 (3) (a) (hr), the department shall provide \$433,500, ~~and from the~~  
13 ~~appropriation under s. 20.435 (3) (hr), the department shall provide \$2,192,900, for~~  
14 a corrective sanctions program, ~~beginning on July 1, 1994,~~ to serve an average daily  
15 population of 105 children, or an average daily population of more than 105 children  
16 if the appropriation under s. 20.435 (3) (hr) is supplemented under s. 13.101 or 16.515  
17 and the positions for the program are increased under s. 13.101 or 16.505 (2), in not  
18 less than 3 counties, including Milwaukee county. The juvenile offender review  
19 program ~~in the division of youth services~~ in the department shall evaluate and select  
20 for participation in the program children who have been placed in a secured  
21 correctional facility under s. 48.34 (4m). The department shall place a program  
22 participant in the community, provide intensive surveillance of that participant and  
23 provide an average of \$5,000 per year per participant to purchase community-based  
24 treatment services for each participant. The department shall make the intensive  
25 surveillance required under this subsection available 24 hours a day, 7 days a week,

1 and may purchase or provide electronic monitoring for the intensive surveillance of  
2 program participants. The department shall provide a report center in Milwaukee  
3 county to provide on-site programming after school and in the evening for children  
4 from Milwaukee county who are placed in the corrective sanctions program. A  
5 contact worker providing services under the program shall have a case load of  
6 approximately 10 children and, during the initial phase of placement in the  
7 community under the program of a child who is assigned to that contact worker, shall  
8 have not less than one face-to-face contact per day with that child. Case  
9 management services under the program shall be provided by a corrective sanctions  
10 agent who shall have a case load of approximately 15 children. The department shall  
11 promulgate rules to implement the program.

12 **SECTION 2547p.** 48.533 (2) of the statutes, as affected by 1995 Wisconsin Act  
13 .... (this act), is repealed and recreated to read:

14 48.533 (2) CORRECTIVE SANCTIONS PROGRAM. From the appropriation under s.  
15 20.410 (3) (hr), the department of corrections shall provide a corrective sanctions  
16 program to serve an average daily population of 105 children, or an average daily  
17 population of more than 105 children if the appropriation under s. 20.410 (3) (hr) is  
18 supplemented under s. 13.101 or 16.515 and the positions for the program are  
19 increased under s. 13.101 or 16.505 (2), in not less than 3 counties, including  
20 Milwaukee County. The juvenile offender review program in the division of juvenile  
21 corrections in the department of corrections shall evaluate and select for  
22 participation in the program children who have been placed in the serious juvenile  
23 offender program under s. 48.34 (4h) or a secured correctional facility under s. 48.34  
24 (4m). The department of corrections shall place a program participant in the  
25 community, provide intensive surveillance of that participant and provide an

1 average of \$5,000 per year per participant to purchase community-based treatment  
2 services for each participant. The department of corrections shall make the intensive  
3 surveillance required under this subsection available 24 hours a day, 7 days a week,  
4 and may purchase or provide electronic monitoring for the intensive surveillance of  
5 program participants. The department of corrections shall provide a report center  
6 in Milwaukee County to provide on-site programming after school and in the  
7 evening for children from Milwaukee County who are placed in the corrective  
8 sanctions program. A contact worker providing services under the program shall  
9 have a case load of approximately 10 children and, during the initial phase of  
10 placement in the community under the program of a child who is assigned to that  
11 contact worker, shall have not less than one face-to-face contact per day with that  
12 child. Case management services under the program shall be provided by a  
13 corrective sanctions agent who shall have a case load of approximately 15 children.  
14 The department of corrections shall promulgate rules to implement the program.

15 **SECTION 2548.** 48.533 (3) of the statutes, as affected by 1993 Wisconsin Act 385,  
16 is amended to read:

17 48.533 (3) INSTITUTIONAL STATUS. A participant in the ~~pilot program under sub.~~  
18 ~~(1) or the program under sub. (2)~~ remains under the supervision of the department,  
19 remains subject to the rules and discipline of that department and is considered to  
20 be in custody, as defined in s. 946.42 (1) (a). Notwithstanding ss. 48.19 to 48.21, if  
21 a child violates a condition of that child's participation in the ~~pilot program under~~  
22 ~~sub. (1) or the program under sub. (2)~~ the department may, without a hearing, take  
23 the child into custody and return the child to placement in a secured correctional  
24 facility for up to 72 hours as a sanction for that violation. If the child is returned to  
25 a secured correctional facility, for longer than 72 hours, the child is entitled to a

1 hearing under s. 48.357 (5). If a child runs away from the child's placement in the  
2 community while participating in the ~~pilot program under sub. (1) or the program~~  
3 under sub. (2), that child is considered to have escaped in violation of s. 946.42 (3)  
4 (c).

5 **SECTION 2548m.** 48.533 (3) of the statutes, as affected by 1993 Wisconsin Act  
6 385 and 1995 Wisconsin Act .... (this act), is repealed and recreated to read:

7 48.533 (3) INSTITUTIONAL STATUS. A participant in the program under sub. (2)  
8 remains under the supervision of the department of corrections, remains subject to  
9 the rules and discipline of that department of corrections and is considered to be in  
10 custody, as defined in s. 946.42 (1) (a). Notwithstanding ss. 48.19 to 48.21, but subject  
11 to s. 48.538 (4), if a child violates a condition of that child's participation in the  
12 program under sub. (2) the department of corrections may, without a hearing, take  
13 the child into custody and return the child to placement in a secured correctional  
14 facility for up to 72 hours as a sanction for that violation. If the child is returned to  
15 a secured correctional facility, for longer than 72 hours, the child is entitled to a  
16 hearing under s. 48.357 (5). If a child runs away from the child's placement in the  
17 community while participating in the program under sub. (2), that child is  
18 considered to have escaped in violation of s. 946.42 (3) (c).

19 **SECTION 2549g.** 48.534 (2) of the statutes is amended to read:

20 48.534 (2) The department of corrections shall promulgate rules specifying the  
21 requirements for an intensive supervision program under this section. The rules  
22 shall include rules that govern the use of placement in a secure detention facility for  
23 not more than 72 hours as a sanction for a violation of a condition of a child's  
24 participation in the program.

25 **SECTION 2549m.** 48.534 (3) of the statutes is repealed.

1           **SECTION 2549r.** 48.535 of the statutes, as affected by 1993 Wisconsin Act 385  
2 and 1995 Wisconsin Act .... (this act), is amended to read:

3           **48.535 Early release and intensive supervision program; limits.** The  
4 department of corrections may establish a program for the early release and  
5 intensive supervision of children who have been placed in a secured correctional  
6 facility under s. 48.34 (4m). The program may not include any children who have  
7 been placed in a secured correctional facility as a result of a delinquent act involving  
8 the commission of a violent crime as defined in s. 969.035, but not including the crime  
9 specified in s. 948.02 (1).

10          **SECTION 2550.** 48.536 of the statutes is repealed.

11          **SECTION 2551m.** 48.537 of the statutes, as created by 1993 Wisconsin Act 377,  
12 is repealed.

13          **SECTION 2562m.** 48.538 of the statutes is created to read:

14          **48.538 Serious offender program. (1) DEFINITION.** In this section,  
15 “department” means the department of corrections.

16          **(2) PROGRAM ADMINISTRATION AND DESIGN.** The department shall administer a  
17 serious juvenile offender program for children who have been adjudicated  
18 delinquent and ordered to participate in the program under s. 48.34 (4h). The  
19 department shall design the program to provide all of the following:

20           (a) Supervision, care and rehabilitation that is more restrictive than ordinary  
21 supervision in the community.

22           (b) Component phases that are intensive and highly structured.

23           (c) A series of component phases for each participant that is based on public  
24 safety considerations and the participant’s need for supervision, care and  
25 rehabilitation.

1           **(3) COMPONENT PHASES.** (a) The department shall provide each participant with  
2 one or more of the following sanctions:

3           1. Subject to subd. 1m., placement in a secured correctional facility, a secured  
4 child caring institution or, if the participant is 17 years of age or over, a Type 1 prison,  
5 as defined in s. 301.01 (5), for a period of not more than 3 years.

6           1m. If the participant has been adjudicated delinquent for committing an act  
7 that would be a Class A felony if committed by an adult, placement in a secured  
8 correctional facility, a secured child caring institution or, if the participant is 17 years  
9 of age or over, a Type 1 prison, as defined in s. 301.01 (5), until the participant reaches  
10 25 years of age, unless the participant is released sooner, subject to a mandatory  
11 minimum period of confinement of not less than one year.

12           1p. Alternate care, including placement in a foster home, treatment foster  
13 home, group home or child caring institution.

14           2. Intensive or other field supervision, including corrective sanctions  
15 supervision under s. 48.533, aftercare supervision or, if the participant is 17 years  
16 of age or over, intensive sanctions supervision under s. 301.048.

17           3. Electronic monitoring.

18           4. Alcohol or other drug abuse outpatient treatment and services.

19           5. Mental health treatment and services.

20           6. Community service.

21           7. Restitution.

22           8. Transitional services for education and employment.

23           9. Other programs as prescribed by the department.

24           (b) The department may provide the sanctions under par. (a) in any order, may  
25 provide more than one sanction at a time and may return to a sanction that was used

1 previously for a participant. Notwithstanding ss. 48.357, 48.363 and 48.533 (3), a  
2 participant is not entitled to a hearing regarding the department's exercise of  
3 authority under this subsection unless the department provides for a hearing by  
4 rule.

5 (4) INSTITUTIONAL STATUS. A participant in the serious juvenile offender  
6 program is under the supervision and control of the department and is subject to the  
7 rules and discipline of the department. Notwithstanding ss. 48.19 to 48.21, if a  
8 participant violates a condition of his or her participation in the program under sub.  
9 (3) (a) 2. to 9. the department may, without a hearing, take the participant into  
10 custody and return him or her to placement in a secured correctional facility or  
11 secured child caring institution or, if the participant is 17 years of age or over, a Type  
12 1 prison, as defined in s. 301.01 (5). Any intentional failure of a participant to remain  
13 within the extended limits of his or her placement while participating in the serious  
14 juvenile offender program or to return within the time prescribed by the  
15 administrator of the division of intensive sanctions in the department is considered  
16 an escape under s. 946.42 (3) (c).

17 (5) TRANSFERS AND DISCHARGE. (a) The parole commission may grant a  
18 participant parole under s. 304.06 at any time after the participant has completed  
19 2 years of participation in the serious juvenile offender program. Parole supervision  
20 of the participant shall be provided by the department.

21 (b) The department may discharge a participant from participation in the  
22 serious juvenile offender program and from departmental supervision and control at  
23 any time after the participant has completed 3 years of participation in the serious  
24 juvenile offender program.

1 (c) Sections 48.357 and 48.363 do not apply to changes of placement and  
2 revisions of orders for a child who is a participant in the serious juvenile offender  
3 program.

4 (6) PURCHASE OF SERVICES. The department of corrections may contract with the  
5 department of health and social services, a county department or any public or  
6 private agency for the purchase of goods, care and services for participants in the  
7 serious juvenile offender program. The department of corrections shall reimburse  
8 a person from whom it purchases goods, care or services under this subsection from  
9 the appropriation under s. 20.410 (3) (cg) or, if the person for whom the goods, care  
10 or services are purchased is placed in a Type 1 prison, as defined in s. 301.01 (5), or  
11 is under intensive sanctions supervision under s. 301.048, from the appropriate  
12 appropriation under s. 20.410 (1).

13 (6m) MINORITY HIRING. (a) In this subsection:

14 1. "American Indian" means a person who is enrolled as a member of a federally  
15 recognized American Indian tribe or band or who possesses documentation of at least  
16 one-fourth American Indian ancestry or documentation of tribal recognition as an  
17 American Indian.

18 2. "Black" means a person whose ancestors originated in any of the black racial  
19 groups of Africa.

20 3. "Hispanic" means a person of any race whose ancestors originated in Mexico,  
21 Puerto Rico, Cuba, Central America or South America or whose culture or origin is  
22 Spanish.

23 4. "Minority group member" means a Black, a Hispanic or an American Indian.

24 (b) In the selection of classified service employes for a secured correctional  
25 facility authorized under 1993 Wisconsin Act 377, section 9108 (1) (a), the appointing

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1 authority shall make every effort to use the expanded certification program under  
2 s. 230.25 (1n) or rules of the administrator of the division of merit recruitment and  
3 selection in the department of employment relations to ensure that the percentage  
4 of employes who are minority group members approximates the percentage of the  
5 children placed at that secured correctional facility who are minority group  
6 members. The administrator of the division of merit recruitment and selection in the  
7 department of employment relations shall provide guidelines for the administration  
8 of this selection procedure.

9 **(7) RULES.** The department shall promulgate rules to implement this section.

10 **SECTION 2563m.** 48.54 of the statutes, as affected by 1993 Wisconsin Act 385,  
11 is repealed.

12 **SECTION 2567b.** 48.551 (1) of the statutes is amended to read:

13 48.551 **(1)** The department shall establish a state adoption center for the  
14 purposes of increasing public knowledge of adoption and promoting to adolescents  
15 and pregnant women the availability of adoption services. From the appropriation  
16 under s. 20.435 ~~(6)~~ (3) (dg), the department may contract with individuals and  
17 private agencies to operate the adoption center.

18 **SECTION 2568.** 48.553 of the statutes is created to read:

19 **48.553 Authority of department of corrections.** The department of  
20 corrections may do all of the following:

21 **(1)** Promote the enforcement of the laws relating to delinquent children and  
22 take the initiative in all matters involving the interests of such children where  
23 adequate provision therefor is not made. This duty shall be discharged in  
24 cooperation with the courts, county departments, licensed child welfare agencies and  
25 with parents and other individuals interested in the welfare of children.

1           **(2)** Accept supervision of children transferred to it by the court under s. 48.34  
2           (4h), (4m) or (4n) or 48.357 (4) and provide special treatment and care when directed  
3           by the court. A court may not direct the department of corrections to administer  
4           psychotropic medications to children who receive special treatment or care under  
5           this subsection.

6           **(3)** Provide appropriate care and training for children under its supervision  
7           under s. 48.34 (4h), (4m) or (4n) or 48.357 (4); including serving those children in  
8           their own homes, placing them in licensed foster homes or licensed treatment foster  
9           homes in accordance with s. 48.63 or licensed group homes, contracting for their care  
10          by licensed child welfare agencies or replacing them in juvenile correctional  
11          institutions in accordance with rules promulgated under ch. 227, except that the  
12          department of corrections may not purchase the educational component of private  
13          day treatment programs for children in its custody unless that department, the  
14          school board as defined in s. 115.001 (7) and the state superintendent of public  
15          instruction all determine that an appropriate public education program is not  
16          available. Disputes between the department of corrections and the school district  
17          shall be resolved by the state superintendent of public instruction.

18          **(5)** Provide for the moral and religious training of a child under its supervision  
19          under s. 48.34 (4h), (4m) or (4n) according to the religious belief of the child or of the  
20          child's parents.

21          **(6)** Consent to emergency surgery under the direction of a licensed physician  
22          or surgeon for any child under its supervision under s. 48.34 (4h), (4m) or (4n) upon  
23          notification by a licensed physician or surgeon of the need for such surgery and if  
24          reasonable effort, compatible with the nature and time limitation of the emergency,  
25          has been made to secure the consent of the child's parent or guardian.

1           (7) Promulgate rules for the payment of an allowance to children in its  
2 institutions and a cash grant to a child being discharged from its institutions or  
3 released to aftercare or serious juvenile offender supervision in the community.

4           (8) Pay maintenance, tuition and related expenses from the appropriations  
5 under s. 20.410 (3) (am) and (ho) for persons who when they reached 17 years of age  
6 were students regularly attending a school, college or university or regularly  
7 attending a course of vocational or technical training designed to fit them for gainful  
8 employment, and who when reaching that age were under the supervision of the  
9 department of corrections under s. 48.34 (4h), (4m) or (4n) as a result of a judicial  
10 decision.

11           (9) Establish and enforce standards for services provided under s. 48.34.

12           **SECTION 2569.** 48.554 of the statutes is created to read:

13           **48.554 Notification by court of placement with department of**  
14 **corrections; information for department.** (1) When the court places a child  
15 under the supervision of the department of corrections, the court shall immediately  
16 notify the department of corrections of that action. The court shall, in accordance  
17 with procedures established by the department of corrections, provide  
18 transportation for the child to a receiving center designated by that department or  
19 deliver the child to personnel of that department.

20           (2) When the court places a child under the supervision of the department of  
21 corrections, the court and all other public agencies shall also immediately transfer  
22 to the department of corrections a copy of the report submitted to the court under s.  
23 48.33 and all other pertinent data in their possession and shall immediately notify  
24 the child's last school district in writing of its obligation under s. 118.125 (4).

25           **SECTION 2570.** 48.555 of the statutes is created to read:

1           **48.555 Examination of children under supervision of department of**  
2 **corrections.** (1) The department of corrections shall examine every child who is  
3 placed under its supervision by the court to determine the type of placement best  
4 suited to the child and to the protection of the public. This examination shall include  
5 an investigation of the personal and family history of the child and his or her  
6 environment, any physical or mental examinations considered necessary to  
7 determine the type of placement that is necessary for the child and an evaluation to  
8 determine whether the child is eligible for serious juvenile offender supervision. A  
9 child who is examined under this subsection shall be screened to determine whether  
10 the child is in need of special treatment or care because of alcohol or other drug abuse,  
11 mental illness or severe emotional disturbance.

12           (2) In making this examination the department of corrections may use any  
13 facilities, public or private, that offer aid to it in the determination of the correct  
14 placement for the child.

15           **SECTION 2571.** 48.556 of the statutes is created to read:

16           **48.556 Notification by department of corrections of release of child**  
17 **from correctional custody.** (1) At least 15 days prior to the date of release of a  
18 child from a secured correctional facility or a placement in the community under the  
19 serious juvenile offender program, the department of corrections shall:

20           (a) Notify all of the following local agencies in the community in which the child  
21 will reside of the child's return to the community:

22           1. The law enforcement agencies.

23           2. The school district.

24           3. The county departments under ss. 46.215, 46.22, 46.23, 51.42 and 51.437.

1 (b) Notify any known victim of an act for which the child has been found  
2 delinquent of the child's release, if all of the following apply:

3 1. The commission of the act by the child is an act which, if committed by an  
4 adult, would have been punishable as a crime against another person.

5 2. The victim can be found.

6 3. The victim has sent in a request card under sub. (2).

7 (c) Notify, if the criteria in par. (b) are met, an adult member of the victim's  
8 family or, if the victim is younger than 18 years old, the victim's parent or legal  
9 guardian if the victim died as a result of the crime.

10 (2) The department of corrections shall design and prepare cards for victims  
11 specified in sub. (1) (b) and (c) to send to that department. The cards shall have space  
12 for these persons to provide their names and addresses and any other information  
13 that the department of corrections determines is necessary. The department of  
14 corrections shall provide the cards, without charge, to district attorneys. District  
15 attorneys shall provide the cards, without charge, to victims specified in sub. (1) (b)  
16 and (c). These persons may send completed cards to the department of corrections.

17 (3) Timely release of a child shall not be prejudiced by the fact that the  
18 department did not notify the victims or the local agencies under sub. (1) within the  
19 15 days.

20 **SECTION 2572.** 48.557 of the statutes is created to read:

21 **48.557 Facilities for care of children in care of department of**  
22 **corrections. (1) FACILITIES MAINTAINED OR USED FOR CHILDREN.** The department of  
23 corrections may maintain or use the following facilities for children in its care:

24 (a) Receiving homes to be used for the temporary care of children.

25 (b) Foster homes or treatment foster homes.

1 (c) Group homes.

2 (d) Institutions, facilities and services, including without limitation forestry or  
3 conservation camps for the training and treatment of children 12 years of age or older  
4 who have been adjudged delinquent.

5 (f) Other facilities deemed by the department of corrections to be appropriate  
6 for the child, except that no state funds may be used for the maintenance of a child  
7 in the home of a parent or relative eligible for aid under s. 49.19 if such funds would  
8 reduce federal funds to this state.

9 **(2) USE OF OTHER FACILITIES.** (a) In addition to the facilities and services  
10 described in sub. (1), the department of corrections may use other facilities and  
11 services under its jurisdiction. The department of corrections may also contract for  
12 and pay for the use of other public facilities or private facilities for the care and  
13 treatment of children in its care, including secured child caring institutions; but  
14 placement of children in private or public facilities not under its jurisdiction does not  
15 terminate the supervision under s. 48.34 (4h), (4m) or (4n) of the department of  
16 corrections. Placements in institutions for the mentally ill or developmentally  
17 disabled shall be made in accordance with ss. 48.14 (5) and 48.63 and ch. 51.

18 (b) Public facilities are required to accept and care for persons placed with them  
19 by the department of corrections in the same manner as they would be required to  
20 do had the legal custody of these persons been transferred by a court of competent  
21 jurisdiction. Nothing in this subsection shall be construed to require any public  
22 facility to serve the department of corrections inconsistently with its functions or  
23 with the laws and regulations governing their activities; or to give the department  
24 of corrections authority to use any private facility without its consent.

1 (c) The department of corrections shall have the right to inspect all facilities  
2 it is using and to examine and consult with persons under its supervision under s.  
3 48.34 (4h), (4m) or (4n) who have been placed in that facility.

4 (3) FEDERAL REIMBURSEMENT. The department of corrections shall report to the  
5 department of health and social services in a manner specified by the department of  
6 health and social services on all children under the supervision of the department  
7 of corrections who are placed by that department in a facility specified in sub. (1) or  
8 (2) so that the department of health and social services may claim federal foster care  
9 and adoption assistance reimbursement under 42 USC 670 to 679a with respect to  
10 those children.

11 (4) COEDUCATIONAL PROGRAMS AND INSTITUTIONS. The department of corrections  
12 may institute and maintain coeducational programs and institutions under this  
13 chapter.

14 **SECTION 2573.** 48.558 of the statutes is created to read:

15 **48.558 Duration of control of department of corrections over**  
16 **delinquents.** Except as provided under s. 48.538, all children adjudged delinquent  
17 who have been placed under the supervision of the department of corrections under  
18 s. 48.34 (4h), (4m) or (4n) shall be discharged as soon as the department of corrections  
19 determines that there is a reasonable probability that it is no longer necessary either  
20 for the rehabilitation and treatment of the child or for the protection of the public that  
21 the department of corrections retain supervision.

22 **SECTION 2574.** 48.559 of the statutes is created to read:

23 **48.559 Records of department of corrections.** The department of  
24 corrections shall keep a complete record on each child under its supervision under  
25 s. 48.34 (4h), (4m) or (4n). This record shall include the information received from

1 the court, the date of reception, all available data on the personal and family history  
2 of the child, the results of all tests and examinations given the child, and a complete  
3 history of all placements of the child while under the supervision of the department  
4 of corrections.

5 **SECTION 2575.** 48.57 (1) (c) of the statutes is amended to read:

6 48.57 (1) (c) To provide appropriate protection and services for children in its  
7 care, including providing services for children and their families in their own homes,  
8 placing the children in licensed foster homes, licensed treatment foster homes or  
9 licensed group homes in this state or another state within a reasonable proximity to  
10 the agency with legal custody or contracting for services for them by licensed child  
11 welfare agencies, except that the county department shall not purchase the  
12 educational component of private day treatment programs unless the county  
13 department, the school board as defined in s. 115.001 (7) and the state  
14 superintendent department of public instruction education all determine that an  
15 appropriate public education program is not available. Disputes between the county  
16 department and the school district shall be resolved by the ~~state superintendent~~  
17 department of public instruction education.

18 **SECTION 2575m.** 48.57 (1) (g) of the statutes is amended to read:

19 48.57 (1) (g) Upon request of the department of health and social services or  
20 the department of corrections, to provide service for any child in the care of the  
21 department those departments.

22 **SECTION 2577.** 48.57 (3) (a) (intro.) of the statutes is amended to read:

23 48.57 (3) (a) (intro.) From the reimbursement received under s. ~~49.52 (1) (d)~~  
24 46.495 (1) (d), counties may provide funding for the maintenance of any child who:

25 **SECTION 2578.** 48.57 (3) (a) 3. of the statutes is amended to read:

1           48.57 (3) (a) 3. Received funding under s. ~~49.52 (1) (d)~~ 46.495 (1) (d)  
2 immediately prior to his or her 18th birthday; and

3           **SECTION 2579.** 48.57 (3) (b) of the statutes is amended to read:

4           48.57 (3) (b) The funding provided for the maintenance of a child under par. (a)  
5 shall be in an amount equal to that to which the child would receive under s. ~~49.52~~  
6 ~~(1) (d)~~ 46.495 (1) (d) if the child were 17 years of age.

7           **SECTION 2579m.** 48.57 (4) of the statutes, as created by 1993 Wisconsin Act  
8 385, is amended to read:

9           48.57 (4) A county department may provide aftercare supervision under s.  
10 48.34 (4n) for children who are released from secured correctional facilities. If a  
11 county department intends to change its policy regarding whether the county  
12 department or the department of corrections shall provide aftercare supervision for  
13 children released from secured correctional facilities, the county executive or county  
14 administrator, or, if the county has no county executive or county administrator, the  
15 chairperson of the county board of supervisors, or, for multicounty departments, the  
16 chairpersons of the county boards of supervisors jointly, shall submit a letter to the  
17 department of corrections stating that intent before July 1 of the year preceding the  
18 year in which the policy change will take effect.

19           **SECTION 2582.** 48.60 (3) of the statutes is amended to read:

20           48.60 (3) Before issuing any license to a child welfare agency under this section,  
21 the department of health and social services shall review the need for the additional  
22 placement resources that would be made available by the licensing or relicensing of  
23 any child welfare agency after August 5, 1973, providing care authorized under s.  
24 48.61 (3). ~~The department may not~~ Neither the department of health and social  
25 services nor the department of corrections may make any placements to any child

1 welfare agency where the departmental review required under this subsection has  
2 failed to indicate the need for the additional placement resources.

3 **SECTION 2583.** 48.615 (1) (a) of the statutes is amended to read:

4 48.615 (1) (a) Before the department may issue a license under s. 48.60 (1) to  
5 a child welfare agency that regularly provides care and maintenance for children  
6 within the confines of its building, the child welfare agency must pay to the  
7 department a biennial fee of ~~\$75~~ \$100, plus a biennial fee of ~~\$10~~ \$15 per child, based  
8 on the number of children that the child welfare agency is licensed to serve.

9 **SECTION 2584.** 48.615 (1) (b) of the statutes is amended to read:

10 48.615 (1) (b) Before the department may issue a license under s. 48.60 (1) to  
11 a child welfare agency that places children in licensed foster homes, licensed  
12 treatment foster homes and licensed group homes, the child welfare agency must pay  
13 to the department a biennial fee of ~~\$200~~ \$210.

14 **SECTION 2587.** 48.625 (2) (a) of the statutes is amended to read:

15 48.625 (2) (a) Before the department may issue a license under sub. (1) to a  
16 group home, the group home must pay to the department a biennial fee of ~~\$75~~ \$100,  
17 plus a biennial fee of ~~\$10~~ \$15 per child, based on the number of children that the  
18 group home is licensed to serve. A group home that wishes to renew a license issued  
19 under sub. (1) shall pay the fee under this paragraph by the renewal date of the  
20 license. A new group home shall pay the fee under this paragraph no later than 30  
21 days before the opening of the group home.

22 **SECTION 2588.** 48.627 (2) (c) of the statutes is amended to read:

23 48.627 (2) (c) The department shall conduct a study to determine the  
24 cost-effectiveness of purchasing insurance to provide standard homeowner's or  
25 renter's liability insurance coverage for applicants who are granted a waiver under

1 par. (b). If the department determines that it would be cost-effective to purchase  
2 such insurance, it may purchase the insurance from the appropriations under s.  
3 20.435 ~~(6)~~ (3) (cf) and ~~(7)~~ (pd).

4 **SECTION 2589.** 48.627 (2c) of the statutes is amended to read:

5 48.627 **(2c)** The department shall determine the cost-effectiveness of  
6 purchasing private insurance that would provide coverage to foster, treatment foster  
7 and family-operated group home parents for acts or omissions by or affecting a child  
8 who is placed in a foster home, a treatment foster home or a family-operated group  
9 home. If this private insurance is cost-effective and available, the department shall  
10 purchase the insurance from the appropriations under s. 20.435 ~~(6)~~ (3) (cf) and ~~(7)~~  
11 (pd). If the insurance is unavailable, payment of claims for acts or omissions by or  
12 affecting a child who is placed in a foster home, a treatment foster home or a  
13 family-operated group home shall be in accordance with subs. (2m) to (3).

14 **SECTION 2590.** 48.627 (2m) of the statutes is amended to read:

15 48.627 **(2m)** Within the limits of the appropriations under s. 20.435 ~~(6)~~ (3) (cf)  
16 and ~~(7)~~ (pd), the department shall pay claims to the extent not covered by any other  
17 insurance and subject to the limitations specified in sub. (3), for bodily injury or  
18 property damage sustained by a licensed foster, treatment foster or family-operated  
19 group home parent or a member of the foster, treatment foster or family-operated  
20 group home parent's family as a result of the act of a child in the foster, treatment  
21 foster or family-operated group home parent's care.

22 **SECTION 2591.** 48.627 (2s) (intro.) of the statutes is amended to read:

23 48.627 **(2s)** (intro.) Within the limits of the appropriations under s. 20.435 ~~(6)~~  
24 (3) (cf) and ~~(7)~~ (pd), the department may pay claims to the extent not covered by any

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1 other insurance and subject to the limitations specified in sub. (3), for all of the  
2 following:

3 **SECTION 2592.** 48.627 (3) (f) of the statutes is amended to read:

4 48.627 (3) (f) If the total amount of the claims approved during any calendar  
5 quarter exceeds 25% of the total funds available during the fiscal year for purposes  
6 of this subsection plus any unencumbered funds remaining from the previous  
7 quarter, the department shall prorate the available funds among the claimants with  
8 approved claims. The department shall also prorate any unencumbered funds  
9 remaining in the appropriation under s. 20.435 ~~(6)~~ (3) (cf) at the end of each fiscal  
10 year among the claimants whose claims were prorated during the fiscal year.  
11 Payment of a prorated amount from unencumbered funds remaining at the end of  
12 the fiscal year constitutes a complete payment of the claim for purposes of this  
13 program, but does not prohibit a foster parent or treatment foster parent from  
14 submitting a claim under s. 16.007 for the unpaid portion.

15 **SECTION 2593.** 48.627 (4) of the statutes is amended to read:

16 48.627 (4) Except as provided in s. 895.485, the department is not liable for any  
17 act or omission by or affecting a child who is placed in a foster home, treatment foster  
18 home or family-operated group home, but shall, as provided in this section, pay  
19 claims described under sub. (2m) and may pay claims described under sub. (2s) or  
20 may purchase insurance to cover such claims as provided for under sub. (2c), within  
21 the limits of the appropriations under s. 20.435 ~~(6)~~ (3) (cf) and (7) (pd).

22 **SECTION 2594.** 48.63 (1) of the statutes is amended to read:

23 48.63 (1) Acting pursuant to court order or voluntary agreement, the child's  
24 parent or guardian or the department of health and social services, the department  
25 of corrections, a county department or a child welfare agency licensed to place

1 children in foster homes or treatment foster homes may place a child or negotiate or  
2 act as intermediary for the placement of a child in a foster home, treatment foster  
3 home or group home. Voluntary agreements under this subsection may not be used  
4 for placements in facilities other than foster, treatment foster or group homes and  
5 may not be extended. A foster home or treatment foster home placement under a  
6 voluntary agreement may not exceed 6 months. A group home placement under a  
7 voluntary agreement may not exceed 15 days. These time limitations do not apply  
8 to placements made under ss. 48.34 and 48.345. Voluntary agreements may be made  
9 only under this subsection and shall be in writing and shall specifically state that the  
10 agreement may be terminated at any time by the parent or by the child if the child's  
11 consent to the agreement is required. The child's consent to the agreement is  
12 required whenever the child is 12 years of age or older.

13 **SECTION 2595.** 48.64 (1) of the statutes is amended to read:

14 48.64 (1) DEFINITION. In this section, "agency" means the department of health  
15 and social services, the department of corrections, a county department or a licensed  
16 child welfare agency authorized to place children in foster homes or treatment foster  
17 homes.

18 **SECTION 2598.** 48.65 (3) (a) of the statutes is amended to read:

19 48.65 (3) (a) Before the department may issue a license under sub. (1) to a day  
20 care center that provides care and supervision for 4 to 8 children, the day care center  
21 must pay to the department a biennial fee of \$50. Before the department may issue  
22 a license under sub. (1) to a day care center that provides care and supervision for  
23 9 or more children, the day care center must pay to the department a biennial fee of  
24 \$25, plus a biennial fee of \$5 ~~\$7~~ per child, based on the number of children that the  
25 day care center is licensed to serve. A day care center that wishes to renew a license

1 issued under sub. (1) shall pay the applicable fee under this paragraph by the  
2 renewal date of the license. A new day care center shall pay the applicable fee under  
3 this paragraph no later than 30 days before the opening of the day care center.

4 **SECTION 2598m.** 48.66 (1) of the statutes is amended to read:

5 48.66 (1) The department shall license and supervise child welfare agencies,  
6 as required by s. 48.60, group homes, as required by s. 48.625, shelter care facilities,  
7 as required by s. 48.48 and day care centers, as required by s. 48.65. The department  
8 may license foster homes or treatment foster homes, as provided by s. 48.62, and may  
9 license and supervise county departments in accordance with the procedures  
10 specified in this section and in ss. 48.67 to 48.74. The department of corrections may  
11 license a child welfare agency to ~~hold~~ operate a secured child caring institution for  
12 holding in secure custody children who have been adjudicated delinquent under s.  
13 48.34 (4h) or (4m) and referred to the child welfare agency by the court or the  
14 department ~~under the intensive residential aftercare pilot program under 1993~~  
15 ~~Wisconsin Act 377, section 9126 (3x),~~ of corrections and to provide supervision, care  
16 and maintenance for those children.

17 **SECTION 2599.** 48.67 of the statutes is amended to read:

18 **48.67 Rules governing child welfare agencies, day care centers, foster**  
19 **homes, treatment foster homes, group homes, shelter care facilities and**  
20 **county departments.** The department shall promulgate rules establishing  
21 minimum requirements for the issuance of licenses to, and establishing standards  
22 for the operation of, child welfare agencies, day care centers, foster homes, treatment  
23 foster homes, group homes, shelter care facilities and county departments. These  
24 rules shall be designed to protect and promote the health, safety and welfare of the  
25 children in the care of all licensees. The department shall consult with the

1 department of ~~industry, labor and human relations~~ development and the department  
2 of public instruction before promulgating these rules.

3 **SECTION 2600.** 48.677 (title) of the statutes is renumbered 46.48 (16) (title).

4 **SECTION 2601.** 48.677 of the statutes is renumbered 46.48 (16) (a) and amended  
5 to read:

6 46.48 (16) (a) ~~A private, nonprofit organization may apply to the department~~  
7 ~~for a grant from the appropriations under s. 20.435 (7) (de) and (pm)~~ The department  
8 shall distribute not more than \$37,500 in each fiscal year as grants to private,  
9 nonprofit organizations to recruit African American foster parents, including  
10 African American prospective adoptive parents, in communities that have a high  
11 percentage of African American children and a high percentage of children in  
12 out-of-home placements. The department shall review the applications submitted  
13 under this ~~section~~ paragraph and determine the number of grants that will be  
14 awarded, which of the applicants will receive grants and the amount of each grant.  
15 A private, nonprofit organization receiving a grant under this ~~section~~ paragraph  
16 shall cooperate and coordinate its activities under the grant with the county  
17 department under s. 46.215, 46.22 or 46.23 serving the area from which the private,  
18 nonprofit organization recruits African American foster parents.

19 **SECTION 2602.** 48.68 (1) of the statutes is amended to read:

20 48.68 (1) After receipt of an application for a license, the department shall  
21 investigate to determine if the applicant meets the minimum requirements for a  
22 license adopted by the department under s. 48.67. In determining whether to issue  
23 a license, the department may consider any action by the applicant, or by an employe  
24 of the applicant, that constitutes a substantial failure by the applicant or employe  
25 to protect and promote the health, safety and welfare of a child. Upon satisfactory

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1 completion of this investigation and payment of the fee required under s. 48.22 (7)  
2 (b), 48.615 (1) (a) or (b), 48.625 (2) (a) or 48.65 (3) (a), the department shall issue a  
3 license under s. 48.66 (1) or, if applicable, a probationary license under s. 48.69. At  
4 the time of initial licensure and license renewal, the department shall provide a  
5 foster home licensee with written information relating to the age-related monthly  
6 foster care rates and supplemental payments specified in s. ~~49.19 (12)~~ 48.62 (4),  
7 including payment amounts, eligibility requirements for supplemental payments  
8 and the procedures for applying for supplemental payments.

9 **SECTION 2605.** 48.715 (3) (intro.) of the statutes is amended to read:

10 48.715 (3) (intro.) If the department provides written notice of the grounds for  
11 a penalty, an explanation of the types of penalties that may be imposed under this  
12 subsection and an explanation of the process for appealing a penalty imposed under  
13 this subsection, the department may impose any of the following penalties against  
14 a licensee or any other person who violates a provision of licensure under s. 48.70 (1)  
15 or rule promulgated by the department under s. 48.67 or who fails to comply with an  
16 order issued under sub. (2) by the time specified in the order:

17 **SECTION 2606.** 48.715 (3) (a) (intro.) of the statutes is amended to read:

18 48.715 (3) (a) (intro.) A daily forfeiture amount per violation of not less than  
19 \$10 nor more than \$50 \$1,000. All of the following apply to a forfeiture under this  
20 paragraph:

21 **SECTION 2607.** 48.715 (3) (a) 1. of the statutes is amended to read:

22 48.715 (3) (a) 1. Within the limits specified in this paragraph, the department  
23 may, by rule, set daily forfeiture amounts and payment deadlines based on the size  
24 and type of facility or agency and the seriousness of the violation. ~~As part of the order,~~  
25 ~~the~~ The department may set daily forfeiture amounts that increase periodically

1 within the statutory limits if there is continued failure to comply with an order issued  
2 under sub. (2).

3 **SECTION 2610.** 48.78 (1) of the statutes is amended to read:

4 48.78 (1) In this section, unless otherwise qualified, “agency” means the  
5 department of health and social services, the department of corrections, a county  
6 department, a licensed child welfare agency, a licensed day care center or a licensed  
7 maternity hospital.

8 **SECTION 2611.** 48.78 (2) (c) of the statutes is amended to read:

9 48.78 (2) (c) Paragraph (a) does not prohibit the department of health and  
10 social services or a county department from using in the media a picture or  
11 description of a child in the guardianship of the department or a county department  
12 for the purpose of finding adoptive parents for that child.

13 **SECTION 2611m.** 48.78 (2) (d) (intro.) of the statutes, as affected by 1993  
14 Wisconsin Act 385, is amended to read:

15 48.78 (2) (d) (intro.) Paragraph (a) does not prohibit the department of health  
16 and social services or a county department from disclosing information about an  
17 individual formerly in the legal custody or under the supervision of the that  
18 department under s. 48.34 (4m), 1993 stats., or formerly under the supervision of the  
19 that department or county department under s. 48.34 (4n), 1993 stats., to the  
20 department of corrections, if the individual is at the time of disclosure any of the  
21 following:

22 **SECTION 2611q.** 48.78 (2) (d) 4m. of the statutes is created to read:

23 48.78 (2) (d) 4m. On community supervision to the department of corrections  
24 under s. 973.095.

25 **SECTION 2612p.** 48.78 (2) (e) of the statutes is amended to read:

**SECTION 2612p**

1           48.78 (2) (e) Paragraph (a) does not prohibit the department of ~~health and~~  
2 ~~social services~~ corrections from disclosing information about an individual adjudged  
3 delinquent under s. 48.31 for a sexually violent offense, as defined in s. 980.01 (6),  
4 to the department of justice, or a district attorney or a judge acting under ch. 980 or  
5 to an attorney who represents a person subject to a petition under ch. 980. The court  
6 in which the petition under s. 980.02 is filed may issue any protective orders that it  
7 determines are appropriate concerning information disclosed under this paragraph.

8           **SECTION 2613.** 48.78 (2) (f) of the statutes is created to read:

9           48.78 (2) (f) Paragraph (a) does not prohibit the department of corrections from  
10 disclosing information about a person who has been convicted of violating a state or  
11 federal criminal law.

12           **SECTION 2614m.** 48.78 (3) of the statutes, as affected by 1993 Wisconsin Act  
13 377, is amended to read:

14           48.78 (3) If a child adjudged delinquent on the basis of a violation of s. 941.10,  
15 941.11, 941.20, 941.21, 941.23, 941.235, 941.237, 941.24, 941.26, 941.28, 941.295,  
16 941.298, 941.30, 941.31, 941.32, 941.325, 943.02, 943.03, 943.04, 943.10 (2) (a),  
17 943.23 (1g), (1m) or (1r), 943.32 (2), 948.02, 948.025, 948.03, 948.05, 948.055, 948.60,  
18 948.605 or 948.61 or any crime specified in ch. 940 has escaped from a secured  
19 correctional facility, has been allowed to leave a secured correctional facility for a  
20 specified time period and is absent from the facility for more than 12 hours after the  
21 expiration of the specified period or has run away from the child's placement in the  
22 community while under corrective sanctions ~~or youthful offender~~ supervision, the  
23 ~~department of health and social services or the department of corrections~~ may  
24 release the child's name and any information about the child that is necessary for the  
25 protection of the public or to secure the child's return to the facility or placement.

**SECTION 2614m**

1     The department of ~~health and social services~~ shall promulgate rules establishing  
2     guidelines for the release of the child's name or information about the child to the  
3     public, ~~except that the department of corrections shall promulgate rules establishing~~  
4     ~~guidelines for the release to the public of the name of a child, or information about~~  
5     ~~a child, who is a participant in the youthful offender program.~~

6           **SECTION 2614p.** 48.78 (3) of the statutes, as affected by 1993 Wisconsin Act 377  
7     and 1995 Wisconsin Act .... (this act), is repealed and recreated to read:

8           48.78 (3) If a child adjudged delinquent on the basis of a violation of s. 941.10,  
9     941.11, 941.20, 941.21, 941.23, 941.235, 941.237, 941.24, 941.26, 941.28, 941.295,  
10    941.298, 941.30, 941.31, 941.32, 941.325, 943.02, 943.03, 943.04, 943.10 (2) (a),  
11    943.23 (1g), (1m) or (1r), 943.32 (2), 948.02, 948.025, 948.03, 948.05, 948.055, 948.60,  
12    948.605 or 948.61 or any crime specified in ch. 940 has escaped from a secured  
13    correctional facility, has been allowed to leave a secured correctional facility for a  
14    specified time period and is absent from the facility for more than 12 hours after the  
15    expiration of the specified period or has run away from the child's placement in the  
16    community while under corrective sanctions or serious juvenile offender  
17    supervision, the department of corrections may release the child's name and any  
18    information about the child that is necessary for the protection of the public or to  
19    secure the child's return to the facility or placement. The department of corrections  
20    shall promulgate rules establishing guidelines for the release of the child's name or  
21    information about the child to the public.

22           **SECTION 2615.** 48.79 (intro.) of the statutes is amended to read:

23           **48.79** (title) **Powers of the department of health and social services.**  
24     (intro.) The department of health and social services has authority and power:

25           **SECTION 2615g.** 48.79 (1) of the statutes is repealed.

**SECTION 2615m**

1           **SECTION 2615m.** 48.79 (2) of the statutes is repealed.

2           **SECTION 2615p.** 48.79 (3) of the statutes is repealed.

3           **SECTION 2615r.** 48.79 (11) of the statutes is repealed.

4           **SECTION 2616.** 48.795 of the statutes is created to read:

5           **48.795 Powers of the department of corrections.** The department of  
6 corrections may do all of the following:

7           (1) Collect and collaborate with other agencies in collecting statistics and  
8 information useful in determining the cause and amount of delinquency and crime  
9 in this state or in carrying out the powers and duties of the department.

10          (2) Assist communities in their efforts to combat delinquency and social  
11 breakdown likely to cause delinquency and crime and assist them in setting up  
12 programs for coordinating the total community program, including the improvement  
13 of law enforcement.

14          (3) Assist schools in extending their particular contribution in locating and  
15 helping children vulnerable to delinquency and crime and in improving their  
16 services to all youth.

17          (4) Develop and maintain an enlightened public opinion in support of a  
18 program to control delinquency and crime.

19          **SECTION 2622.** 48.982 (2) (g) (intro.) of the statutes is amended to read:

20          48.982 (2) (g) (intro.) In coordination with the departments of health and social  
21 services and public instruction education:

22          **SECTION 2623.** 48.982 (7) (a) of the statutes is amended to read:

23          48.982 (7) (a) From the appropriations under s. 20.433 (1) ~~(e)~~ (h), (i), (k) and (q),  
24 the board shall award grants to organizations in accordance with the plan developed  
25 under sub. (2) (a).

**SECTION 2623d**

1           **SECTION 2623d.** 48.982 (7) (b) of the statutes is amended to read:

2           48.982 (7) (b) A grant may be awarded only to an organization that agrees to  
3           make a ~~20%~~ 30% match to the grant, through either money or in-kind services.

4           **SECTION 2624.** 48.985 (1) of the statutes, as affected by 1995 Wisconsin Act ....  
5           (this act), is repealed and recreated to read:

6           48.985 (1) FEDERAL PROGRAM OPERATIONS. From the appropriation under s.  
7           20.435 (3) (n), the department shall expend not more than \$543,700 in fiscal year  
8           1995-96 and not more than \$543,700 in fiscal year 1996-97 of the moneys received  
9           under 42 USC 620 to 626 for the department's expenses in connection with  
10          administering the expenditure of funds received under 42 USC 620 to 626, for child  
11          welfare projects and services provided or purchased by the department, for child  
12          abuse and neglect independent investigations and for providing child-at-risk field  
13          training to counties.

14          **SECTION 2625.** 48.985 (1) (intro.) and (a) of the statutes are consolidated,  
15          renumbered 48.985 (1) and amended to read:

16          48.985 (1) FEDERAL PROGRAM OPERATIONS. From the appropriation under s.  
17          20.435 (6) (n), the department shall expend not more than \$543,700 in fiscal year  
18          1995-96 and not more than \$543,700 in fiscal year 1996-97 of the moneys received  
19          under 42 USC 620 to 626 as follows: ~~(a) For~~ for the department's expenses in  
20          connection with administering the expenditure of funds received under 42 USC 620  
21          to 626, ~~not more than \$273,700 in fiscal year 1993-94 and not more than \$281,500~~  
22          in fiscal year 1994-95 for child welfare projects and services provided or purchased  
23          by the department, for child abuse and neglect independent investigations and for  
24          providing child-at-risk field training to counties.

25          **SECTION 2626.** 48.985 (1) (c) of the statutes is repealed.

1           **SECTION 2627.** 48.985 (1) (e) of the statutes is repealed.

2           **SECTION 2628.** 48.985 (1) (f) of the statutes is repealed.

3           **SECTION 2629.** 48.985 (2) (a) (intro.) and 1. of the statutes are consolidated,  
4           renumbered 48.985 (2) and amended to read:

5           48.985 (2) COMMUNITY SOCIAL AND MENTAL HYGIENE SERVICES. From the  
6           appropriation under s. 20.435 (7) (o), the department shall ~~expend~~ distribute not  
7           more than \$3,919,800 in each fiscal year of the moneys received under 42 USC 620  
8           to 626 as follows: 1. ~~To~~ to county departments under ss. 46.215, 46.22 and 46.23, for  
9           the provision or purchase of child welfare projects and services ~~including child abuse~~  
10          ~~and neglect investigation and treatment services, subject only to local, state and~~  
11          ~~federal requirements specific to the types of projects or services, not more than~~  
12          ~~\$1,858,000 in each fiscal year and for the allocation, for services to children and~~  
13          ~~families, not more than \$567,300 in each fiscal year~~ and for family-based child  
14          welfare services.

15          **SECTION 2630.** 48.985 (2) (a) 2. of the statutes is repealed.

16          **SECTION 2631.** 48.985 (2) (a) 3. of the statutes is repealed.

17          **SECTION 2632.** 48.985 (2) (b) of the statutes is repealed.

18          **SECTION 2632m.** 48.985 (3) of the statutes is amended to read:

19          48.985 (3) COMMUNITY YOUTH AND FAMILY AIDS. From the appropriation under  
20          s. 20.435 ~~20.410~~ (3) (oo), the department of corrections shall allocate, to county  
21          departments under ss. 46.215, 46.22 and 46.23 for the provision of services under s.  
22          ~~46.26~~ 301.26, not more than \$1,100,000 in each fiscal year.

23          **SECTION 2633.** 48.985 (4) of the statutes is amended to read:

24          48.985 (4) RUNAWAY SERVICES. From the appropriation under s. 20.435 (7) (3)  
25          (na) for runaway services, not more than \$458,600 in each fiscal year.

**SECTION 2634m**

1           **SECTION 2634m.** 48.992 (1) (a) of the statutes is amended to read:

2           48.992 (1) (a) The “appropriate court” of this state to issue a requisition under  
3           s. 48.991 (4) is the court assigned to exercise jurisdiction under this chapter for the  
4           county of the petitioner’s residence, or, if the petitioner is a child welfare agency, the  
5           court so assigned for the county where the agency has its principal office, or, if the  
6           petitioner is the department of corrections, any court so assigned in the state.

7           **SECTION 2634p.** 48.993 of the statutes is amended to read:

8           **48.993 Juvenile compact administrator. (1)** Under the interstate compact  
9           on juveniles, the governor may designate an officer or employe of the department of  
10          corrections to be the compact administrator, who, acting jointly with like officers of  
11          other party states, shall promulgate rules to carry out more effectively the terms of  
12          the compact. The compact administrator shall serve subject to the pleasure of the  
13          governor. If there is a vacancy in the office of compact administrator or in the case  
14          of absence or disability, the functions shall be performed by the secretary of ~~health~~  
15          and ~~social services~~ corrections, or other employe designated by the secretary. The  
16          compact administrator may cooperate with all departments, agencies and officers of  
17          and in the government of this state and its political subdivisions in facilitating the  
18          proper administration of the compact or of any supplementary agreement entered  
19          into by this state.

20          **(2)** The compact administrator shall determine for this state whether to receive  
21          juvenile probationers and parolees of other states under s. 48.991 (7) and shall  
22          arrange for the supervision of each such probationer or parolee received, either by  
23          the department of corrections or by a person appointed to perform supervision  
24          service for the court assigned to exercise jurisdiction under this chapter for the  
25          county where the juvenile is to reside, whichever is more convenient. Those persons

1 shall in all such cases make periodic reports to the compact administrator regarding  
2 the conduct and progress of the juveniles.

3 **SECTION 2634r.** 48.994 of the statutes is amended to read:

4 **48.994 Supplementary agreements.** The department of corrections may  
5 enter into supplementary agreements with appropriate officials of other states  
6 under s. 48.991 (10). If the supplementary agreement requires or contemplates the  
7 use of any institution or facility of this state or the provision of any service by this  
8 state, the supplementary agreement has no effect until approved by the department  
9 or agency under whose jurisdiction the institution or facility is operated or which  
10 shall be charged with the rendering of the service.

11 **SECTION 2635g.** 48.995 (2) of the statutes is amended to read:

12 48.995 (2) In the case of an escapee or absconder under s. 48.991 (5) or (6), if  
13 the juvenile is in the legal custody or under the supervision of the department of  
14 corrections, it shall bear the expense of his or her return; otherwise the appropriate  
15 court shall, on petition of the person entitled to the juvenile's custody or charged with  
16 his or her supervision, arrange for the transportation at the expense of the county  
17 and order that the county reimburse the person, if any, who returns the juvenile, for  
18 the person's actual and necessary expenses. In this subsection "appropriate court"  
19 means the court which adjudged the juvenile to be delinquent or, if the juvenile is  
20 under supervision for another state under s. 48.991 (7), then the court assigned to  
21 exercise jurisdiction under this chapter for the county of the juvenile's residence  
22 during the supervision.

23 **SECTION 2635m.** 48.996 of the statutes is amended to read:

24 **48.996 Compensation.** Any judge of this state who appoints counsel or a  
25 guardian ad litem pursuant to the provisions of the interstate compact on juveniles

1 may, in the judge's discretion, allow reasonable compensation in an amount not to  
2 exceed the compensation paid to private attorneys under s. 977.08 (4m) (b), to be paid  
3 by the county on order of the court.

4 **SECTION 2636.** The unnumbered subchapter title preceding 49.001 of the  
5 statutes is repealed.

6 **SECTION 2637.** Subchapter I (title) of chapter 49 [precedes 49.001] of the  
7 statutes is created to read:

8 **CHAPTER 49**

9 **SUBCHAPTER I**

10 **DEFINITIONS**

11 **SECTION 2638.** 49.001 (intro.) of the statutes is renumbered 49.81 (intro.) and  
12 amended to read:

13 **49.81 Public assistance recipients' bill of rights.** (intro.) The department  
14 of health and social services, the department of industry, labor and human relations  
15 and all public assistance and relief-granting agencies shall respect rights for  
16 recipients of public assistance. The rights shall include all rights guaranteed by the  
17 U.S. constitution and the constitution of this state, and in addition shall include:

18 **SECTION 2639.** 49.001 (intro.) of the statutes is created to read:

19 **49.001 Definitions.** (intro.) In this chapter:

20 **SECTION 2640.** 49.001 (1) of the statutes is renumbered 49.81 (1).

21 **SECTION 2641.** 49.001 (2) of the statutes is renumbered 49.81 (2).

22 **SECTION 2642.** 49.001 (3) of the statutes is renumbered 49.81 (3).

23 **SECTION 2643.** 49.001 (4) of the statutes is renumbered 49.81 (4).

24 **SECTION 2644.** 49.001 (5m) of the statutes is created to read:



**SECTION 2646b**

1 performance or failure to comply. The department shall promulgate rules to  
2 establish standards for determinations of benefit discontinuances under this  
3 subsection that exceed 30 days. Any Wisconsin taxpayer shall have standing in the  
4 circuit court for the purpose of obtaining an injunction to enforce this subsection.

5 **SECTION 2646c.** 49.002 (1) of the statutes, as affected by 1995 Wisconsin Act ....  
6 (this act), is repealed.

7 **SECTION 2647b.** 49.002 (2) of the statutes is amended to read:

8 49.002 (2) It is the declared legislative policy that general relief is the payer  
9 of last resort in all cases, except those cases involving crime victim awards under s.  
10 949.06, where a benefit is covered by general relief in a county and where a dispute  
11 may arise over payment for costs associated with ~~maintaining the health and welfare~~  
12 ~~of recipients~~ providing that benefit to a recipient of general relief, including disputes  
13 concerning health care costs with private or public payees of health care costs, other  
14 governmental welfare programs, rehabilitation programs and programs requiring  
15 institutionalization or long-term medical and psychiatric treatment.

16 **SECTION 2647c.** 49.002 (2) of the statutes, as affected by 1995 Wisconsin Act  
17 .... (this act), is renumbered 49.002 and amended to read:

18 **49.002 Legislative declaration.** It is the declared legislative policy that  
19 ~~general~~ a county receiving a relief block grant is the payer of last resort in all cases,  
20 except those cases involving crime victim awards under s. 949.06, where a benefit is  
21 covered by general relief funded by a relief block grant in a county and where a  
22 dispute may arise over payment for costs associated with ~~providing that benefit to~~  
23 ~~a recipient of general relief, including disputes concerning health care costs with~~  
24 ~~private or public payees of health care costs, other governmental welfare programs,~~  
25 ~~rehabilitation programs and programs requiring institutionalization or long-term~~

1 ~~medical and psychiatric treatment~~ providing health care services to recipients of  
2 relief funded by a relief block grant.

3 **SECTION 2648.** 49.01 (intro.) of the statutes is amended to read:

4 **49.01 Definitions.** (intro.) As used in this chapter subchapter:

5 **SECTION 2649.** 49.01 (1) of the statutes is renumbered 49.43 (1e) and amended  
6 to read:

7 49.43 (1e) "Accommodated person" means any person in a hospital or in a  
8 skilled nursing facility or intermediate care facility, as defined in Title XIX of the  
9 social security act, who would have been eligible for benefits under s. ~~49.177 or 49.19~~  
10 or 49.77 or federal Title XVI if the person were not in such a hospital or facility, and  
11 any person in such an institution who can be found eligible for Title XIX under the  
12 social security act.

13 **SECTION 2650.** 49.01 (1m) of the statutes is created to read:

14 49.01 (1m) "Department" means the department of health and social services.

15 **SECTION 2651b.** 49.01 (2) of the statutes is amended to read:

16 49.01 (2) "Dependent person" ~~or "dependent"~~ means an individual ~~without the~~  
17 ~~presently available money, income, property or credit, or other means by which it can~~  
18 ~~be presently obtained, excluding the exemptions set forth under s. 49.06, sufficient~~  
19 ~~to provide the necessary commodities and services specified in sub. (5m) who is~~  
20 eligible for relief under s. 49.015.

21 **SECTION 2651d.** 49.01 (2g) of the statutes is created to read:

22 49.01 (2g) "Health care services" means such emergency and nonemergency  
23 medical, surgical, dental, hospital, nursing and optometric services as are  
24 reasonable and necessary under the circumstances, as determined by the county or

**SECTION 2651d**

1 tribal governing body. "Health care services" does not include services described  
2 under s. 51.42 (3) (ar) 4.

3 **SECTION 2652b.** 49.01 (3) of the statutes is created to read:

4 49.01 (3) "Relief" means assistance that is provided to a dependent person and  
5 funded by a relief block grant.

6 **SECTION 2653.** 49.01 (3m) (b) of the statutes is created to read:

7 49.01 (3m) (b) A tribal governing body or an agency under contract with the  
8 governing body to administer relief.

9 **SECTION 2654.** 49.01 (4) of the statutes is renumbered 49.001 (1m).

10 **SECTION 2655.** 49.01 (5) of the statutes is renumbered 49.001 (2).

11 **SECTION 2656.** 49.01 (5g) of the statutes is renumbered 49.001 (3).

12 **SECTION 2657b.** 49.01 (5m) of the statutes is amended to read:

13 49.01 (5m) "General relief" means such services, commodities or money as are  
14 reasonable and necessary under the circumstances to provide ~~food, housing,~~  
15 ~~clothing, fuel, light, water,~~ medicine, medical, dental, and surgical treatment  
16 (including hospital care), optometrical services, nursing, ~~transportation,~~ and funeral  
17 ~~expenses, and include. Except in counties that make the election under s. 49.032 (2)~~  
18 ~~(a), general relief also includes benefits under s. 49.032 and any wages for work relief.~~  
19 ~~The food furnished shall be of a kind and quantity sufficient to provide a nourishing~~  
20 ~~diet. The housing provided shall be adequate for health and decency. Where there~~  
21 ~~are children of school age the general relief furnished shall include necessities for~~  
22 ~~which no other provision is made by law. The general relief furnished, whether by~~  
23 ~~money or otherwise, shall be at such times and in such amounts, as will in the~~  
24 ~~discretion of the general relief official or agency meet the needs of the recipient and~~  
25 ~~protect the public.~~

1           **SECTION 2657c.** 49.01 (5m) of the statutes, as affected by 1995 Wisconsin Act  
2 .... (this act), is repealed.

3           **SECTION 2658b.** 49.01 (5r) of the statutes is renumbered 49.01 (3m) (intro.) and  
4 amended to read:

5           49.01 (3m) (intro.) “~~General relief~~ Relief agency” means the following if a  
6 county or tribal governing body operates a relief program funded by a relief block  
7 grant:

8           (a) A county department under s. 46.215, 46.22 or 46.23 or an agency under  
9 contract with a county department to administer relief.

10          **SECTION 2659.** 49.01 (6) of the statutes is renumbered 49.001 (4).

11          **SECTION 2660.** 49.01 (6m) of the statutes is renumbered 49.001 (5).

12          **SECTION 2661.** 49.01 (7) of the statutes is renumbered 49.43 (10m).

13          **SECTION 2661g.** 49.01 (7m) of the statutes is created to read:

14          49.01 (7m) “Relief block grant” means a block grant awarded to a county or  
15 tribal governing body under s. 49.025, 49.027 or 49.029.

16          **SECTION 2661r.** 49.01 (7m) of the statutes, as created by 1995 Wisconsin Act  
17 .... (this act), is renumbered 49.001 (5p).

18          **SECTION 2662.** 49.01 (8g) of the statutes is renumbered 49.001 (6).

19          **SECTION 2663.** 49.01 (8j) of the statutes is created to read:

20          49.01 (8j) “Secretary” means the secretary of health and social services.

21          **SECTION 2664.** 49.01 (8m) of the statutes is renumbered 49.001 (7).

22          **SECTION 2665.** 49.01 (8p) of the statutes is created to read:

23          49.01 (8p) “Tribal governing body” means an elected tribal governing body of  
24 a federally recognized American Indian tribe.

25          **SECTION 2666.** 49.01 (8r) of the statutes is renumbered 49.001 (8).

1           **SECTION 2667.** 49.01 (9) of the statutes is repealed.

2           **SECTION 2668.** 49.01 (10) of the statutes is repealed.

3           **SECTION 2669.** 49.015 (title) of the statutes is amended to read:

4           **49.015 (title) General relief Relief eligibility.**

5           **SECTION 2670b.** 49.015 (1) of the statutes is created to read:

6           **49.015 (1) GENERAL ELIGIBILITY REQUIREMENTS.** Except as provided in subs. (1m)  
7 to (2m), an individual is eligible for relief if the individual meets all of the following  
8 conditions:

9           (a) Except as provided in sub. (3) (a), the individual resides in a county, or on  
10 tax-free land, in which the county or tribal governing body operates a program  
11 funded by a relief block grant.

12           (c) The individual qualifies under written criteria of dependency under s. 49.02  
13 (1) (b) established by the relief agency in that county or on that tax-free land.

14           **SECTION 2671.** 49.015 (1) (a) of the statutes is renumbered 49.015 (1m) (a).

15           **SECTION 2672b.** 49.015 (1) (b) (intro.) of the statutes is renumbered 49.015 (1m)  
16 (b) (intro.) and amended to read:

17           **49.015 (1m) (b) (intro.)** No ~~person~~ individual is eligible for ~~general~~ relief under  
18 ~~this chapter~~ unless the ~~person~~ individual has resided in this state for at least 60  
19 consecutive days before applying for ~~general~~ relief. This requirement does not apply  
20 if the ~~person~~ individual resides in this state and meets any of the following  
21 conditions:

22           **SECTION 2673b.** 49.015 (1) (b) 1. of the statutes is renumbered 49.015 (1m) (b)  
23 1. and amended to read:

24           **49.015 (1m) (b) 1.** The ~~person~~ individual was born in this state.

**SECTION 2674b**

1           **SECTION 2674b.** 49.015 (1) (b) 2. of the statutes is renumbered 49.015 (1m) (b)  
2           2. and amended to read:

3           49.015 (1m) (b) 2. The ~~person~~ individual has, in the past, resided in this state  
4           for at least 365 consecutive days.

5           **SECTION 2675b.** 49.015 (1) (b) 3. of the statutes is renumbered 49.015 (1m) (b)  
6           3. and amended to read:

7           49.015 (1m) (b) 3. The ~~person~~ individual came to this state to join a close  
8           relative who has resided in this state for at least 180 days before the arrival of the  
9           ~~person~~ individual.

10          **SECTION 2676b.** 49.015 (1) (b) 4. of the statutes is renumbered 49.015 (1m) (b)  
11          4. and amended to read:

12          49.015 (1m) (b) 4. The ~~person~~ individual came to this state to accept a bona fide  
13          offer of employment and the ~~person~~ individual was eligible to accept the employment.

14          **SECTION 2677.** 49.015 (1m) (title) of the statutes is created to read:

15          49.015 (1m) (title) STATE RESIDENCY REQUIREMENTS.

16          **SECTION 2678b.** 49.015 (2) (a) of the statutes is renumbered 49.015 (2) and  
17          amended to read:

18          49.015 (2) (title) RECIPIENTS OF OTHER AID. ~~A person~~ Except as provided in sub.  
19          (3), an individual is not eligible for ~~general relief under this chapter~~ for a month in  
20          which the ~~person~~ individual has received aid to families with dependent children  
21          under s. 49.19 or supplemental security income under 42 USC 1381 to 1383c or in  
22          which aid to families with dependent children or supplemental security income  
23          benefits are immediately available to the ~~person~~ individual.

24          **SECTION 2679b.** 49.015 (2) (b) of the statutes is amended to read:

1           49.015 (2) (b) No person is eligible for general relief under this chapter for a  
2 month in which the person is denied, or his or her needs are removed from a grant  
3 of, food stamps or aid to families with dependent children under 7 USC 2015 (d) (1),  
4 42 USC 602 (a) (19) (F), 42 USC 607 (b) (2) (C), 42 USC 609 (c) or 42 USC 645 (b) 1  
5 (B) because the person has failed to comply with requirements related to  
6 employment or training. A general relief agency may not deny general relief under  
7 this subsection to any person other than the person who has failed to comply with  
8 those requirements. If Except in counties that have elected not to provide  
9 nonmedical benefits under s. 49.032 (2) (a), if the adult caretaker of a child is denied  
10 general relief under this subsection and the case involves mismanagement, the  
11 general relief agency shall make the general relief payment for the child in the form  
12 of a protective payment.

13           **SECTION 2679c.** 49.015 (2) (b) of the statutes, as affected by 1995 Wisconsin Act  
14 .... (this act), is repealed.

15           **SECTION 2680.** 49.015 (2) (c) of the statutes is repealed.

16           **SECTION 2681b.** 49.015 (3) (title) of the statutes is created to read:

17           49.015 (3) (title) WAIVER OF CERTAIN ELIGIBILITY REQUIREMENTS.

18           **SECTION 2681c.** 49.015 (3) of the statutes is renumbered 49.015 (3) (b) and  
19 amended to read:

20           49.015 (3) (b) ~~After December 31, 1986, a general~~ A relief agency may waive  
21 the requirement under sub. (1) (b) or (2) (a) (2) or (2m) ~~in a medical emergency or in~~  
22 ~~case of unusual misfortune or hardship. Each waiver shall be reported to the~~  
23 ~~department. The department may deny reimbursement under s. 49.035 for any case~~  
24 ~~in which a waiver is inappropriately granted~~ make a determination as to the

1 appropriateness of the waiver under rules promulgated by the department under s.  
2 49.02 (7m) (d).

3 **SECTION 2681d.** 49.015 (3) (a) of the statutes is created to read:

4 49.015 (3) (a) A relief agency may waive the requirement under sub. (1) (a) for  
5 an individual receiving health care services from a trauma center that meets the  
6 criteria established by the American College of Surgeons for classification as a Level  
7 I trauma center. If the county waives the requirement under sub. (1) (a) for an  
8 individual, the county may seek reimbursement from the individual's county of  
9 residence if that county operates a program funded by a relief block grant.

10 **SECTION 2682.** 49.015 (4) of the statutes is repealed.

11 **SECTION 2683b.** 49.02 (title) of the statutes is amended to read:

12 **49.02 (title) General relief Relief block grant administration.**

13 **SECTION 2684b.** 49.02 (1) of the statutes is created to read:

14 49.02 (1) ELIGIBILITY FOR RELIEF BLOCK GRANTS. A county or tribal governing  
15 body is eligible to receive a relief block grant if all of the following conditions are met:

16 (a) The county board or tribal governing body adopts a resolution applying for  
17 a relief block grant.

18 (b) The county or tribal governing body establishes written criteria to be used  
19 to determine dependency and reviews these written criteria at least annually.

20 (c) The county or tribal governing body submits to the department a plan for  
21 the provision of services to be funded by the relief block grant. The plan shall include  
22 all of the following:

23 1. How the county or tribal governing body will determine eligibility and how  
24 these eligibility determinations may be appealed. The procedures for determining

1 eligibility and for notice, fair hearing and review shall be consistent with rules  
2 promulgated by the department under sub. (7m).

3 2. How the county or tribal governing body will determine which health care  
4 services are needed by a dependent person.

5 3. The cost containment mechanisms that will be used, including what  
6 limitations will be placed on the inappropriate use of emergency room care and what  
7 limitations will be placed on payments to providers contracted for under sub. (2).

8 4. In the case of a county submitting a plan for a relief block grant under s.  
9 49.027, whether the county will provide services other than health care services and,  
10 if such services are offered, how the county will determine what services will be  
11 provided to a dependent person.

12 (d) The department has approved the plan under par. (c). The department shall  
13 approve or disapprove the plan within a reasonable period of time after the plan is  
14 submitted.

15 **SECTION 2685b.** 49.02 (1e) of the statutes is created to read:

16 49.02 (1e) RELIEF AGENCIES. If a county or tribal governing agency is eligible  
17 to receive a relief block grant, the county or tribal governing body shall establish or  
18 designate a relief agency to administer relief under this section.

19 **SECTION 2686b.** 49.02 (1m) of the statutes is amended to read:

20 49.02 (1m) Every county shall furnish general relief to all eligible dependent  
21 persons within the county and shall establish or designate a general relief agency to  
22 administer general relief. The general relief agency shall establish written criteria  
23 to be used to determine dependency and. Except for counties that make the election  
24 under s. 49.032 (2) (a), each county shall establish written standards of need to be  
25 used to determine the type and amount of general relief to be furnished. The general

1 ~~relief agency shall review the standards of need at least annually. The A general~~  
2 relief agency may establish work-seeking rules for general relief applicants and  
3 recipients.

4 **SECTION 2686c.** 49.02 (1m) of the statutes, as affected by 1995 Wisconsin Act  
5 .... (this act), is repealed.

6 **SECTION 2686d.** 49.02 (2) of the statutes is created to read:

7 49.02 (2) CONTRACTING WITH PRIVATE HEALTH CARE PROVIDERS. A relief agency  
8 may use a relief block grant to provide health care services directly or, if the  
9 conditions in this subsection are met, by contracting with private health care  
10 providers, or by a combination of contracting with private health care providers and  
11 providing services directly. A relief agency may contract with a private health care  
12 provider to provide health care services under this subsection only if all of the  
13 following conditions are met:

14 (a) The relief agency enters into a contract with the private health care provider  
15 to provide specified health care services.

16 (b) The contract between the relief agency and the private health care provider  
17 provides that all records of the health care provider relating to the administration  
18 and provision of the health care services shall be open to inspection at all reasonable  
19 hours by authorized representatives of the county and the department.

20 (c) The contract between the relief agency and the private health care provider  
21 provides that any payments under s. 49.45 (6y) and (6z) made to the health care  
22 provider shall be used to offset the liability of the relief agency for the costs of the  
23 health care services provided under the contract.

24 (d) The contract limits payment for services under the contract to the amount  
25 payable by medical assistance for care for which a medical assistance rate exists.

1 (e) The contract does not provide for payment for hospitalization or care  
2 provided as uncompensated services required under 42 USC 291c.

3 (f) The contract prohibits the health care provider from holding an individual  
4 recipient of health care services funded under this section liable for the difference  
5 between the costs of the health care services and the amount paid to the health care  
6 provider by the county for the services.

7 **SECTION 2687b.** 49.02 (2r) of the statutes is renumbered 49.015 (1) (am) and  
8 amended to read:

9 49.015 (1) (am) ~~A general relief agency may require the person who is receiving~~  
10 ~~general relief to authorize~~ The individual authorizes any program or resource for  
11 which he or she is determined to be eligible to reimburse the ~~general~~ relief agency  
12 for ~~general relief benefits paid~~ health care services provided to the person individual  
13 if the program or resource permits ~~retroactive~~ reimbursement for the ~~period that~~  
14 ~~general relief benefits were paid~~ services provided.

15 **SECTION 2688b.** 49.02 (3) of the statutes, as affected by 1995 Wisconsin Act ....  
16 (this act), is repealed.

17 **SECTION 2688c.** 49.02 (3) (a) of the statutes is amended to read:

18 49.02 (3) (a) ~~A~~ Except in counties that have elected not to provide nonmedical  
19 benefits under s. 49.032 (2) (a), a general relief agency may plainly print or stamp  
20 on each check issued as a general relief benefit payment words explaining that the  
21 check is valid for 60 days beginning on the date of issuance. The general relief agency  
22 may cancel any check that is not presented for payment within the 60-day period  
23 indicated on the check and, except as provided in par. (b), the person entitled to the  
24 check forfeits the right to the benefit payment. Section 49.037 (6) does not apply to  
25 the cancellation of a check under this paragraph.

1           **SECTION 2689.** 49.02 (4) of the statutes is repealed.

2           **SECTION 2690.** 49.02 (5) (title) of the statutes is created to read:

3           49.02 (5) (title) LIABILITY FOR HEALTH CARE SERVICES.

4           **SECTION 2691b.** 49.02 (5) (am) of the statutes is repealed.

5           **SECTION 2692.** 49.02 (5) (ar) of the statutes is repealed.

6           **SECTION 2693.** 49.02 (5) (b) of the statutes is amended to read:

7           49.02 (5) (b) A county relief agency is not liable for hospitalization or care  
8 health care services provided under par. (a) to a dependent person if the hospital  
9 provides the care or hospitalization health care services to the person as  
10 uncompensated services required under 42 USC 291c.

11           **SECTION 2694.** 49.02 (5) (bm) of the statutes, as affected by 1995 Wisconsin Act  
12 .... (this act), is amended to read:

13           49.02 (5) (bm) A relief agency shall limit its liability for health care services  
14 funded by a relief block grant to the amount payable by medical assistance under ss.  
15 49.43 to 49.47 subch. IV for care for which a medical assistance rate exists.

16           **SECTION 2695.** 49.02 (5) (c) of the statutes is repealed.

17           **SECTION 2696.** 49.02 (5) (cr) of the statutes is repealed.

18           **SECTION 2697.** 49.02 (5) (cw) of the statutes is repealed.

19           **SECTION 2698.** 49.02 (5) (d) of the statutes is repealed.

20           **SECTION 2699.** 49.02 (5) (e) of the statutes is repealed.

21           **SECTION 2700.** 49.02 (5) (g) of the statutes is repealed.

22           **SECTION 2701.** 49.02 (6) of the statutes is repealed.

23           **SECTION 2702.** 49.02 (6c) of the statutes is repealed.

24           **SECTION 2703b.** 49.02 (6g) of the statutes is amended to read:

1           49.02 (6g) (title) LIABILITY OF RECIPIENTS. No individual who receives treatment  
2 or hospitalization under sub. (5) health care services funded by a relief block grant  
3 may be liable for the difference between the costs of the treatment or hospitalization  
4 services charged by the health care provider and the amount paid by the general  
5 relief agency.

6           **SECTION 2704.** 49.02 (6m) of the statutes is created to read:

7           49.02 (6m) Notwithstanding ss. 49.002 (2) and 49.01 (5m), a general relief  
8 agency is not required to provide services described in s. 51.42 (3) (ar) 4.

9           **SECTION 2705b.** 49.02 (6m) of the statutes, as created by 1995 Wisconsin Act  
10 .... (this act), is repealed.

11           **SECTION 2706.** 49.02 (6r) of the statutes is repealed.

12           **SECTION 2708b.** 49.02 (7) of the statutes is amended to read:

13           49.02 (7) (title) NOTIFICATION REQUIREMENT. Whenever the ~~authorities charged~~  
14 ~~with the administration of this section have~~ department or a relief agency has reason  
15 to believe that a person receiving relief is engaging in conduct or behavior prohibited  
16 in ch. 944 or ss. 940.225, 948.02, 948.025 or 948.06 to 948.11 ~~they~~ the department or  
17 relief agency shall promptly notify the law enforcement officials of the county  
18 thereof, including facts relating to such person's alleged misconduct or illegal  
19 behavior.

20           **SECTION 2709b.** 49.02 (7m) of the statutes is created to read:

21           49.02 (7m) **RULES.** The department shall promulgate rules regarding use of  
22 relief block grants. The rules shall include all of the following:

23           (a) Procedures that relief agencies shall follow in making eligibility  
24 determinations.

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1 (b) Procedures for appealing eligibility determinations under s. 49.015. These  
2 procedures shall provide for notice, fair hearing and review.

3 (c) Procedures that relief agencies shall follow to obtain relief block grants  
4 under sub. (1).

5 (d) Standards for a waiver of any eligibility requirement under s. 49.015.

6 **SECTION 2710.** 49.02 (8) of the statutes is renumbered 49.015 (2m) and  
7 amended to read:

8 49.015 (2m) (title) INELIGIBILITY DUE TO MEDICAL ASSISTANCE DIVESTMENT. Any  
9 person found ineligible for medical assistance because of the divestment provisions  
10 under s. 49.453 is ineligible for ~~medical care under this section~~ relief funded by a  
11 relief block grant for the same period during which ineligibility exists under s.  
12 49.453.

13 **SECTION 2711.** 49.02 (9) of the statutes is repealed.

14 **SECTION 2712b.** 49.02 (10) (a) of the statutes is renumbered 49.02 (5) (bm) and  
15 amended to read:

16 49.02 (5) (bm) ~~Except as provided under par. (b), a county~~ A relief agency shall  
17 limit its liability for ~~medical or dental care furnished as general relief, including~~  
18 ~~emergency care provided under sub. (5),~~ health care services funded by a relief block  
19 grant to the amount payable by medical assistance under ss. 49.43 to 49.47 for care  
20 for which a medical assistance rate exists.

21 **SECTION 2713.** 49.02 (10) (b) of the statutes is repealed.

22 **SECTION 2714.** 49.02 (10) (c) of the statutes is repealed.

23 **SECTION 2715b.** 49.02 (11) of the statutes is amended to read:

1           49.02 (11) (title) DEPARTMENT OF TRANSPORTATION RECORDS. A general relief  
2 agency may use vehicle registration information from the department of  
3 transportation in determining eligibility for general relief.

4           **SECTION 2716.** 49.02 (12) of the statutes is repealed.

5           **SECTION 2716g.** 49.025 of the statutes is created to read:

6           **49.025 Relief block grants to counties with a population of 500,000 or**  
7 **more; medical relief. (1) APPLICABILITY.** This section applies only to a county  
8 having a population of 500,000 or more.

9           **(2) AMOUNT OF RELIEF BLOCK GRANT.** (a) If a county is eligible to receive a relief  
10 block grant in a year, the department shall pay to the county, in accordance with s.  
11 49.031, from the appropriation under s. 20.435 (1) (bt), an amount for that year  
12 determined as follows:

13           1. The department shall determine the lesser of the following:

14           a. For 1996, \$17,600,000, and for each year thereafter, \$16,600,000.

15           b. For any year, 45% of the total amount expended by the county in that year  
16 as relief for health care services provided to dependent persons.

17           2. The department shall subtract from the amount determined under subd. 1.  
18 amounts paid to hospitals in that county under s. 49.45 (6y) and (6z) in that year.  
19 If the amount determined under this subdivision is less than zero, the amount of the  
20 relief block grant is \$0.

21           (b) In calculating the total amount expended by the county under par. (a), the  
22 department may exclude any amount expended as a result of a waiver determined  
23 to be inappropriate under rules promulgated by the department under s. 49.02 (7m)  
24 (d).

1           **(3) USE OF RELIEF BLOCK GRANT FUNDS.** A county may use moneys received as  
2 a relief block grant only for the purpose of providing health care services to  
3 dependent persons.

4           **SECTION 2716m.** 49.027 of the statutes is created to read:

5           **49.027 Relief block grants to counties having a population of less than**  
6 **500,000; medical and nonmedical relief. (1) APPLICABILITY.** This section applies  
7 only to a county having a population of less than 500,000.

8           **(2) AMOUNT OF RELIEF BLOCK GRANT.** (a) If a county is eligible to receive a relief  
9 block grant in a year, the department shall pay to the county, in accordance with s.  
10 49.031, from the appropriation under s. 20.435 (1) (bu), an amount for that year  
11 determined as follows:

12           1. The department shall calculate an amount as follows:

13           a. The department shall determine the total amount that the county was  
14 reimbursed under s. 49.035, 1993 stats., for general relief costs incurred in 1994.

15           b. The department shall determine the total amount of general relief  
16 reimbursements that were paid under s. 49.035, 1993 stats., for costs incurred in  
17 1994, to all counties that are eligible receive a relief block grant under this section.

18           c. The department shall divide the amount determined under subd. 1. a. by the  
19 amount determined under subd. 1. b.

20           d. The department shall multiply the amount determined under subd. 1. c. by  
21 the amount appropriated under s. 20.435 (1) (bu) for relief block grants for that year.

22           2. The department shall calculate the sum of the following:

23           a. For any year, 50% of the total costs incurred by the county for health care  
24 services provided to dependent persons as relief in that year.

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1           b. For any year, 40% of the total costs incurred by the county for cash benefits,  
2 and for services other than health care services, provided to dependent persons as  
3 relief in that year.

4           3. The department shall determine the lesser of the amount calculated under  
5 subd. 1. and the amount calculated under subd. 2.

6           4. From the amount determined under subd. 3., the department shall subtract  
7 amounts paid to hospitals in that county under s. 49.45 (6y) and (6z) for that calendar  
8 year.

9           (b) In calculating the total costs incurred by the county under par. (a) 2., the  
10 department may exclude any amount expended as relief by the county in that year  
11 as a result of a waiver determined by the department to be inappropriate under rules  
12 promulgated by the department under s. 49.02 (7m) (d).

13           **(3) USE OF RELIEF BLOCK GRANT FUNDS.** A county may use moneys received as  
14 a relief block grant to provide services only as follows:

15           (a) To provide health care services to dependent persons.

16           (b) If the county provides health care services to dependent persons, to provide  
17 cash benefits, or services other than health care services, to dependent persons.

18           **(4) WORK COMPONENT.** If a county provides cash benefits, or services other than  
19 health care services, as relief, the county may include a work component as part of  
20 its relief program funded under this section. If a county includes a work component  
21 under this subsection, the county may require a dependent person to participate in  
22 the work component as a condition for receiving cash benefits, or services other than  
23 health care services.

24           **SECTION 2716p.** 49.029 of the statutes is created to read:

1           **49.029 Block grants to tribal governing bodies; medical relief. (1)**

2           APPLICABILITY. This section applies only to tribal governing bodies.

3           **(2) AMOUNT AND DISTRIBUTION OF RELIEF BLOCK GRANT.** From the appropriation  
4           under s. 20.435 (1) (bs), the department shall distribute a relief block grant to each  
5           eligible tribal governing body in an amount and in a manner determined in  
6           accordance with rules promulgated by the department. The department shall  
7           promulgate the rules after consulting with all tribal governing bodies eligible for a  
8           relief block grant. In promulgating rules under this section, the department shall  
9           consider each tribe's economic circumstances and need for health care services.

10          **(3) USE OF RELIEF BLOCK GRANT FUNDS.** A tribal governing body may use moneys  
11          received as a relief block grant only for the purpose of providing health care services  
12          to dependent persons.

13          **SECTION 2716s.** 49.031 of the statutes is created to read:

14          **49.031 Payment of relief block grants to counties. (1) FILING OF RELIEF**  
15          **BLOCK GRANT REPORT.** Each county that is eligible for a relief block grant under s. 49.02  
16          (1) in a year shall prepare a report, in accordance with rules promulgated by the  
17          department under s. 49.02 (7m) (c), detailing the costs incurred for relief provided  
18          to dependent persons in that year. The report shall be filed with the department by  
19          March 1 of the year immediately following the year in which the costs were incurred.

20          **(2) DEADLINE FOR PAYMENT OF RELIEF BLOCK GRANTS.** The department shall pay  
21          a relief block grant to each eligible county by July 31 of the year immediately  
22          following the year for which the relief block grant is made or within 30 days after the  
23          effective date of the act that provides funding, for that year, for the appropriation  
24          from which relief block grant moneys are paid, whichever is later.

25          **SECTION 2717b.** 49.032 of the statutes is repealed and recreated to read:

1           **49.032 General relief nonmedical benefits. (1) NONMEDICAL BENEFITS. (a)**  
2           Unless a county makes an election not to provide nonmedical benefits under sub. (2)  
3           (a), the general relief agency in that county shall make a benefit payment at least  
4           monthly in accordance with written criteria determined by the general relief agency.  
5           Depending on the type and amount of the eligible dependent person's income or  
6           resources, if any, or number of days or type of need during a month, the benefit  
7           payments under this section may be adjusted in accordance with written criteria  
8           established by the general relief agency.

9           (b) Until a general relief agency adopts written criteria under par. (a) and until  
10          those written criteria take effect, the general relief agency shall make benefit  
11          payments under par. (a) using the standard of need under s. 49.02 (1m), 1993 stats.,  
12          that the county had in effect on the effective date of this paragraph .... [revisor inserts  
13          date].

14          (d) If a person is eligible for benefits under s. 49.19 and, if the person received  
15          benefits under s. 49.19, the person would receive benefits calculated under s. 49.19  
16          (11m) on the basis of the aid to families with dependent children level in the state in  
17          which the person most recently resided, the person may not receive benefits under  
18          par. (a) in an amount that exceeds the amount that he or she would receive under s.  
19          49.19.

20          (e) If a general relief agency provides a monthly general relief benefit to an  
21          eligible dependent person under par. (a), the department shall reimburse the general  
22          relief agency at the rate set forth under s. 49.035 (1) (d), from the appropriation under  
23          s. 20.435 (4) (eb), for the amount paid to the eligible dependent person.

24          **(2) ELECTION NOT TO PROVIDE NONMEDICAL BENEFITS. (a)** A county may elect not  
25          to provide nonmedical benefits under sub. (1) (a) by adopting a resolution indicating

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1 its election not to provide these benefits. A copy of the resolution shall be provided  
2 to the department.

3 **SECTION 2717c.** 49.032 of the statutes, as affected by 1995 Wisconsin Act ...  
4 (this act), is repealed.

5 **SECTION 2718b.** 49.035 of the statutes is repealed.

6 **SECTION 2748b.** 49.037 of the statutes, as affected by 1995 Wisconsin Act ...  
7 (this act), is repealed.

8 **SECTION 2748c.** 49.037 (12) of the statutes is created to read:

9 49.037 (12) If a county makes the election under s. 49.032 (2) (a) not to provide  
10 nonmedical benefits, this section only applies with respect to benefits that are or  
11 were to have been provided before the date that the election takes effect.

12 **SECTION 2749.** 49.043 of the statutes is renumbered 66.182 and amended to  
13 read:

14 **66.182 Health insurance for unemployed persons.** Any ~~municipality~~ city,  
15 village, town or county may purchase health or dental insurance for unemployed  
16 persons residing in the ~~municipality~~ city, village, town or county who are not eligible  
17 for medical assistance under s. 49.46, 49.468 or 49.47.

18 **SECTION 2750.** 49.046 (title) of the statutes is repealed.

19 **SECTION 2751.** 49.046 (1) (intro.) of the statutes is repealed.

20 **SECTION 2752.** 49.046 (1) (a) of the statutes is renumbered 49.01 (1g).

21 **SECTION 2753.** 49.046 (1) (b) of the statutes is renumbered 49.01 (8L).

22 **SECTION 2754.** 49.046 (2) of the statutes is repealed.

23 **SECTION 2755.** 49.046 (3) of the statutes is repealed.

24 **SECTION 2756.** 49.046 (4) of the statutes is repealed.

25 **SECTION 2757.** 49.046 (5) of the statutes is repealed.

1           **SECTION 2758.** 49.047 of the statutes is repealed.

2           **SECTION 2759.** 49.048 of the statutes is repealed.

3           **SECTION 2760.** 49.049 of the statutes is repealed.

4           **SECTION 2761.** 49.05 of the statutes is repealed.

5           **SECTION 2762b.** 49.053 of the statutes, as affected by 1995 Wisconsin Act ...  
6 (this act), is repealed.

7           **SECTION 2762c.** 49.053 (1m) of the statutes is amended to read:

8           49.053 (1m) A general relief agency may administer, by contract, a program  
9 of general relief grant diversion for general relief recipients. Under a grant diversion  
10 program, a general relief agency may use all or a part of the benefit payment provided  
11 under s. ~~49.02~~ 49.032 to subsidize an employer at up to 50% of the wages he or she  
12 pays the recipient for a job performed by the recipient, for a period not to exceed 6  
13 months, under a written contract between the general relief agency and an employer.

14           **SECTION 2762d.** 49.053 (3) of the statutes is amended to read:

15           49.053 (3) The amount of benefit payment provided under s. ~~49.02~~ 49.032 for  
16 a general relief recipient that is used to subsidize the employer under this section  
17 correspondingly reduces the amount of labor which may be required of the individual  
18 at the rate which is the ratio between the amount used to subsidize the employer and  
19 the total wage paid. No dependent person may be liable under s. 49.08 for the value  
20 of payment so provided.

21           **SECTION 2763.** 49.055 of the statutes is repealed.

22           **SECTION 2764.** 49.057 of the statutes is repealed.

23           **SECTION 2765.** 49.06 of the statutes is repealed.

24           **SECTION 2766.** 49.08 of the statutes is amended to read:

1           **49.08** (title) **Recovery of general relief paid and other assistance.** If any  
2 person is the owner of property at the time of receiving general relief under this  
3 ~~chapter or~~ ch. 49, 1993 stats., relief funded by a relief block grant or other assistance  
4 as an inmate of any county or municipal institution in which the state is not  
5 chargeable with all or a part of the inmate's maintenance or as a tuberculosis patient  
6 provided for in ss. 58.06 and 252.07 to 252.10, or at any time thereafter, or if the  
7 person becomes self-supporting, the authorities charged with the care of the  
8 dependent, or the board in charge of the institution, may sue for the value of the  
9 general relief or other assistance from the person or the person's estate. Except as  
10 otherwise provided in this section, the 10-year statute of limitations may be pleaded  
11 in defense in an action to recover general relief or other assistance. Where the  
12 ~~general relief~~ recipient of relief or other assistance is deceased, a claim may be filed  
13 against the decedent's estate and the statute of limitations specified in s. 859.02 shall  
14 be exclusively applicable. The court may refuse to render judgment or allow the  
15 claim in any case where a parent, spouse, surviving spouse or child is dependent on  
16 the property for support. The court in rendering judgment shall take into account  
17 the current family budget requirement as fixed by the U.S. department of labor for  
18 the community or as fixed by the authorities of the community in charge of public  
19 assistance. The records kept by the municipality, county or institution are prima  
20 facie evidence of the value of the ~~general relief~~ or other assistance furnished. This  
21 section shall not apply to any person who receives care for pulmonary tuberculosis  
22 as provided in s. 252.08 (4).

23           **SECTION 2768.** 49.083 of the statutes is repealed.

24           **SECTION 2768m.** 49.085 of the statutes is renumbered 49.385.



1           **SECTION 2776.** 49.12 (4m) (a) of the statutes is renumbered 49.95 (4m) (a) and  
2 amended to read:

3           49.95 (~~4m~~) (a) Without legal authority, sends or brings a dependent person to  
4 a county, tribal governing body or municipality or advises a dependent person to go  
5 to a county, tribal governing body or municipality for the purpose of obtaining  
6 general relief under ~~s. 49.02~~ funded by a relief block grant, aid to families with  
7 dependent children under s. 49.19, medical assistance under ss. 49.45 to 49.47 or food  
8 stamps under 7 USC 2011 to 2029.

9           **SECTION 2777.** 49.12 (4m) (b) of the statutes is renumbered 49.95 (4m) (b) and  
10 amended to read:

11           49.95 (~~4m~~) (b) Obtains a pecuniary advantage because the person is brought  
12 or sent or goes to the county, tribal governing body or municipality.

13           **SECTION 2778.** 49.12 (5) of the statutes is renumbered 49.95 (5).

14           **SECTION 2779.** 49.12 (6) of the statutes is renumbered 49.95 (6).

15           **SECTION 2780.** 49.12 (7) of the statutes is repealed.

16           **SECTION 2781.** 49.12 (8) of the statutes is renumbered 49.95 (8).

17           **SECTION 2782.** 49.12 (9) of the statutes is renumbered 49.95 (9).

18           **SECTION 2783.** 49.12 (10) of the statutes is renumbered 49.95 (10).

19           **SECTION 2784.** 49.12 (11) of the statutes is renumbered 49.95 (11) and amended  
20 to read:

21           49.95 (~~11~~) "Public assistance" as used in this section includes general relief  
22 funded by a relief block grant.

23           **SECTION 2785.** 49.123 (title) of the statutes is repealed.

24           **SECTION 2786.** 49.123 (1) of the statutes is repealed.

25           **SECTION 2787.** 49.123 (2) of the statutes is renumbered 49.29.

1           **SECTION 2788.** 49.124 (title) of the statutes is amended to read:

2           **49.124** (title) ~~**Food stamp employment and training program**~~  
3 ~~**administration.**~~

4           **SECTION 2789.** 49.124 of the statutes is renumbered 49.124 (1m) and amended  
5 to read:

6           49.124 **(1m)** (title) EMPLOYMENT AND TRAINING PROGRAM. The department shall  
7 administer an employment and training program for recipients of food stamp  
8 benefits under 7 USC 2011 to 2029 under the food stamp program.

9           **SECTION 2790.** 49.124 (1) of the statutes is created to read:

10           49.124 **(1)** DEFINITION. In this section, “food stamp program” means the federal  
11 food stamp program under 7 USC 2011 to 2029.

12           **SECTION 2791.** 49.124 (2) (title) of the statutes is created to read:

13           49.124 **(2)** (title) LIABILITY FOR LOST FOOD COUPONS.

14           **SECTION 2792.** 49.124 (3) (title) of the statutes is created to read:

15           49.124 **(3)** (title) DEDUCTIONS FROM COUNTY INCOME MAINTENANCE PAYMENTS.

16           **SECTION 2793.** 49.124 (4) of the statutes is created to read:

17           49.124 **(4)** MIGRANT WORKER WAIVER PROGRAM. (a) In this subsection, “migrant  
18 worker” has the meaning given in s. 49.47 (4) (av) 1.

19           (b) The department shall request a waiver from the secretary of the federal  
20 department of agriculture to allow the application of par. (c). The waiver shall also  
21 seek a waiver from those federal quality control standards under the food stamp  
22 program that the department determines to be necessary in order to make the  
23 application of par. (c) feasible. Paragraph (c) applies only while the waiver under this  
24 paragraph is in effect.

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1 (c) If a migrant worker and his or her dependents do not meet the income  
2 limitations under the food stamp program using prospective budgeting, the  
3 department shall determine eligibility for the migrant worker and his or her  
4 dependents using an income-averaging method described in the waiver under par.  
5 (b).

6 **SECTION 2794.** 49.125 (1) of the statutes is amended to read:

7 49.125 (1) The department, or a county or elected governing body of a federally  
8 recognized American Indian tribe or band acting on behalf of the department, may  
9 recover overpayments that arise from an overissuance of food coupons under the food  
10 stamp program administered under s. 46.215 (1) (k) or 46.22 (1) (b) ~~5~~ 2. d. Recovery  
11 shall be made in accordance with 7 USC 2022.

12 **SECTION 2798.** 49.13 (title) of the statutes is renumbered 49.84 (title).

13 **SECTION 2799.** 49.13 (1) of the statutes is renumbered 49.84 (1).

14 **SECTION 2800.** 49.13 (2) of the statutes is renumbered 49.84 (2).

15 **SECTION 2801b.** 49.13 (3) (intro.) and (b) of the statutes are consolidated,  
16 renumbered 49.84 (3) and amended to read:

17 49.84 (3) Notwithstanding subs. (1) and (2), personal identification  
18 documentation requirements may be waived for 10 days for an applicant for ~~general~~  
19 relief funded by a relief block grant, if all of the following occur: ~~(b) The~~ the applicant  
20 agrees to cooperate with the ~~general~~ relief agency by providing information  
21 necessary to obtain proper identification.

22 **SECTION 2802.** 49.13 (3) (a) of the statutes is repealed.

23 **SECTION 2803.** 49.13 (4) of the statutes is renumbered 49.84 (4) and amended  
24 to read:

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1           49.84 (4) Notwithstanding sub. (2), the ~~general~~ relief agency receiving an  
2 application under sub. (3) shall pay on behalf of any applicant under sub. (3) fees  
3 required for the applicant to obtain proper identification.

4           **SECTION 2804.** 49.13 (5) of the statutes is renumbered 49.84 (5).

5           **SECTION 2805.** 49.133 (title) of the statutes is renumbered 49.32 (7) (title).

6           **SECTION 2806.** 49.133 (1) of the statutes is renumbered 49.32 (7) (a).

7           **SECTION 2807.** 49.133 (2) of the statutes is renumbered 49.32 (7) (b).

8           **SECTION 2808.** 49.133 (3) of the statutes is renumbered 49.32 (7) (c).

9           **SECTION 2809.** 49.133 (5) of the statutes is renumbered 49.32 (7) (d).

10          **SECTION 2810.** 49.14 (title) of the statutes is renumbered 49.70 (title) and  
11 amended to read:

12          **49.70 (title) County home homes; establishment.**

13          **SECTION 2811.** 49.14 (1) of the statutes is renumbered 49.70 (1).

14          **SECTION 2812.** 49.14 (2) of the statutes is renumbered 49.70 (2).

15          **SECTION 2813.** 49.14 (3) of the statutes is renumbered 49.70 (3).

16          **SECTION 2814.** 49.14 (4) of the statutes is renumbered 49.70 (4).

17          **SECTION 2815.** 49.14 (5) of the statutes is renumbered 49.70 (5).

18          **SECTION 2816.** 49.15 (title) of the statutes is renumbered 49.703 (title) and  
19 amended to read:

20          **49.703 (title) County home homes; commitments; admissions.**

21          **SECTION 2817.** 49.15 (1) of the statutes is renumbered 49.703 (1).

22          **SECTION 2818.** 49.15 (2) of the statutes is repealed.

23          **SECTION 2819.** 49.15 (3) of the statutes is renumbered 49.703 (3).

24          **SECTION 2820.** 49.16 (title) of the statutes is renumbered 49.71 (title) and  
25 amended to read:

1           **49.71** (title) **County ~~hospital~~ hospitals; establishment.**

2           **SECTION 2821.** 49.16 (1) of the statutes is renumbered 49.71 (1).

3           **SECTION 2822.** 49.16 (2) of the statutes is renumbered 49.71 (2).

4           **SECTION 2823.** 49.16 (3) of the statutes is renumbered 49.71 (3).

5           **SECTION 2824.** 49.17 (title) of the statutes is renumbered 49.713 (title).

6           **SECTION 2825.** 49.17 (1) of the statutes is renumbered 49.713 (1).

7           **SECTION 2826.** 49.17 (2) of the statutes is repealed.

8           **SECTION 2827.** 49.17 (3) of the statutes is renumbered 49.713 (3).

9           **SECTION 2828.** 49.171 (title) of the statutes is renumbered 49.72 (title).

10          **SECTION 2829.** 49.171 (1) of the statutes is renumbered 49.72 (1).

11          **SECTION 2830.** 49.171 (2) of the statutes is renumbered 49.72 (2).

12          **SECTION 2831.** 49.171 (3) (intro.) of the statutes is renumbered 49.72 (3) (intro.)

13          and amended to read:

14           49.72 (3) (intro.) As used in ss. ~~49.171 to 49.173~~ 49.72 to 49.726:

15          **SECTION 2832.** 49.171 (3) (a) of the statutes is renumbered 49.72 (3) (a).

16          **SECTION 2833.** 49.171 (3) (b) of the statutes is renumbered 49.72 (3) (b).

17          **SECTION 2834.** 49.171 (4) of the statutes is renumbered 49.72 (4).

18          **SECTION 2835.** 49.172 of the statutes is renumbered 49.723.

19          **SECTION 2836.** 49.173 of the statutes is renumbered 49.726.

20          **SECTION 2837.** 49.174 of the statutes is renumbered 49.729 and amended to  
21          read:

22           **49.729** (title) **Fees County infirmaries; fees and expenses of**  
23          **proceedings.** The fees of examining physicians, witnesses and guardians ad litem  
24          and other expenses of proceedings under ss. ~~49.171 to 49.173~~ 49.72 to 49.726 shall  
25          be governed by s. 51.20 (18).

1           **SECTION 2838.** 49.175 (title) of the statutes is renumbered 49.73 (title) and  
2 amended to read:

3           **49.73** (title) **Residential care ~~institution~~ institutions; establishment.**

4           **SECTION 2839.** 49.175 (1) of the statutes is renumbered 49.73 (1).

5           **SECTION 2840.** 49.175 (2) of the statutes is renumbered 49.73 (2).

6           **SECTION 2841.** 49.175 (3) of the statutes is renumbered 49.73 (3).

7           **SECTION 2842.** 49.175 (4) of the statutes is renumbered 49.73 (4).

8           **SECTION 2843.** 49.175 (6) of the statutes is renumbered 49.73 (6).

9           **SECTION 2844.** 49.177 of the statutes, as affected by 1995 Wisconsin Act .... (this  
10 act), is renumbered 49.77.

11           **SECTION 2846b.** 49.177 (2) (a) 3. of the statutes is renumbered 49.177 (2) (a)  
12 3. (intro.) and amended to read:

13           49.177 (2) (a) 3. (intro.) Any needy person or couple residing in this state whose  
14 income, after deducting income excludable under federal Title XVI, is less than the  
15 combined benefit level available under federal Title XVI and this section, if at least  
16 one of the following requirements are met:

17           **SECTION 2846c.** 49.177 (2) (a) 3. a. and b. of the statutes are created to read:

18           49.177 (2) (a) 3. a. The person or couple was eligible for a state supplement  
19 under this section based on the last federal eligibility determination prior to January  
20 1, 1996, but was not eligible to receive a payment under federal Title XVI on that  
21 date.

22           b. In at least one month after January 1, 1996, the person or couple was eligible  
23 to receive a payment under federal Title XVI.

24           **SECTION 2848.** 49.177 (2) (b) of the statutes is renumbered 49.177 (2m) and  
25 amended to read:

1           49.177 **(2m)** (title) SUPPLEMENTAL PAYMENT LEVELS. The department may  
2 submit a proposal to change the amount of supplemental payments under this  
3 section to the secretary of administration. If the secretary of administration  
4 approves the proposal, he or she shall submit it to the joint committee on finance for  
5 approval, modification or disapproval. Joint committee on finance approval of a  
6 change in the amount of supplemental payments will be considered to be given, if  
7 within 14 calendar days after the secretary of administration files a proposal with  
8 the joint committee on finance, the committee has not scheduled a public hearing or  
9 executive session to review the proposal. Payment changes approved by the joint  
10 committee on finance are subject to the approval of the governor. Following action  
11 by the joint committee on finance, the governor shall have 10 days, not including  
12 Sundays, to communicate approval or disapproval in writing. If no action is taken  
13 by the governor within that time, the decision of the joint committee on finance shall  
14 take effect. The procedures under s. 13.10 do not apply to this ~~paragraph~~ subsection.

15           **SECTION 2849.** 49.177 (3g) of the statutes is amended to read:

16           49.177 **(3g)** FEDERAL PAYMENTS. If federal supplemental security income  
17 payments increase, the department may, with approval as provided under sub. (2)  
18 ~~(b)~~ (2m), reduce payments under this section by all or part of the amount of the  
19 increase, subject to 42 USC 1382g.

20           **SECTION 2850.** 49.178 of the statutes is renumbered 49.74 and amended to  
21 read:

22           **49.74 Institutions subject to chapter 150.** Any institution created under  
23 the authority of s. ~~49.14, 49.16, 49.171 or 49.175~~ 49.70, 49.71, 49.72 or 49.73 is subject  
24 to ch. 150.

**SECTION 2851**

1           **SECTION 2851.** The unnumbered subchapter title preceding 49.19 of the  
2 statutes is repealed.

3           **SECTION 2852.** 49.19 (1) (a) 2. b. of the statutes is amended to read:

4           49.19 (1) (a) 2. b. Is living in a foster home or treatment foster home licensed  
5 under s. 48.62 if a license is required under that section, in a foster home or treatment  
6 foster home located within the boundaries of a federally recognized American Indian  
7 reservation in this state and licensed by the tribal governing body of the reservation,  
8 in a group home licensed under s. 48.625 or in a child-caring institution licensed  
9 under s. 48.60, and has been placed in the foster home, treatment foster home, group  
10 home or institution by a county department under s. 46.215, 46.22 or 46.23, by the  
11 department of health and social services, by the department of corrections or by a  
12 federally recognized American Indian tribal governing body in this state under an  
13 agreement with a county department.

14           **SECTION 2853.** 49.19 (4) (g) 1. and 2. of the statutes are amended to read:

15           49.19 (4) (g) 1. If the pregnancy is medically verified, a pregnant woman  
16 receiving aid under this section who notifies the county department under s. 46.215  
17 or 46.22 before the 7<sup>th</sup> 8<sup>th</sup> month of pregnancy begins shall receive a monthly  
18 payment determined under sub. (11) (a) 4. from the first day of the month in which  
19 the 7<sup>th</sup> 8<sup>th</sup> month of pregnancy begins, in addition to the payment determined  
20 according to family size under sub. (11) (a). If the recipient provides notification after  
21 the 7<sup>th</sup> 8<sup>th</sup> month of pregnancy begins, the woman shall receive the additional  
22 monthly payment determined under sub. (11) (a) 4. beginning with the first day of  
23 the month following notification.

24           2. Aid to a pregnant woman who is otherwise eligible but has no children is  
25 available from the first day of the month in which the 7<sup>th</sup> 8<sup>th</sup> month of pregnancy

1 begins or the date the woman submits a signed and completed application for aid to  
2 the county department under s. 46.215 or 46.22, whichever is later, if the pregnancy  
3 is medically verified. The pregnant woman has a family size of one for grant  
4 determination purposes under sub. (11) (a) and is additionally eligible for a monthly  
5 payment determined under sub. (11) (a) 4.

6 **SECTION 2861.** 49.19 (5) (d) of the statutes is amended to read:

7 49.19 (5) (d) The department shall reimburse the county for the funeral, burial  
8 and actual cemetery expenses of a dependent child or the child's parents as provided  
9 in s. 49.30.

10 **SECTION 2862.** 49.19 (10) (a) of the statutes is amended to read:

11 49.19 (10) (a) Aid under this section may also be granted to a nonrelative who  
12 cares for a child dependent upon the public for proper support in a foster home or  
13 treatment foster home having a license under s. 48.62, in a foster home or treatment  
14 foster home located within the boundaries of a federally recognized American Indian  
15 reservation in this state and licensed by the tribal governing body of the reservation  
16 or in a group home licensed under s. 48.625, regardless of the cause or prospective  
17 period of dependency. The state shall reimburse counties pursuant to the procedure  
18 under s. 46.495 (2) and the percentage rate of participation set forth in s. ~~49.52~~ 46.495  
19 (1) (d) for aid granted under this subsection except that if the child does not have legal  
20 settlement in the granting county, state reimbursement shall be at 100%. The county  
21 department under s. 46.215 or 46.22 shall determine the legal settlement of the child.  
22 A child under one year of age shall be eligible for aid under this subsection  
23 irrespective of any other residence requirement for eligibility within this section.

24 **SECTION 2863.** 49.19 (10) (d) of the statutes is amended to read:

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1           49.19 (10) (d) Aid may also be paid under this section to a foster home or  
2 treatment foster home, to a group home licensed under s. 48.625 or to a child-caring  
3 institution by the state when the child is in the custody or guardianship of the state,  
4 when the child is a ward of an American Indian tribal court in this state and the  
5 placement is made under an agreement between the department and the tribal  
6 governing body or when the child was part of the state's direct service case load and  
7 was removed from the home of a relative specified in sub. (1) (a) as a result of a  
8 judicial determination that continuance in the home of a relative would be contrary  
9 to the child's welfare for any reason and the child is placed by the department of of  
10 health and social services or the department of corrections.

11           **SECTION 2865b.** 49.19 (11) (a) 1. a. (intro.) of the statutes, as affected by 1995  
12 Wisconsin Act 12, is amended to read:

13           49.19 (11) (a) 1. a. (intro.) Except as provided in subs. (11m) and (11s), monthly  
14 payments made under s. ~~20.435 (4)~~ 20.445 (3) (d) and (p) to persons or to families with  
15 dependent children shall be based on family size and shall be at 80% of the total of  
16 the allowances under subds. 2. and 4. plus the following standards of assistance  
17 beginning on September 1, 1987:

18           **SECTION 2865m.** 49.19 (11) (b) (intro.) of the statutes is amended to read:

19           49.19 (11) (b) (intro.) The department shall implement a program of emergency  
20 assistance to needy persons in cases of fire, flood, natural disaster, homelessness or  
21 energy crisis. Eligibility shall not exceed the limitations for federal participation  
22 defined by federal regulations, including 45 CFR 233.120. The department shall  
23 establish the maximum amount of aid to be granted, except for cases of energy crisis,  
24 shall not exceed \$150 per family member based on the funding available under s.  
25 20.435 (4) (dc) and (p). The department need not establish the maximum amount by

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1 rule under ch. 227. The department shall publish the maximum amount and annual  
2 changes to it in the Wisconsin administrative register. Emergency assistance  
3 provided to needy persons under this paragraph in cases of homelessness may be  
4 used only to obtain a permanent living accommodation. For the purposes of this  
5 paragraph, a family is considered to be homeless if any of the following applies:

6 **SECTION 2865n.** 49.19 (11) (b) (intro.) of the statutes, as affected by 1995  
7 Wisconsin Act .... (this act), is amended to read:

8 49.19 (11) (b) (intro.) The department shall implement a program of emergency  
9 assistance to needy persons in cases of fire, flood, natural disaster, homelessness or  
10 energy crisis. Eligibility shall not exceed the limitations for federal participation  
11 defined by federal regulations, including 45 CFR 233.120. The department shall  
12 establish the maximum amount of aid to be granted, except for cases of energy crisis,  
13 per family member based on the funding available under s. ~~20.435 (4)~~ 20.445 (3) (dc)  
14 and (p). The department need not establish the maximum amount by rule under ch.  
15 227. The department shall publish the maximum amount and annual changes to it  
16 in the Wisconsin administrative register. Emergency assistance provided to needy  
17 persons under this paragraph in cases of homelessness may be used only to obtain  
18 a permanent living accommodation. For the purposes of this paragraph, a family is  
19 considered to be homeless if any of the following applies:

20 **SECTION 2866.** 49.19 (11m) (a) of the statutes is amended to read:

21 49.19 (11m) (a) The department shall apply to the secretary of the federal  
22 department of health and human services for approval of a demonstration project  
23 under which the department provides a person eligible for aid under this section who  
24 is described in par. (am) with monthly payments, for the first 6 months that he or she  
25 lives in this state, calculated on the basis of the aid to families with dependent

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1 children benefit level in the state in which the family most recently resided for one  
2 month or longer. The department shall promulgate a rule, ~~which it shall update~~  
3 ~~annually~~, establishing the methods and identifying the factors that the department  
4 will use to determine the aid to families with dependent children benefit that will be  
5 paid under the demonstration project according to family size and state of former  
6 residence. The rule shall also establish the initial benefit table to be used in  
7 determining benefits under the demonstration project. The department shall  
8 publish annual changes to this benefit table in the Wisconsin administrative  
9 register. The department shall base the benefit for a family on the aid to families  
10 with dependent children benefit available to a typical family of the same size in the  
11 other state, taking into account all factors that may affect the amount of the benefit.  
12 ~~The rule shall specify the factors that the department uses to establish the benefit~~  
13 ~~for participants in the demonstration project~~. If a family moves from a state that  
14 allows a family to keep a different amount of income without reducing benefits than  
15 a family would be allowed to keep in this state, the department shall allow the family  
16 to keep a similar amount of income without reducing benefits.

17 **SECTION 2867.** 49.19 (11m) (am) (intro.) of the statutes is amended to read:

18 49.19 **(11m)** (am) (intro.) Under the demonstration project, a person is subject  
19 to receiving the payments under par. (a) if he or she has not previously resided in this  
20 state for at least 6 consecutive months and either:

21 **SECTION 2870.** 49.19 (16) of the statutes is amended to read:

22 49.19 **(16)** The department shall provide written notice of the penalties under  
23 s. ~~49.123 (2)~~ 49.29 to each applicant for aid under this section at the time of  
24 application and to each person who receives aid under this section on June 18, 1992,  
25 at the time of the next redetermination of the person's eligibility.

1           **SECTION 2871.** 49.19 (17) of the statutes is amended to read:

2           49.19 **(17)** The department may recover an overpayment of aid under this  
3 section from an overpaid family who continues to receive aid by reducing the amount  
4 of the family's monthly aid payment by no more than 10% of the maximum monthly  
5 payment allowance under sub. (11) for a family of that size, ~~in the case of~~  
6 ~~overpayments of aid resulting from an intentional violation of ss. 49.19 to 49.41 or~~  
7 ~~the rules promulgated under those sections by a member of the family receiving the~~  
8 ~~overpayment, and by no more than 7% of the maximum monthly payment allowance~~  
9 ~~under sub. (11) for a family of that size, in all other cases.~~

10           **SECTION 2872.** 49.191 (title) of the statutes is created to read:

11           **49.191 (title) Aid to families with dependent children child care**  
12 **funding.**

13           **SECTION 2875.** 49.193 (2) (b) 2. of the statutes is amended to read:

14           49.193 **(2)** (b) 2. A custodial parent under the age of 24 who has not graduated  
15 from a public or private high school or obtained a declaration of equivalency of high  
16 school graduation under s. 115.29 (4) and who, at the time of application for aid under  
17 s. 49.19, is not enrolled in school, as defined in s. ~~49.50 (7) (a)~~ 49.26 (1) (a) 2.

18           **SECTION 2879g.** 49.193 (4) (k) 1m. of the statutes is created to read:

19           49.193 **(4)** (k) 1m. Alcohol and other drug abuse prevention and treatment  
20 programs.

21           **SECTION 2879m.** 49.193 (4m) of the statutes is created to read:

22           49.193 **(4m)** ALCOHOL AND OTHER DRUG ABUSE PREVENTION AND TREATMENT WAIVER.

23           (a) The department shall request a waiver from the federal department of health and  
24 human services to permit the department to do all of the following:

**SECTION 2879m**

1           1. Require participation in an alcohol and other drug abuse prevention or  
2 treatment program as part of the jobs opportunities and basic skills program.

3           2. Sanction, in accordance with rules promulgated under this subdivision, a  
4 person who fails, without good cause, to participate in an alcohol and other drug  
5 abuse prevention or treatment program as assigned.

6           (b) If the waiver under par. (a) is granted, the department may implement the  
7 provisions of the waiver.

8           **SECTION 2879mn.** 49.193 (5) (a) of the statutes is amended to read:

9           49.193 (5) (a) The department shall establish a work supplementation  
10 component in an area in which a development zone, development opportunity zone  
11 or enterprise development zone is designated under subch. VI of ch. 560, upon the  
12 request of the local governing body, as defined in s. 560.70 (4), of the area.

13           **SECTION 2879mp.** 49.193 (5) (b) (intro.) of the statutes is amended to read:

14           49.193 (5) (b) (intro.) Upon notification from the department of development  
15 under s. 560.75 (11), 560.795 (3) (e) or 560.797 (4) (e) that a development zone,  
16 development opportunity zone or enterprise development zone has been designated,  
17 the department shall do all of the following:

18           **SECTION 2879mq.** 49.193 (5) (b) 1. of the statutes is amended to read:

19           49.193 (5) (b) 1. Provide the department of development with information  
20 about whether a work supplementation component is established in the area where  
21 the development zone, development opportunity zone or enterprise development  
22 zone is located.

23           **SECTION 2879mr.** 49.193 (5) (b) 2. of the statutes is amended to read:

24           49.193 (5) (b) 2. If a work supplementation component has been established in  
25 an area where the development zone, development opportunity zone or enterprise

1 development zone is located, provide information about how the work  
2 supplementation component is administered.

3 **SECTION 2879ms.** 49.193 (5) (b) 3. of the statutes is amended to read:

4 49.193 (5) (b) 3. With the department of development and the local governing  
5 body ~~administering the development zone of the area~~, help employers in the  
6 development zone, development opportunity zone or enterprise development zone to  
7 participate in the work supplementation component.

8 **SECTION 2881.** 49.193 (8) (bm) of the statutes is amended to read:

9 49.193 (8) (bm) Beginning on January 1, 1994, a county department under s.  
10 46.215, 46.22 or 46.23 that receives funds to pay or reimburse child care costs under  
11 this subsection or under s. ~~49.50 (6e) (a)~~ 49.191 (1) (a) may, with the approval of the  
12 department, use those funds to pay or reimburse child care costs under s. ~~49.50 (6e)~~  
13 ~~(b), (6g) or (7) (e)~~ 49.191 (1) (b) or (2) or 49.26 (1) (e). The department shall approve  
14 or disapprove of this use of funds under criteria established to maximize state and  
15 federal funding available for child care.

16 **SECTION 2882.** 49.193 (8) (c) of the statutes is amended to read:

17 49.193 (8) (c) The department may only pay child care costs under this  
18 subsection if the child care is provided by a child care provider, ~~as defined in s. 49.50~~  
19 ~~(1)~~.

20 **SECTION 2883.** 49.193 (9) of the statutes is amended to read:

21 49.193 (9) NOTICE CONCERNING SANCTIONS. Following conciliation and before  
22 imposing a sanction on a person receiving aid under s. 49.19 who fails without good  
23 cause to participate in the program under this section or to accept employment or  
24 who terminates employment or reduces earnings without good cause, the county  
25 department under s. 46.215, 46.22 or 46.23 shall notify the person in writing of the

1 reason for the proposed sanction. The notice shall inform the person of the right to  
2 appeal under s. ~~49.50 (8)~~ 49.21 (1).

3 **SECTION 2885.** 49.193 (10m) of the statutes is amended to read:

4 49.193 **(10m)** WORK-FIRST PROGRAM. The department shall select Kenosha  
5 county and additional counties in which to pilot the work-first program under this  
6 subsection. The work-first program shall be conducted as part of the job  
7 opportunities and basic skills program under this section and shall be funded from  
8 s. ~~20.435 (4) (df)~~ 20.445 (3) (df). The work-first program shall seek to increase the  
9 amount of job opportunities and basic skills program services provided to recipients  
10 of aid to families with dependent children and to minimize the time between the date  
11 on which a person in a pilot county first applies for aid to families with dependent  
12 children under s. 49.19 and the date on which the person begins to participate in the  
13 job opportunities and basic skills program under this section.

14 **SECTION 2886.** 49.195 (3) of the statutes is amended to read:

15 49.195 **(3)** Notwithstanding s. ~~49.41~~ 49.96, the department shall promptly  
16 recover all overpayments made under s. 49.19 and shall promulgate rules  
17 establishing policies and procedures to administer this subsection.

18 **SECTION 2890.** 49.197 (1m) of the statutes is amended to read:

19 49.197 **(1m)** FRAUD INVESTIGATION. From the appropriations under s. ~~20.435 (4)~~  
20 ~~(de), (L), (n) and (nL)~~ 20.445 (3) (de), (L), (n) and (nL), the department shall establish  
21 a program to investigate suspected fraudulent activity on the part of recipients of  
22 medical assistance under ~~ss. 49.46 to 49.47~~ subch. IV, aid to families with dependent  
23 children under s. 49.19 and the food stamp program under 7 USC 2011 to 2029. The  
24 department's activities under this subsection may include, but are not limited to,  
25 comparisons of information provided to the department by an applicant and

**SECTION 2890**

1 information provided by the applicant to other federal, state and local agencies,  
2 development of an advisory welfare investigation prosecution standard and  
3 provision of funds to county departments under s. 46.215, 46.22 and 46.23 to  
4 encourage activities to detect fraud. The department shall cooperate with district  
5 attorneys regarding fraud prosecutions.

6 **SECTION 2891.** 49.197 (3) of the statutes is amended to read:

7 49.197 (3) STATE ERROR REDUCTION ACTIVITIES. The department shall conduct  
8 activities to reduce payment errors in medical assistance under ~~ss. 49.43 to 49.47~~  
9 subch. IV, aid to families with dependent children under s. 49.19 and the food stamp  
10 program under 7 USC 2011 to 2029. The department shall fund the activities under  
11 this section from the appropriation under s. ~~20.435 (4) (L)~~ 20.445 (3) (L).

12 **SECTION 2892.** 49.197 (4) of the statutes is amended to read:

13 49.197 (4) COUNTY AND TRIBAL ERROR REDUCTION. The department shall provide  
14 funds from the appropriations under s. ~~20.435 (4) (de), (L) and (Lm)~~ 20.445 (3) (de),  
15 (L) and (Lm) and federal matching funds from the appropriations under s. ~~20.435 (4)~~  
16 ~~(n) and (nL)~~ 20.445 (3) (n) and (nL) to counties and governing bodies of federally  
17 recognized American Indian tribes administering medical assistance under ~~ss. 49.43~~  
18 ~~to 49.47 subch. IV~~, aid to families with dependent children under s. 49.19 or the food  
19 stamp program under 7 USC 2011 to 2029 to offset administrative costs of reducing  
20 payment errors in those programs.

21 **SECTION 2893.** 49.20 (3) of the statutes is amended to read:

22 49.20 (3) PAYMENT. Aid under this section shall be paid from the appropriation  
23 under s. ~~20.435 (4) (d)~~ 20.445 (3) (d) and shall be in an amount equal to that to which  
24 the person would be entitled under s. 49.19 if he or she were 17 years of age, except  
25 that if the person's family became ineligible for aid under s. 49.19 on the person's 18th

1 birthday, the amount paid shall equal the amount of aid granted to a single person  
2 under s. 49.19.

3 **SECTION 2894.** 49.21 (title) of the statutes is created to read:

4 **49.21 (title) Aid to families with dependent children hearings.**

5 **SECTION 2895.** 49.25 (8) (a) of the statutes is amended to read:

6 49.25 (8) (a) From the appropriation under s. 20.435 (4) ~~(ei)~~ (c), the department  
7 shall provide funds to pilot counties for assistance in establishing paternity and  
8 obtaining child support.

9 **SECTION 2896b.** 49.25 (8) (a) of the statutes, as affected by 1995 Wisconsin Act  
10 .... (this act), is amended to read:

11 49.25 (8) (a) From the appropriation under s. ~~20.435~~ 20.566 (4) (c), the  
12 department of revenue shall provide funds to pilot counties for assistance in  
13 establishing paternity and obtaining child support.

14 **SECTION 2897.** 49.25 (8) (b) of the statutes is amended to read:

15 49.25 (8) (b) From the appropriation under s. 20.435 (4) ~~(ei)~~ (c), the department  
16 shall provide funds to Milwaukee county to fund an additional family court  
17 commissioner.

18 **SECTION 2898b.** 49.25 (8) (b) of the statutes, as affected by 1995 Wisconsin Act  
19 .... (this act), is amended to read:

20 49.25 (8) (b) From the appropriation under s. ~~20.435~~ 20.566 (4) (c), the  
21 department of revenue shall provide funds to Milwaukee county to fund an  
22 additional family court commissioner.

23 **SECTION 2898g.** 49.26 (1) (a) 1. of the statutes is created to read:

24 49.26 (1) (a) 1. "Habitual truant" means a pupil who is absent from school  
25 without an acceptable excuse under ss. 118.15 and 118.16 for any of the following:

**SECTION 2898g**

1 a. Part or all of 5 or more days out of 10 consecutive days on which school is held  
2 during a school semester.

3 b. Part or all of 10 or more days on which school is held during a school semester.

4 **SECTION 2898m.** 49.26 (1) (ge) of the statutes is created to read:

5 49.26 (1) (ge) An individual who is subject to this paragraph fails to meet the  
6 school attendance requirement if the individual meets at least one of the following  
7 conditions:

8 1. The individual is either not enrolled in school or is a habitual truant.

9 2. During the immediately preceding semester, the individual was either not  
10 enrolled in school or was a habitual truant.

11 **SECTION 2898n.** 49.26 (1) (gm) 1. of the statutes is created to read:

12 49.26 (1) (gm) 1. Monitor on a monthly basis the individual's school attendance.

13 **SECTION 2898p.** 49.26 (1) (h) 1. am. and as. of the statutes are created to read:

14 49.26 (1) (h) 1. am. The individual is not enrolled in school or has more than  
15 2 absences without an acceptable excuse under ss. 118.15 and 118.16 in any calendar  
16 month.

17 as. The individual has failed to request a hearing under s. 49.21 (1) or has failed  
18 to show good cause for the absences or nonenrollment under subd. 1. am. in a hearing  
19 under s. 49.21 (1). The department shall determine by rule the criteria for good  
20 cause.

21 **SECTION 2898r.** 49.26 (1) (h) 1m. a., b. and c. of the statutes are created to read:

22 49.26 (1) (h) 1m. a. The county department under s. 46.215, 46.22 or 46.23  
23 complies with par. (gm) 1.

24 b. The individual is not enrolled in school or has more than 2 absences without  
25 an acceptable excuse under ss. 118.15 and 118.16 in any calendar month.

1 c. The individual has failed to request a hearing under s. 49.21 (1) or has failed  
2 to show good cause for the absences or nonenrollment under subd. 1m. b. at a hearing  
3 under s. 49.21 (1). The department shall determine by rule the criteria for good  
4 cause.

5 **SECTION 2899.** 49.27 (2) of the statutes is amended to read:

6 49.27 (2) WAIVER; APPLICABILITY. The department shall request a waiver from  
7 the secretaries of the federal department of health and human services and the  
8 federal department of agriculture to conduct a work-not-welfare pilot program as  
9 part of the aid to families with dependent children program under s. 49.19, the food  
10 stamp program under 7 USC 2011 to 2029 and the medical assistance program under  
11 ~~ss. 49.45 to 49.47~~ subch. IV. If the department receives the federal waivers and if  
12 sufficient funds are available, the department shall pilot the program, beginning on  
13 January 1, 1995, in one or more pilot counties selected by the department. If a pilot  
14 county is a county in which a demonstration project under s. 49.19 (11m) is being  
15 conducted or a county selected for participation in the parental responsibility pilot  
16 program under s. 49.25, the department shall promulgate rules regarding the  
17 relationship between the work-not-welfare pilot program and the other  
18 demonstration or pilot programs operating in the pilot counties. These rules shall  
19 provide that a person may not be required to participate in more than one of these  
20 demonstration or pilot programs at a time. Subsections (3) to (11) apply only while  
21 the waiver is in effect and the department is conducting the program.

22 **SECTION 2899m.** 49.27 (4) (a) 2. of the statutes is amended to read:

23 49.27 (4) (a) 2. The portion of the benefit amount calculated under par. (c) 1.  
24 for the work-not-welfare group equals \$0, for a reason other than a sanction ~~under~~  
25 sub. (5) (f), an adult caretaker in the work-not-welfare group has earned income and

**SECTION 2899m**

1 the work-not-welfare group elects to apply for food coupons under 42 USC 2011 to  
2 2029 in lieu of a cash benefit determined under this subsection.

3 **SECTION 2900.** 49.27 (4) (c) 1. e. of the statutes is amended to read:

4 49.27 (4) (c) 1. e. The portion of the benefit amount calculated under this  
5 subdivision is based on the average income of the work-not-welfare group,  
6 estimated prospectively for a 6-month period, except that for the first 2 months for  
7 which benefits calculated under this paragraph are paid the portion of the benefit  
8 amount calculated under this subdivision is based on the estimated average income  
9 for those first 2 months.

10 **SECTION 2901.** 49.27 (4) (d) 2. b. of the statutes is amended to read:

11 49.27 (4) (d) 2. b. A person in the work-not-welfare group is sanctioned under  
12 sub. (5) (f) or s. ~~49.12, 49.123 (2), 49.127, 49.19 (4) (h) 2. or, 49.29, 49.49 or 49.95.~~

13 **SECTION 2902.** 49.27 (4) (d) 2. c. of the statutes is amended to read:

14 49.27 (4) (d) 2. c. A person in the work-not-welfare group obtains a new source  
15 of unsubsidized employment or experiences an increase or a decrease in  
16 unsubsidized employment of 10 or more hours per week.

17 **SECTION 2903.** 49.27 (4) (d) 2. em. of the statutes is created to read:

18 49.27 (4) (d) 2. em. The work-not-welfare group experiences an increase or  
19 decrease in child care expenses of more than \$50 per month or a change in the  
20 maximum allowable child care disregard under s. 49.19 (5) (a) 4s.

21 **SECTION 2904.** 49.27 (4) (d) 2. f. of the statutes is amended to read:

22 49.27 (4) (d) 2. f. The combined equity value of all of a work-not-welfare group's  
23 assets exceeds the limitation in s. 49.19 (4) (bm), except as permitted under s. 49.19  
24 (4) (bu) or (by).

25 **SECTION 2905.** 49.27 (4) (g) 1. a. of the statutes is amended to read:

1           49.27 (4) (g) 1. a. The person receives or has been determined to be eligible for  
2 a supplemental security income payment under 42 USC 1381 to 1383c or a  
3 supplemental payment under s. 49.177 for the month.

4           **SECTION 2906.** 49.27 (4) (g) 1. a. of the statutes, as affected by 1995 Wisconsin  
5 Act .... (this act), is amended to read:

6           49.27 (4) (g) 1. a. The person receives or has been determined to be eligible for  
7 a supplemental security income payment under 42 USC 1381 to 1383c or a  
8 supplemental payment under s. ~~49.177~~ 49.77 for the month.

9           **SECTION 2907.** 49.27 (4) (g) 1. c. of the statutes is amended to read:

10          49.27 (4) (g) 1. c. The person is required to attend school as part of the learnfare  
11 program under s. ~~49.50 (7)~~ 49.26.

12          **SECTION 2908.** 49.27 (5) (c) 1. of the statutes is amended to read:

13          49.27 (5) (c) 1. The person is ill, incapacitated or of an advanced age within the  
14 meaning of 7 ~~42~~ USC 602 (a) (19) (C) (i).

15          **SECTION 2909.** 49.27 (5) (c) 3. of the statutes is amended to read:

16          49.27 (5) (c) 3. The person receives a supplemental security income payment  
17 under 42 USC 1381 to 1383c or a supplemental payment under s. ~~49.177~~ 49.77 for  
18 that month.

19          **SECTION 2910.** 49.27 (5) (c) 5. of the statutes is amended to read:

20          49.27 (5) (c) 5. The person is required to attend school as part of the learnfare  
21 program under s. ~~49.50 (7)~~ 49.26.

22          **SECTION 2911.** 49.27 (5) (f) of the statutes is amended to read:

23          49.27 (5) (f) *Sanctions.* If, after the first month for which a work-not-welfare  
24 group receives cash benefits determined under sub. (4), a person in the  
25 work-not-welfare group fails to meet the employment and training requirements

**SECTION 2911**

1 under this subsection in a month, the work-not-welfare group may be sanctioned by  
2 reducing, or by not paying, the benefit amount determined under sub. (4) for that  
3 month. For purposes of the maximum number of monthly benefit payments  
4 permitted under sub. (4) (e), a work-not-welfare group shall be considered to have  
5 received a monthly benefit in a month in which, as a result of sanctions under this  
6 paragraph, a reduced monthly benefit or no monthly benefit is paid. The notice  
7 requirement under s. 49.193 (9) and the fair hearing and review provisions under s.  
8 ~~49.50 (8)~~ 49.21 (1) apply to a sanction imposed under this paragraph.

9 **SECTION 2912.** 49.27 (6) (c) of the statutes is amended to read:

10 49.27 (6) (c) *Benefits.* A county department under s. 46.215, 46.22 or 46.23 shall  
11 provide assistance in paying the child care costs of a work-not-welfare group that  
12 is eligible to receive benefits under this paragraph if the child care is provided by a  
13 child care provider, as defined in s. 46.98 (1) (am). The formula for determining the  
14 amount of assistance shall be the same as the formula established by the department  
15 under s. ~~49.50 (6g)~~ 49.191 (2). The rates for child care services under this paragraph  
16 shall be determined under s. 46.98 (4) (d), or, if a higher rate is established under s.  
17 46.98 (4) (e) and if the child care services meet the quality standards established  
18 under s. 46.98 (4) (e), the rates for child care services under this paragraph that meet  
19 those standards shall be determined under s. 46.98 (4) (e). The department shall  
20 promulgate rules for the disbursement of funds under this paragraph.

21 **SECTION 2914.** 49.27 (10) (e) of the statutes is amended to read:

22 49.27 (10) (e) *Child support assistance.* From the appropriation under s. 20.435  
23 (4) ~~(ei)~~ (c), the department may provide funds to pilot counties for assistance in  
24 establishing paternity and obtaining child support.

**SECTION 2915b**

1           **SECTION 2915b.** 49.27 (10) (e) of the statutes, as affected by 1995 Wisconsin Act  
2 .... (this act), is amended to read:

3           49.27 (10) (e) *Child support assistance.* From the appropriation under s. ~~20.435~~  
4 20.566 (4) (c), the department of revenue may provide funds to pilot counties for  
5 assistance in establishing paternity and obtaining child support.

6           **SECTION 2916.** 49.27 (11) (c) of the statutes is amended to read:

7           49.27 (11) (c) Issue food coupons in administering the food stamp program  
8 under s. 46.215 (1) (k) or 46.22 (1) (b) ~~5.~~ 2. d. without regard to sub. (4) (c) 2.

9           **SECTION 2917.** 49.27 (11) (g) of the statutes is amended to read:

10          49.27 (11) (g) Administer the job opportunities and basic skills program under  
11 s. 49.193 and the food stamp employment and training program under s. 49.124 (1m)  
12 without regard to any of the provisions in sub. (5), including the  
13 hours-of-participation requirement under sub. (5) (d) and the sanctions provisions  
14 under sub. (5) (f).

15          **SECTION 2918.** 49.275 of the statutes is created to read:

16          **49.275 Cooperation with federal government.** The department may  
17 cooperate with the federal government in carrying out federal acts concerning public  
18 assistance under this subchapter and in other matters of mutual concern under this  
19 subchapter pertaining to public welfare.

20          **SECTION 2919.** 49.29 (title) of the statutes is created to read:

21          **49.29 (title) Loss of eligibility.**

22          **SECTION 2920.** 49.30 (1) (intro.) of the statutes is amended to read:

23          49.30 (1) (intro.) If any recipient of benefits under s. 49.046, 49.177 or 49.46,  
24 or under 42 USC 1381 to 1385 in effect on May 8, 1980, dies and the estate of the  
25 deceased recipient is insufficient to pay the funeral, burial and ~~actual~~ cemetery

**SECTION 2920**

1 expenses of the deceased recipient, the county or applicable tribal governing body or  
2 organization responsible for burial of the recipient shall pay, to the person  
3 designated by the county department under s. 46.215, 46.22 or 46.23 or applicable  
4 tribal governing body or organization responsible for the burial of the recipient, all  
5 of the following:

6 **SECTION 2921.** 49.30 (1) (intro.) of the statutes, as affected by 1995 Wisconsin  
7 Act .... (this act), section 2920, is amended to read:

8 49.30 (1) (intro.) If Except as provided in sub. (1m), if any recipient of benefits  
9 under s. ~~49.046~~, 49.177 or 49.46, or under 42 USC 1381 to 1385 in effect on May 8,  
10 1980, dies and the estate of the deceased recipient is insufficient to pay the funeral,  
11 burial and cemetery expenses of the deceased recipient, the county or applicable  
12 tribal governing body or organization responsible for burial of the recipient shall pay,  
13 to the person designated by the county department under s. 46.215, 46.22 or 46.23  
14 or applicable tribal governing body or organization responsible for the burial of the  
15 recipient all of the following:

16 **SECTION 2922.** 49.30 (1) (intro.) of the statutes, as affected by 1995 Wisconsin  
17 Act .... (this act), sections 2920 and 2921, is amended to read:

18 49.30 (1) (intro.) Except as provided in sub. (1m), if any recipient of benefits  
19 under s. ~~49.177 or 49.46~~ or 49.77, or under 42 USC 1381 to 1385 in effect on May 8,  
20 1980, dies and the estate of the deceased recipient is insufficient to pay the funeral,  
21 burial and cemetery expenses of the deceased recipient, the county or applicable  
22 tribal governing body or organization responsible for burial of the recipient shall pay,  
23 to the person designated by the county department under s. 46.215, 46.22 or 46.23  
24 or applicable tribal governing body or organization responsible for the burial of the  
25 recipient, all of the following:

**SECTION 2923**

1           **SECTION 2923.** 49.30 (1) (a) of the statutes is amended to read:

2           49.30 (1) (a) ~~The full amount of actual~~ lesser of \$1,000 or the cemetery expenses  
3 that are not paid by the estate of the deceased and other persons.

4           **SECTION 2924b.** 49.30 (1) (b) of the statutes is amended to read:

5           49.30 (1) (b) ~~Except as provided under sub. (2), the~~ The lesser of \$650 in state  
6 ~~fiscal year 1989-90 and \$1,000 in each state fiscal year thereafter~~ or the funeral and  
7 burial expenses not paid by the estate of the deceased and other persons.

8           **SECTION 2925d.** 49.30 (1m) of the statutes is created to read:

9           49.30 (1m) (a) If the total cemetery expenses for the recipient exceed \$3,500,  
10 the county or applicable tribal governing body or organization responsible for burial  
11 of the recipient is not required to make a payment for the cemetery expenses under  
12 sub. (1) (a).

13           (b) If the total funeral and burial expenses for the recipient exceed \$3,500, the  
14 county or applicable tribal governing body or organization responsible for burial of  
15 the recipient is not required to make a payment for funeral and burial expenses  
16 under sub. (1) (b).

17           **SECTION 2926.** 49.30 (2) of the statutes is amended to read:

18           49.30 (2) The state shall reimburse a county or applicable tribal governing body  
19 or organization for any amount paid that the county or applicable tribal governing  
20 body or organization is required to pay under sub. (1) (a). The state shall reimburse  
21 a county or applicable tribal governing body or organization for the amount paid  
22 ~~under sub. (1) (b) if the total amount of actual expenses paid for a deceased recipient~~  
23 ~~under sub. (1) (b) does not exceed the amount specified in sub. (1) (b). If the total~~  
24 ~~amount of actual expenses paid for a deceased recipient under sub. (1) (b) exceeds the~~  
25 ~~amount specified in sub. (1) (b), the state may not reimburse a county or applicable~~

1 ~~tribal governing body or organization for such amount unless cemetery expenses or~~  
2 ~~for funeral and burial expenses for persons described under sub. (1) that the county~~  
3 ~~or applicable tribal governing body or organization is not required to pay under subs.~~  
4 ~~(1) and (1m) only if the department approves the reimbursement due to unusual~~  
5 ~~circumstances.~~

6 **SECTION 2927.** 49.32 (title), (1), (2) and (6) of the statutes are created to read:

7 **49.32 (title) Department; powers and duties. (1) UNIFORM FEE SCHEDULE,**  
8 **LIABILITY AND COLLECTIONS.** (a) The department shall establish a uniform system of  
9 fees for services provided or purchased under this subchapter by the department, or  
10 a county department under s. 46.215, 46.22 or 46.23, except where, as determined  
11 by the department, a fee is administratively unfeasible or would significantly  
12 prevent accomplishing the purpose of the service. A county department under s.  
13 46.215, 46.22 or 46.23 shall apply the fees which it collects under this program to  
14 cover the cost of such services.

15 (b) Any person receiving services provided or purchased under par. (a) or the  
16 spouse of the person and, in the case of a minor, the parents of the person, and, in the  
17 case of a foreign child described in s. 48.839 (1) who became dependent on public  
18 funds for his or her primary support before an order granting his or her adoption, the  
19 resident of this state appointed guardian of the child by a foreign court who brought  
20 the child into this state for the purpose of adoption, shall be liable for the services in  
21 the amount of the fee established under par. (a).

22 (c) The department shall make collections from the person who in the opinion  
23 of the department is best able to pay, giving due regard to the present needs of the  
24 person or of his or her lawful dependents. The department may bring an action in  
25 the name of the department to enforce the liability established under par. (b).

1 (d) The department may compromise or waive all or part of the liability for  
2 services received. The sworn statement of the secretary shall be evidence of the  
3 services provided and the fees charged for the services.

4 (e) The department may delegate to county departments under s. 46.215, 46.22  
5 or 46.23 and other providers of care and services the powers and duties vested in the  
6 department by pars. (c) and (d) as it considers necessary to efficiently administer this  
7 subsection, subject to such conditions as the department considers appropriate.

8 (g) The department shall return to county departments under s. 46.215, 46.22  
9 or 46.23 50% of collections made by the department for delinquent accounts  
10 previously delegated under par. (e) and then referred back to the department for  
11 collections.

12 **(2) PAYMENT OF BENEFITS.** (a) The department may make payments directly to  
13 recipients of public assistance or to such persons authorized to receive such  
14 payments in accordance with law and rules of the department on behalf of the  
15 counties. The department may charge the counties for the cost of operating public  
16 assistance systems which make such payments.

17 (b) The department may make social services payments directly to recipients,  
18 vendors or providers in accordance with law and rules of the department on behalf  
19 of the counties which have contracts to have such payments made on their behalf.

20 (c) A county department under s. 46.215, 46.22 or 46.23 shall provide the  
21 department with information which the department shall use to determine each  
22 person's eligibility and amount of payment. A county department under s. 46.215,  
23 46.22 or 46.23 shall provide the department all necessary information in the manner  
24 prescribed by the department.

1 (d) The department shall disburse from state or federal funds or both the entire  
2 amount and charge the county for its share under s. 49.33 (8) and (9).

3 **(6) WELFARE REFORM STUDIES.** The department shall request proposals from  
4 persons in this state for studies of the effectiveness of various program changes,  
5 referred to as welfare reform, to the aid to families with dependent children program,  
6 including the requirement that certain recipients of aid to families with dependent  
7 children with children under age 6 participate in training programs, the learnfare  
8 school attendance requirement under s. 49.26 (1) (g) and the modification of the  
9 earned income disregard under s. 49.19 (5) (am). The studies shall evaluate the  
10 effectiveness of the various efforts, including their cost-effectiveness, in helping  
11 individuals gain independence through the securing of jobs and providing financial  
12 incentives and in identifying barriers to independence.

13 **SECTION 2928.** 49.32 (8) of the statutes is created to read:

14 49.32 (8) PERIODIC EARNINGS CHECK BY DEPARTMENT. The department shall make  
15 a periodic check of the amounts earned by recipients of aid to families with dependent  
16 children under s. 49.19 through a check of the amounts credited to the recipient's  
17 social security number. The department shall make an investigation into any  
18 discrepancy between the amounts credited to a social security number and amounts  
19 reported as income on the declaration application and take appropriate action under  
20 s. 49.95 when warranted. The department shall use the state wage reporting system  
21 under 1985 Wisconsin Act 17, section 65 (1), when the system is implemented, to  
22 make periodic earnings checks.

23 **SECTION 2929.** 49.32 (9) (title) of the statutes is created to read:

24 49.32 (9) (title) MONTHLY REPORTS OF RECIPIENTS OF AID TO FAMILIES WITH  
25 DEPENDENT CHILDREN.

1           **SECTION 2930.** 49.32 (10) (title) of the statutes is created to read:

2           49.32 **(10)** (title)   RELEASE OF RECIPIENT'S ADDRESSES TO LAW ENFORCEMENT  
3           OFFICERS.

4           **SECTION 2932.** 49.325 of the statutes is created to read:

5           **49.325 County department budgets and contracts.** **(1) BUDGET.** (a) Each  
6           county department under s. 46.215, 46.22 or 46.23 shall submit its final budget for  
7           services directly provided or purchased under this subchapter to the department by  
8           December 31 annually.

9           (b) The department shall submit a model of the contract under sub. (2g) (a) to  
10          each county department under s. 46.215, 46.22 or 46.23 by May 1 annually.

11          **(2) ASSESSMENT OF NEEDS.** Before developing and submitting a proposed budget  
12          for services directly provided or purchased under this subchapter to the county  
13          executive or county administrator or the county board, the county departments listed  
14          in sub. (1) shall assess needs and inventory resources and services, using an open  
15          public participation process.

16          **(2g) CONTRACT.** (a) The department shall annually submit to the county board  
17          of supervisors in a county with a single-county department or the county boards of  
18          supervisors in counties with a multicounty department a proposed written contract  
19          containing the allocation of funds for services directly provided or purchased under  
20          this subchapter and such administrative requirements as necessary. The contract  
21          as approved may contain conditions of participation consistent with federal and state  
22          law. The contract may also include provisions necessary to ensure uniform cost  
23          accounting of services. Any changes to the proposed contract shall be mutually  
24          agreed upon. The county board of supervisors in a county with a single-county  
25          department or the county boards of supervisors in counties with a multicounty

1 department shall approve the contract before January 1 of the year in which it takes  
2 effect unless the department grants an extension. The county board of supervisors  
3 in a county with a single-county department or the county boards of supervisors in  
4 counties with a multicounty department may designate an agent to approve addenda  
5 to any contract after the contract has been approved.

6 (b) The department may not approve contracts for amounts in excess of  
7 available revenues. Actual expenditure of county funds shall be reported in  
8 compliance with procedures developed by the department.

9 (c) The joint committee on finance may require the department to submit  
10 contracts between county departments under ss. 46.215, 46.22 and 46.23 and  
11 providers of services under this subchapter to the committee for review and approval.

12 **(2r) WITHHOLDING FUNDS.** (a) The department, after reasonable notice, may  
13 withhold a portion of the appropriation allocated to a county department under s.  
14 46.215, 46.22 or 46.23 if the department determines that that portion of the allocated  
15 appropriation is any of the following:

16 1. For services under this subchapter which duplicate or are inconsistent with  
17 services being provided or purchased by the department or other county  
18 departments receiving grants-in-aid or reimbursement from the department.

19 2. Inconsistent with state or federal statutes, rules or regulations, in which case  
20 the department may also arrange for provision of services under this subchapter by  
21 an alternate agency. The department may not arrange for provision of services by  
22 an alternate agency unless the joint committee on finance or a review body  
23 designated by the committee reviews and approves the department's determination.

24 5. Inconsistent with the provisions of the county department's contract under  
25 sub. (2g).

1 (b) If the department withholds a portion of the allocable appropriation under  
2 par. (a), the county department under s. 46.215, 46.22 or 46.23 that is affected by the  
3 action of the department may submit to the county board of supervisors in a county  
4 with a single-county department or to its designated agent or the county boards of  
5 supervisors in counties with a multicounty department or their designated agents  
6 a plan to rectify the deficiency found by the department. The county board of  
7 supervisors or its designated agent in a county with a single-county department or  
8 the county boards of supervisors in counties with a multicounty department or their  
9 designated agents may approve or amend the plan and may submit for departmental  
10 approval the plan as adopted. If a multicounty department is administering a  
11 program, the plan may not be submitted unless each county board of supervisors  
12 which participated in the establishment of the multicounty department, or its  
13 designated agent, adopts it.

14 (3) OPEN PUBLIC PARTICIPATION PROCESS. (a) *Citizen advisory committee.* Except  
15 as provided in par. (b), the county board of supervisors of each county or the county  
16 boards of supervisors of 2 or more counties jointly shall establish a citizen advisory  
17 committee to the county departments under ss. 46.215, 46.22 and 46.23. The citizen  
18 advisory committee shall advise in the formulation of the budget under sub. (1).  
19 Membership on the committee shall be determined by the county board of  
20 supervisors in a county with a single-county committee or by the county boards of  
21 supervisors in counties with a multicounty committee and shall include  
22 representatives of those persons receiving services, providers of services and  
23 citizens. A majority of the members of the committee shall be citizens and consumers  
24 of services. The committee's membership may not consist of more than 25% county  
25 supervisors, nor of more than 20% services providers. The chairperson of the

1 committee shall be appointed by the county board of supervisors establishing it. In  
2 the case of a multicounty committee, the chairperson shall be nominated by the  
3 committee and approved by the county boards of supervisors establishing it. The  
4 county board of supervisors in a county with a single-county committee or the county  
5 boards of supervisors in counties with a multicounty committee may designate an  
6 agent to determine the membership of the committee and to appoint the committee  
7 chairperson or approve the nominee.

8 (b) *Alternate process.* The county board of supervisors or the boards of 2 or more  
9 counties acting jointly may submit a report to the department on the open public  
10 participation process used under sub. (2). The county board of supervisors may  
11 designate an agent, or the boards of 2 or more counties acting jointly may designate  
12 an agent, to submit the report. If the department approves the report, establishment  
13 of a citizen advisory committee under par. (a) is not required.

14 (c) *Yearly report.* The county board of supervisors or its designated agent, or  
15 the boards of 2 or more counties acting jointly or their designated agent, shall submit  
16 to the department a list of members of the citizen advisory committee under par. (a)  
17 or a report on the open public participation process under par. (b) on or before July  
18 1 annually.

19 **SECTION 2933.** 49.33 (1) (intro.) of the statutes is created to read:

20 49.33 (1) DEFINITIONS. (intro.) In this section:

21 **SECTION 2934.** 49.33 (3) (title) of the statutes is created to read:

22 49.33 (3) (title) RULES.

23 **SECTION 2935.** 49.33 (9) of the statutes is created to read:

24 49.33 (9) REIMBURSEMENT FOR INCOME MAINTENANCE BENEFITS. The department  
25 shall reimburse each county from the appropriations under s. 20.445 (3) (d) and (p)

1 for 100% of the cost of aid to families with dependent children granted under s. 49.19  
2 and for funeral expenses paid for recipients of aid under s. 49.30.

3 **SECTION 2936.** 49.33 (10) of the statutes is created to read:

4 49.33 (10) COUNTY CERTIFICATION. (a) The county treasurer and each director  
5 of a county department under s. 46.215, 46.22 or 46.23 shall certify monthly under  
6 oath to the department in such manner as the department prescribes the claim of the  
7 county for state reimbursement under subs. (8) and (9) and if the department  
8 approves such claim it shall certify to the department of administration for  
9 reimbursement to the county for amounts due under these subsections and payment  
10 claimed to be made to the counties monthly. The department may make advance  
11 payments prior to the beginning of each month equal to one-twelfth of the contracted  
12 amount.

13 (b) To facilitate prompt reimbursement the certificate of the department may  
14 be based on the certified statements of the county officers filed under par. (a). Funds  
15 recovered from audit adjustments from a prior fiscal year may be included in  
16 subsequent certifications only to pay counties owed funds as a result of any audit  
17 adjustment. By September 30 annually, the department shall submit a report to the  
18 appropriate standing committees under s. 13.172 (3) on funds recovered and paid out  
19 during the previous calendar year as a result of audit adjustments.

20 **SECTION 2937.** 49.34 of the statutes is created to read:

21 **49.34 Purchase of care and services.** (1) All services under this subchapter  
22 purchased by the department or by a county department under s. 46.215, 46.22 or  
23 46.23 shall be authorized and contracted for under the standards established under  
24 this section. The department may require the county departments to submit the  
25 contracts to the department for review and approval. For purchases of \$10,000 or

1 less the requirement for a written contract may be waived by the department. When  
2 the department directly contracts for services, it shall follow the procedures in this  
3 section in addition to meeting purchasing requirements established in s. 16.75.

4 (2) All services purchased under this subchapter shall meet standards  
5 established by the department and other requirements specified by the purchaser in  
6 the contract. Based on these standards the department shall establish standards for  
7 cost accounting and management information systems that shall monitor the  
8 utilization of the services, and document the specific services in meeting the service  
9 plan for the client and the objective of the service.

10 (3) (a) Purchase of service contracts shall be written in accordance with rules  
11 promulgated and procedures established by the department. Contracts for client  
12 services shall show the total dollar amount to be purchased and for each service the  
13 number of clients to be served, number of client service units, the unit rate per client  
14 service and the total dollar amount for each service.

15 (b) Payments under a contract may be made on the basis of actual allowable  
16 costs or on the basis of a unit rate per client service multiplied by the actual client  
17 units furnished each month. The contract may be renegotiated when units vary from  
18 the contracted number. The purchaser shall determine actual marginal costs for  
19 each service unit less than or in addition to the contracted number.

20 (c) For proprietary agencies, contracts may include a percentage add-on for  
21 profit according to rules promulgated by the department.

22 (d) Reimbursement to an agency may be based on total costs agreed to by the  
23 parties regardless of the actual number of service units to be furnished, when the  
24 agency is entering into a contract for a new or expanded service that the purchaser  
25 recognizes will require a start-up period not to exceed 180 days. This

1 reimbursement applies only if identified client needs necessitate the establishment  
2 of a new service or expansion of an existing service.

3 (e) If the purchaser finds it necessary to terminate a contract prior to the  
4 contract expiration date for reasons other than nonperformance by the provider, the  
5 actual cost incurred by the provider may be reimbursed in an amount determined by  
6 mutual agreement of the parties.

7 (f) Advance payments of up to one-twelfth of an annual contract may be  
8 allowed under the contract. If the advance payment exceeds \$10,000, the provider  
9 shall supply a surety bond in an amount equal to the amount of the advance payment  
10 applied for. No surety bond is required if the provider is a state agency. The cost of  
11 the surety bond shall be allowable as an expense.

12 (4) For purposes of this section and as a condition of reimbursement, each  
13 provider under contract shall:

14 (a) Except as provided in this subsection, maintain a uniform double entry  
15 accounting system and a management information system which are compatible  
16 with cost accounting and control systems prescribed by the department.

17 (b) Cooperate with the department and purchaser in establishing costs for  
18 reimbursement purposes.

19 (c) Unless waived by the department, biennially, or annually if required under  
20 federal law, provide the purchaser with a certified financial and compliance audit  
21 report if the care and services purchased exceed \$25,000. The audit shall follow  
22 standards that the department prescribes.

23 (d) Transfer a client from one category of care or service to another only with  
24 the approval of the purchaser.

1 (e) Charge a uniform schedule of fees as specified under s. 49.32 (1) unless  
2 waived by the purchaser with the approval of the department. Whenever providers  
3 recover funds attributed to the client, such funds shall offset the amount paid under  
4 the contract.

5 (5) Except as provided in sub. (5m), the purchaser shall recover from provider  
6 agencies money paid in excess of the conditions of the contract from subsequent  
7 payments made to the provider.

8 (5m) (a) In this subsection:

9 1. "Provider" means a nonprofit, nonstock corporation organized under ch. 181  
10 that contracts under this section to provide client services on the basis of a unit rate  
11 per client service.

12 2. "Rate-based service" means a service or a group of services, as determined  
13 by the department, that is reimbursed through a prospectively set rate and that is  
14 distinguishable from other services or groups of services by the purpose for which  
15 funds are provided for that service or group of services and by the source of funding  
16 for that service or group of services.

17 (b) 1. Subject to subds. 2. and 3., if revenue under a contract for the provision  
18 of a rate-based service exceeds allowable costs incurred in the contract period, the  
19 provider may retain from the surplus generated by that rate-based service up to 5%  
20 of the contract amount. A provider that retains a surplus under this subdivision  
21 shall use that retained surplus to cover a deficit between revenue and allowable costs  
22 incurred in any preceding or future contract period for the same rate-based service  
23 that generated the surplus or to address the programmatic needs of clients served  
24 by the same rate-based service that generated the surplus.

1           2. Subject to subd. 3., a provider may accumulate funds from more than one  
2 contract period under this paragraph, except that, if at the end of a contract period  
3 the amount accumulated from all contract periods for a rate-based service exceeds  
4 10% of the amount of all current contracts for that rate-based service, the provider  
5 shall, at the request of a purchaser, return to that purchaser the purchaser's  
6 proportional share of that excess and use any of that excess that is not returned to  
7 a purchaser to reduce the provider's unit rate per client for that rate-based service  
8 in the next contract period. If a provider has held for 4 consecutive contract periods  
9 an accumulated reserve for a rate-based service that is equal to or exceeds 10% of  
10 the amount of all current contracts for that rate-based service, the provider shall  
11 apply 50% of that accumulated amount to reducing its unit rate per client for that  
12 rate-based service in the next contract period.

13           3. If on December 31, 1995, the amount accumulated by a provider from all  
14 contract periods ending on or before that date for all rate-based services provided by  
15 the provider exceeds 10% of the provider's total contract amount for all rate-based  
16 services provided by the provider in 1995, the provider shall, at the request of a  
17 purchaser, return to that purchaser the purchaser's proportional share of that  
18 excess.

19           (f) All providers that are subject to this subsection shall comply with any  
20 financial reporting and auditing requirements that the department may prescribe.  
21 Those requirements shall include a requirement that a provider provide to any  
22 purchaser and the department any information that the department needs to claim  
23 federal reimbursement for the cost of any services purchased from the provider and  
24 a requirement that a provider provide audit reports to any purchaser and the

1 department according to standards specified in the provider's contract and any other  
2 standards that the department may prescribe.

3 (6) Contracts may be renegotiated by the purchaser under conditions specified  
4 in the contract.

5 (7) The service provider under this section may appeal decisions of the  
6 purchaser in accordance with terms and conditions of the contract and ch. 68 or 227.

7 **SECTION 2938.** 49.35 of the statutes is created to read:

8 **49.35 Public assistance; supervisory functions of department. (1) (a)**

9 The department shall supervise the administration of programs under this  
10 subchapter. The department shall submit to the federal authorities state plans for  
11 the administration of programs under this subchapter in such form and containing  
12 such information as the federal authorities require, and shall comply with all  
13 requirements prescribed to ensure their correctness.

14 (b) All records of the department and all county records relating to programs  
15 under this subchapter and aid under s. 49.18, 1971 stats., s. 49.20, 1971 stats., and  
16 s. 49.61, 1971 stats., as affected by chapter 90, laws of 1973, shall be open to  
17 inspection at all reasonable hours by authorized representatives of the federal  
18 government. Notwithstanding s. 48.396 (2), all county records relating to the  
19 administration of the services and public assistance specified in this paragraph shall  
20 be open to inspection at all reasonable hours by authorized representatives of the  
21 department.

22 (bm) All records of the department relating to aid provided under s. 49.19 are  
23 open to inspection at reasonable hours by members of the legislature who require the  
24 information contained in the records in pursuit of a specific state legislative purpose.  
25 All records of any county relating to aid provided under s. 49.19 are open to inspection

1 at reasonable hours by members of the board of supervisors of the county or the  
2 governing body of a city, village or town located in the county who require the  
3 information contained in the records in pursuit of a specific county or municipal  
4 legislative purpose. The right to records access provided by this paragraph does not  
5 apply if access is prohibited by federal law or regulation or if this state is required  
6 to prohibit such access as a condition precedent to participation in a federal program  
7 in which this state participates.

8 (c) The department may at any time audit all county records relating to the  
9 administration of the services and public assistance specified in this section and may  
10 at any time conduct administrative reviews of county departments under ss. 46.215,  
11 46.22 and 46.23. If the department conducts such an audit or administrative review  
12 in a county, the department shall furnish a copy of the audit or administrative review  
13 report to the chairperson of the county board of supervisors and the county clerk in  
14 a county with a single-county department or to the county boards of supervisors and  
15 the county clerks in counties with a multicounty department, and to the director of  
16 the county department under s. 46.215, 46.22 or 46.23.

17 (2) The county administration of all laws relating to programs under this  
18 subchapter shall be vested in the officers and agencies designated in the statutes.

19 **SECTION 2939.** 49.41 of the statutes is amended to read:

20 **49.41 Assistance grants exempt from levy.** All grants of aid to families with  
21 dependent children, payments made for social services, cash benefits paid by  
22 counties under s. 59.07 (154), and benefits under ~~ss. 49.032, 49.046 and s. 49.177~~ or  
23 federal Title XVI, are exempt from every tax, and from execution, garnishment,  
24 attachment and every other process and shall be inalienable.



1           49.45 (2) (a) 15. Routinely provide notification to persons eligible for medical  
2 assistance ~~under ss. 49.46 to 49.47~~, or such persons' guardians, of the department's  
3 access to provider records.

4           **SECTION 2949.** 49.45 (2) (a) 23. of the statutes is created to read:

5           49.45 (2) (a) 23. Promulgate rules that define "supportive services", "personal  
6 services" and "nursing services" provided in a certified assisted living facility, as  
7 defined under s. 50.01 (1d), for purposes of reimbursement under ss. 46.27 (11) (c) 7.  
8 and 46.277 (5) (e).

9           **SECTION 2950.** 49.45 (2) (b) 4. of the statutes is amended to read:

10          49.45 (2) (b) 4. Audit claims filed by any provider of medical assistance, and as  
11 part of that audit, request of any such provider, and review, medical records of  
12 individuals who have received benefits under the medical assistance program, ~~or~~  
13 ~~under s. 49.046.~~

14          **SECTION 2951.** 49.45 (3) (a) of the statutes is amended to read:

15          49.45 (3) (a) Reimbursement shall be made to each county department under  
16 ss. 46.215, 46.22 and 46.23 for the administrative services performed in the medical  
17 assistance program on the basis of s. ~~49.52~~ 49.33 (8). For purposes of reimbursement  
18 under this paragraph, assessments completed under s. 46.27 (6) (a) are  
19 administrative services performed in the medical assistance program.

20          **SECTION 2952g.** 49.45 (3) (e) 7m. of the statutes is created to read:

21          49.45 (3) (e) 7m. Notwithstanding subd. 7., the daily reimbursement or  
22 payment rate for services at a hospital established under s. 45.375 (1) provided to  
23 medical assistance recipients whose continued hospitalization is no longer medically  
24 necessary or appropriate during a period where the recipient awaits placement in an

1 alternate custodial living arrangement shall be the skilled nursing facility rate paid  
2 to the facility created under s. 45.365 (1).

3 **SECTION 2953.** 49.45 (5) of the statutes is amended to read:

4 49.45 (5) APPEAL. Any person whose application for medical assistance is  
5 denied or is not acted upon promptly or who believes that the payments made in the  
6 person's behalf have not been properly determined may file an appeal with the  
7 department pursuant to s. ~~49.50 (8)~~ 49.21 (1).

8 **SECTION 2954.** 49.45 (5m) (a) of the statutes is amended to read:

9 49.45 (5m) (a) Notwithstanding sub. (3) (e), from the appropriations under s.  
10 20.435 (1) (b) and (o) the department shall distribute not more than \$2,256,000 in  
11 each of fiscal years ~~1993-94 and 1994-95~~ year, to provide supplemental funds to  
12 rural hospitals that, as determined by the department, have high utilization of  
13 inpatient services by patients whose care is provided from governmental sources,  
14 except that the department may not distribute funds to a rural hospital to the extent  
15 that the distribution would exceed any limitation under 42 USC 1396b (i) (3).

16 **SECTION 2955.** 49.45 (6b) (a) of the statutes is amended to read:

17 49.45 (6b) (a) Beginning in fiscal year ~~1994-95~~ 1995-96, for relocations from  
18 the central Wisconsin center for the developmentally disabled, by ~~\$55.77~~ \$220 per  
19 day.

20 **SECTION 2956.** 49.45 (6b) (b) of the statutes is amended to read:

21 49.45 (6b) (b) Beginning in fiscal year ~~1994-95~~ 1995-96, for relocations from  
22 the northern Wisconsin center for the developmentally disabled, by ~~\$49.06~~ \$214 per  
23 day.

24 **SECTION 2957.** 49.45 (6b) (c) of the statutes is amended to read:

1           49.45 **(6b)** (c) Beginning in fiscal year ~~1994-95~~ 1995-96, for relocations from  
2           the southern Wisconsin center for the developmentally disabled, by ~~\$48.37~~ \$164 per  
3           day.

4           **SECTION 2960.** 49.45 (6m) (ag) 3m. of the statutes is amended to read:

5           49.45 **(6m)** (ag) 3m. For state fiscal year ~~1993-94~~ 1995-96, rates that shall be  
6           set by the department based on information from cost reports for the ~~1992~~ 1994 fiscal  
7           year of the facility and for state fiscal year ~~1994-95~~ 1996-97, rates that shall be set  
8           by the department based on information from cost reports for the ~~1993~~ 1995 fiscal  
9           year of the facility.

10          **SECTION 2961.** 49.45 (6m) (ag) 8. of the statutes is amended to read:

11          49.45 **(6m)** (ag) 8. Calculation of total payments and supplementary payments  
12          to facilities that permits an increase in funds allocated under s. 20.435 (1) (b) and (o)  
13          for nursing home care provided medical assistance recipients over that paid for  
14          services provided in state fiscal year ~~1992-93~~ 1994-95 of no more than ~~3.58%~~ 4.25%  
15          during state fiscal year ~~1993-94~~ 1995-96 and over that paid for services provided in  
16          state fiscal year ~~1993-94~~ 1995-96 of no more than ~~3.57%~~ 3.5% during state fiscal  
17          year ~~1994-95~~ 1996-97, excluding increases in total payments attributable to  
18          increases in recipient utilization of facility care, payments for the provision of active  
19          treatment to facility residents with developmental disability or chronic mental  
20          illness and payments for preadmission screening of facility applicants and annual  
21          reviews of facility residents required under 42 USC 1396r (e).

22          **SECTION 2962.** 49.45 (6m) (am) 5. of the statutes is amended to read:

23          49.45 **(6m)** (am) 5. Allowable administrative and general costs, including costs  
24          related to the facility's overall management and administration and allowable

**SECTION 2962**

1 expenses that are not recognized or reimbursed in other cost centers and including  
2 the costs of commercial estimators approved by the department under par. (ar) 6.

3 **SECTION 2963.** 49.45 (6m) (am) 5m. of the statutes is created to read:

4 49.45 **(6m)** (am) 5m. Allowable interest expense of the facility, less interest  
5 income of the facility and less interest income of affiliated entities, to the extent  
6 required under the approved state plan for services under 42 USC 1396.

7 **SECTION 2964.** 49.45 (6m) (ar) 1. c. of the statutes is amended to read:

8 49.45 **(6m)** (ar) 1. c. If a facility has an approved program for provision of  
9 service to ~~emotionally disturbed or~~ mentally retarded residents, residents dependent  
10 upon ventilators, or residents requiring supplemental skilled care due to complex  
11 medical conditions, a supplement to the direct care component of the facility rate  
12 under subd. 1. b. may be made to that facility according to a method developed by the  
13 department.

14 **SECTION 2965.** 49.45 (6m) (ar) 6. of the statutes is amended to read:

15 49.45 **(6m)** (ar) 6. Capital payment shall be based on a replacement value for  
16 a facility, ~~as~~. The replacement value shall be determined by a commercial estimator  
17 ~~with which~~ contracted for by the department has contracted for service, and paid for  
18 by the facility. The replacement value shall be subject to limitations determined by  
19 the department, except that the department may not reduce final capital payment  
20 of a facility by more than \$3.50 per patient day.

21 **SECTION 2966.** 49.45 (6m) (av) 2. of the statutes is amended to read:

22 49.45 **(6m)** (av) 2. The department shall compile an average payment rate for  
23 each facility based on that facility's rates for cost centers described under par. (am)  
24 1. to 5. that were in effect on June 30 of the previous year, 1994. The department may

**SECTION 2966**

1 develop a method for adjusting the facility's rate for the cost center under par. (am)  
2 1. in compiling the average payment rate under this subdivision.

3 **SECTION 2967.** 49.45 (6m) (av) 4. of the statutes is amended to read:

4 49.45 **(6m)** (av) 4. If the facility's payment rate under subd. 1. is a decrease from  
5 its average payment rate ~~from the previous year~~ under subd. 2., and if the figure  
6 calculated under subd. 3. exceeds the payment rate for the facility under subd. 1., the  
7 facility's average payment rate shall be the greater of its average payment rate under  
8 subd. 2. or its rate under subd. 1.

9 **SECTION 2968.** 49.45 (6m) (bm) 4. of the statutes is repealed.

10 **SECTION 2969.** 49.45 (6m) (br) 1. of the statutes is amended to read:

11 49.45 **(6m)** (br) 1. Notwithstanding s. 20.410 (3) (cd), 20.435 (3) (ed), (4) (de) or  
12 (eb) (1) (bt) or (bu) or (7) (b) or 20.445 (3) (de), the department shall reduce allocations  
13 of funds to counties in the amount of the disallowance from the appropriations under  
14 s. 20.410 (3) (cd) or 20.435 (3) (ed), (4) (de) or (eb) (1) (bt) or (bu) or (7) (b), or the  
15 department shall direct the department of industry, labor and human relations to  
16 reduce allocations of funds to counties in the amount of the disallowance from the  
17 appropriation under s. 20.445 (3) (de), in accordance with s. 16.544 to the extent  
18 applicable.

19 **SECTION 2970.** 49.45 (6m) (c) 6. of the statutes is created to read:

20 49.45 **(6m)** (c) 6. Provide, upon request, such information as the department  
21 considers necessary to determine allowable interest expenses under par. (am) 5m.

22 **SECTION 2971.** 49.45 (6m) (h) of the statutes is amended to read:

23 49.45 **(6m)** (h) The department may require by rule that all claims for payment  
24 of services provided facility residents under this chapter subchapter be submitted or  
25 countersigned by the respective facility administrator. The department may specify

**SECTION 2971**

1 those categories of services for which payment will be made only if the services are  
2 rendered or authorized in writing by a primary health care provider designated by  
3 the recipient for the particular category of services.

4 **SECTION 2974b.** 49.45 (6m) (L) of the statutes is created to read:

5 49.45 **(6m)** (L) For purposes of ss. 46.27 (11) (c) 7. and 46.277 (5) (e), the  
6 department shall, by July 1 annually, determine the statewide medical assistance  
7 daily cost of nursing home care and submit the determination to the department of  
8 administration for review. The department of administration shall approve the  
9 determination before payment may be made under s. 46.27 (11) (c) 7. or 46.277 (5)  
10 (e).

11 **SECTION 2975.** 49.45 (6t) of the statutes is created to read:

12 49.45 **(6t)** COUNTY DEPARTMENT OPERATING DEFICIT REDUCTION. From the  
13 appropriation under s. 20.435 (1) (o), for reduction of operating deficits, as defined  
14 under criteria developed by the department, incurred by a county department under  
15 s. 46.215, 46.22, 46.23 or 51.42 for services provided under s. 49.46 (2) (a) 4. d. and  
16 (b) 6. f., the department shall allocate up to \$4,500,000 in each fiscal year to these  
17 county departments, as determined by the department, and shall perform all of the  
18 following:

19 (a) For the reduction of operating deficits incurred by the county departments,  
20 estimate the availability of federal medicaid funds that may be matched to county  
21 funds that are expended for costs in excess of reimbursement for services provided  
22 under s. 49.46 (2) (a) 4. d. and (b) 6. f.

23 (b) Based on the amount estimated to be available under par. (a), develop a  
24 method, which need not be promulgated as rules under ch. 227, to distribute this

**SECTION 2975**

1 allocation to the individual county departments under s. 46.215, 46.22, 46.23 or  
2 51.42 that have incurred operating deficits that shall include all of the following:

3 1. Development of criteria for determining operating deficits.

4 2. Agreement, by the county in which is located a county department that has  
5 an operating deficit, to provide funds to match federal medicaid funds.

6 3. Consideration of the size of a county department's operating deficit.

7 (c) Except as provided in par. (d), distribute the allocation under the  
8 distribution method that is developed.

9 (d) If the federal department of health and human services approves for state  
10 expenditure in a fiscal year amounts under s. 20.435 (1) (o) that result in a lesser  
11 allocation amount than that allocated under this subsection or disallows use of the  
12 allocation of federal medicaid funds under par. (c), reduce allocations under this  
13 subsection and distribute on a prorated basis, as determined by the department.

14 **SECTION 2976.** 49.45 (6u) (intro.) of the statutes is amended to read:

15 49.45 (6u) FACILITY OPERATING DEFICIT REDUCTION. (intro.) Except as provided  
16 in par. (g), from the appropriation under s. 20.435 (1) (o), for reduction of operating  
17 deficits, as defined under criteria developed by the department, incurred by a facility,  
18 as defined under sub. (6m) (a) 2., that is established under s. 49.14 (1) 49.70 (1) or  
19 that is owned and operated by a city, village or town, the department shall distribute  
20 to these facilities not more than \$18,600,000 in each fiscal year, as determined by the  
21 department, and shall perform all of the following:

22 **SECTION 2977.** 49.45 (6u) (b) 2. of the statutes is amended to read:

23 49.45 (6u) (b) 2. Agreement by the county in which is located the facility  
24 established under s. 49.14 (1) 49.70 (1) and agreement by the city, village or town that  
25 owns and operates the facility that the applicable county, city, village or town shall

**SECTION 2977**

1 provide funds to match federal medical assistance matching funds under this  
2 subsection.

3 **SECTION 2978.** 49.45 (6u) (b) 2m. of the statutes is amended to read:

4 49.45 **(6u)** (b) 2m. Identification by the county in which is located the facility  
5 established under s. ~~49.14 (1)~~ 49.70 (1) of all county funds expended in each calendar  
6 year to operate the facility, and certification by the county to the department of this  
7 amount.

8 **SECTION 2979.** 49.45 (6v) of the statutes is repealed.

9 **SECTION 2981b.** 49.45 (6w) (intro.) of the statutes is amended to read:

10 49.45 **(6w)** HOSPITAL OPERATING DEFICIT REDUCTION. (intro.) From the  
11 appropriation under s. 20.435 (1) (o), for reduction of operating deficits, as defined  
12 under criteria developed by the department, incurred by a hospital, as defined under  
13 s. 50.33 (2) (a) and (b), that is operated by the state, established under s. ~~49.16~~ 49.71  
14 or owned and operated by a city or village, the department shall allocate up to  
15 \$3,300,000 in each fiscal year to these hospitals, as determined by the department,  
16 and shall perform all of the following:

17 **SECTION 2982.** 49.45 (6w) (a) 2. of the statutes is amended to read:

18 49.45 **(6w)** (a) 2. County funds, for a hospital established under s. ~~49.16~~ 49.71.

19 **SECTION 2983.** 49.45 (6w) (b) 2. b. of the statutes is amended to read:

20 49.45 **(6w)** (b) 2. b. Agreement to provide matching funds by the county in  
21 which is located a hospital established under s. ~~49.16~~ 49.71.

22 **SECTION 2984.** 49.45 (6x) (a) of the statutes is amended to read:

23 49.45 **(6x)** (a) Notwithstanding sub. (3) (e), from the appropriations under s.  
24 20.435 (1) (b) and (o) the department shall distribute not more than \$4,748,000 in  
25 each of fiscal years ~~1993-94 and 1994-95~~ year, to provide funds to an essential access

1 city hospital, except that the department may not allocate funds to an essential  
2 access city hospital to the extent that the allocation would exceed any limitation  
3 under 42 USC 1396b (i) (3).

4 **SECTION 2984r.** 49.45 (6y) (title) of the statutes is amended to read:

5 49.45 (6y) (title) SUPPLEMENTAL FUNDING FOR COUNTY CERTAIN HOSPITALS.

6 **SECTION 2985.** 49.45 (6y) (a) of the statutes is amended to read:

7 49.45 (6y) (a) Notwithstanding sub. (3) (e), from the appropriations under s.  
8 20.435 (1) (b) and (o) the department shall distribute funding in each fiscal year to  
9 provide supplemental payment to county hospitals and to county mental health  
10 complexes, as determined by the department, for ~~inpatient~~ hospital services that are  
11 not in excess of the hospitals' customary charges for the services, as limited under  
12 42 USC 1396b (i) (3).

13 **SECTION 2985e.** 49.45 (6y) (a) of the statutes, as affected by 1995 Wisconsin Act  
14 .... (this act), is amended to read:

15 49.45 (6y) (a) Notwithstanding sub. (3) (e), from the appropriations under s.  
16 20.435 (1) (b) and (o) the department shall distribute funding in each fiscal year to  
17 provide supplemental payment to ~~county hospitals and to county mental health~~  
18 complexes hospitals that enter into a contract under s. 49.02 (2) to provide health  
19 care services funded by a relief block grant, as determined by the department, for  
20 hospital services that are not in excess of the hospitals' customary charges for the  
21 services, as limited under 42 USC 1396b (i) (3). If no relief block grant is awarded  
22 under this chapter or if the allocation of funds to such hospitals would exceed any  
23 limitation under 42 USC 1396b (i) (3), the department may distribute funds to  
24 hospitals that have not entered into a contract under s. 49.02 (2).

25 **SECTION 2985m.** 49.45 (6z) (title) of the statutes is amended to read:

**SECTION 2985m**

1           49.45 (6z) (title) SUPPLEMENTAL FUNDING FOR CERTAIN HOSPITALS SERVING  
2 LOW-INCOME PATIENTS.

3           **SECTION 2985s.** 49.45 (6z) (a) (intro.) of the statutes is amended to read:

4           49.45 (6z) (a) (intro.) Notwithstanding sub. (3) (e), from the appropriations  
5 under s. 20.435 (1) (b) and (o) the department shall distribute funding in each fiscal  
6 year to supplement payment for inpatient services to county hospitals and county  
7 mental health complexes that, as determined by the department, hospitals that  
8 enter into a contract under s. 49.02 (2) to provide health care services funded by a  
9 relief block grant under this chapter, if the department determines that the hospitals  
10 serve a disproportionate number of low-income patients with special needs, except  
11 that the. If no medical relief block grant under this chapter is awarded or if the  
12 allocation of funds to such hospitals would exceed any limitation under 42 USC  
13 1396b (i) (3), the department may distribute funds to hospitals that have not entered  
14 into a contract under s. 49.02 (2). The department may not distribute funds under  
15 this subsection to the extent that the distribution would do any of the following:

16           **SECTION 2986.** 49.45 (7) (d) 4. of the statutes is amended to read:

17           49.45 (7) (d) 4. The department's determination of serious misconduct under  
18 this subsection shall be cause for terminating the facility's participation in the  
19 state-funded portion of the medical assistance program under ss. 49.45 to 49.47 this  
20 subchapter.

21           **SECTION 2987.** 49.45 (8) (title) of the statutes is amended to read:

22           49.45 (8) (title) HOME PER-VISIT LIMITS ON HOME HEALTH SERVICES  
23 REIMBURSEMENT.

24           **SECTION 2988.** 49.45 (8e) of the statutes is created to read:

1           **49.45 (8e)** MONTHLY LIMITS ON HOME HEALTH, PERSONAL CARE AND PRIVATE-DUTY  
2 NURSING SERVICES REIMBURSEMENT. (a) Except as provided in par. (b), reimbursement  
3 under s. 20.435 (1) (b) and (o) for home health, personal care and private-duty  
4 nursing services provided to a medical assistance recipient in a month may not  
5 exceed the average monthly cost of nursing home care, as determined by the  
6 department.

7           (b) This subsection does not apply to any of the following:

8           1. A medical assistance recipient under the age of 22.

9           2. A ventilator-dependent individual under s. 49.46 (2) (b) 6. m. or 49.47 (6) (a)

10          1.

11           3. Any individual, if the department determines that the cost of providing the  
12 individual with nursing home care would exceed the cost of providing the individual  
13 with home health, personal care and private-duty nursing services.

14           4. Any individual, if the department determines that nursing home care is not  
15 available for that individual.

16           **SECTION 2988b.** 49.45 (8f) of the statutes is created to read:

17           **49.45 (8f)** LIMITS ON REIMBURSEMENT OF PROVIDERS OF HOME HEALTH SERVICES. (a)  
18 For any home health, personal care or private-duty nursing service provided to a  
19 medical assistance recipient in a month, the department may require, as a condition  
20 of reimbursement, that the provider charge the department the lesser of the  
21 following for the service:

22           1. The amount that the federal medicare program reimburses for a service,  
23 separately identified under 42 CFR Part 413, including skilled nursing service, home  
24 health aid service and physical therapy service.

25           2. The provider's usual and customary charge for providing the service.

1           3. A maximum reimbursement rate, determined by the department, for the  
2 service.

3           (b) When a provider is required to charge the department a price under par. (a),  
4 the department may not reimburse the provider for more than that amount.

5           **SECTION 2989.** 49.45 (8m) (intro.) of the statutes is amended to read:

6           49.45 (8m) RATES FOR RESPIRATORY CARE SERVICES. (intro.) Notwithstanding a  
7 ~~determination by the department of a maximum rate~~ the limits under sub. ~~subs.~~ (8),  
8 (8e) and (8f), the rates under sub. (8) and rates charged by providers under s. 49.46  
9 (2) (a) 4. d. that are not home health agencies, for reimbursement for respiratory care  
10 services for ventilator-dependent individuals under ss. 49.46 (2) (b) 6. m. and 49.47  
11 (6) (a) 1., shall be as follows:

12           **SECTION 2989d.** 49.45 (8v) of the statutes is created to read:

13           49.45 (8v) INCENTIVE-BASED PHARMACY PAYMENT SYSTEM. By January 1, 1996, the  
14 department shall establish a system of payment to pharmacies for legend and  
15 over-the-counter drugs provided to recipients of medical assistance that has  
16 financial incentives for pharmacists who perform services that result in savings to  
17 the medical assistance program. Under this system, the department shall establish  
18 a schedule of fees that is designed to ensure that any incentive payments made are  
19 equal to or less than the documented savings. The department may discontinue the  
20 system established under this subsection if the department determines, after  
21 performance of a study, that payments to pharmacists under the system exceed the  
22 documented savings under the system.

23           **SECTION 2990.** 49.45 (11) of the statutes is amended to read:

1           49.45 (11) PENALTY. Any person who receives or assists another in receiving  
2 assistance under this section, to which the recipient is not entitled, shall be subject  
3 to the penalties under s. ~~49.12~~ 49.95.

4           **SECTION 2991.** 49.45 (12) (c) of the statutes is amended to read:

5           49.45 (12) (c) The department shall request proposals for a system of  
6 machine-readable identification cards for medical assistance recipients and a  
7 computerized support system for the cards that will accept and respond to  
8 electronically conveyed requests from health care providers for information related  
9 to medical assistance recipients, such as eligibility, coverages and authorizations.  
10 The request for proposals shall specify that the systems are to be operating by  
11 January 1, ~~1996~~ 1997.

12           **SECTION 2993.** 49.45 (25) (am) of the statutes is renumbered 49.45 (25) (am)  
13 (intro.) and amended to read:

14           49.45 (25) (am) (intro.) Except as provided under pars. (be) and (bg) and sub.  
15 (24), case management services under s. 49.46 (2) (b) 9. and (bm) are reimbursable  
16 under medical assistance only if provided to a medical assistance beneficiary who  
17 receives case management services from or through a certified case management  
18 provider in a county, city, village or town that elects, under par. (b), to make the  
19 services available and who ~~has~~ meets at least one of the following conditions:

20           1. Has a developmental disability, as defined under s. 51.01 (5) (a),~~is.~~

21           2. Has a chronic mental illness, as defined under s. 51.01 (3g),~~or.~~

22           3. Has Alzheimer's disease, as defined under s. 46.87 (1) (a),~~is.~~

23           4. Is an alcoholic, as defined under s. 51.01 (1),~~or.~~

24           5. Is drug dependent, as defined under s. 51.01 (8),~~is.~~

25           6. Is physically disabled, as defined by the department,~~is.~~

1           7. Is a severely emotionally disturbed child, is,

2           8. Is age 65 or over or, after December 31, 1991, has,

3           10. Has HIV infection, as defined in s. 252.01 (2).

4           **SECTION 2994.** 49.45 (25) (am) 9. of the statutes is created to read:

5           49.45 (25) (am) 9. Is a member of a family that has a child who is at risk of  
6 serious physical, mental or emotional dysfunction, as defined by the department.

7           **SECTION 2995.** 49.45 (25) (am) 11. of the statutes is created to read:

8           49.45 (25) (am) 11. Is a child who is eligible for early intervention services  
9 under s. 51.44.

10          **SECTION 2996.** 49.45 (25) (am) 12. of the statutes is created to read:

11          49.45 (25) (am) 12. Is infected with tuberculosis.

12          **SECTION 2996m.** 49.45 (25) (am) 13. of the statutes is created to read:

13          49.45 (25) (am) 13. Is a child with asthma.

14          **SECTION 2997.** 49.45 (25) (bg) of the statutes is amended to read:

15          49.45 (25) (bg) An independent living center, as defined in s. 46.96 (1) (a), that  
16 is a certified case management provider may elect to provide case management  
17 services to one or more of the categories of medical assistance beneficiaries specified  
18 under par. (am). The amount of allowable charges for the services under the medical  
19 assistance program that is not provided by the federal government shall be paid from  
20 nonfederal, public funds received by the independent living center from a county,  
21 city, village or town or from funds distributed ~~under the appropriation under s.~~  
22 ~~20.435 (5) (bm)~~ or as a grant under s. 46.96.

23          **SECTION 2998.** 49.45 (25) (bm) (intro.) of the statutes is amended to read:

1           49.45 (25) (bm) (intro.) Case management services under this subsection may  
2 not be provided to a person under ~~the category of severely emotionally disturbed~~  
3 ~~child par. (am) 7.~~ unless any of the following is true:

4           **SECTION 2999.** 49.45 (34) of the statutes is amended to read:

5           49.45 (34) MEDICAL ASSISTANCE MANUAL. The department shall prepare a  
6 medical assistance manual that is clear, comprehensive and consistent with ~~ss. 49.43~~  
7 ~~to 49.47~~ this subchapter and 42 USC 1396a to 1396u and shall, no later than July  
8 1, 1992, provide the manual to counties for use by county employes who administer  
9 the medical assistance program.

10          **SECTION 3000.** 49.45 (39) of the statutes is created to read:

11          49.45 (39) SCHOOL MEDICAL SERVICES. (a) *Definitions.* In this subsection:

12           1. "School" means a public school described under s. 115.01 (1) or a charter  
13 school, as defined in s. 115.001 (1). It includes school-operated early childhood  
14 programs for developmentally delayed and disabled 4-year-old and 5-year-old  
15 children.

16           2. "School medical services" means health care services that are provided in a  
17 school to children who are eligible for medical assistance and that are appropriate  
18 to a school setting, under rules promulgated by the department.

19           (b) *Payment for school medical services.* If a school district elects to provide  
20 school medical services and meets all requirements under par. (c), the department  
21 shall reimburse the school district for the federal share of allowable charges for the  
22 school medical services that it provides and for allowable administrative costs. The  
23 department shall promulgate rules establishing a methodology for making  
24 reimbursements under this paragraph. All other expenses for the school medical  
25 services shall be paid for by the school district with funds received from state or local

1 taxes. The school district shall comply with all requirements of the federal  
2 department of health and human services for receiving federal financial  
3 participation.

4 (c) *Certification and reporting requirements.* The department shall promulgate  
5 rules establishing specific certification and reporting requirements with respect to  
6 school medical services under this subsection.

7 **SECTION 3001.** 49.45 (40) of the statutes is created to read:

8 49.45 (40) PERIODIC RECORD MATCHES. The department shall cooperate with the  
9 department of industry, labor and human relations in matching records of medical  
10 assistance recipients under s. 49.32 (7).

11 **SECTION 3002b.** 49.45 (41) of the statutes is created to read:

12 49.45 (41) MENTAL HEALTH CRISIS INTERVENTION SERVICES. (a) In this subsection:

13 1. “Mental health crisis intervention services” means services that are provided  
14 by a mental health crisis intervention program operated by, or under contract with,  
15 a county or municipality, if the county or municipality is certified as a medical  
16 assistance provider.

17 2. “Municipality” means a city, village or town.

18 (b) If a county or municipality elects to become certified as a provider of mental  
19 health crisis intervention services, the county or municipality may provide mental  
20 health crisis intervention services under this subsection in the county or  
21 municipality to medical assistance recipients through the medical assistance  
22 program. A county or municipality that elects to provide the services shall pay the  
23 amount of the allowable charges for the services under the medical assistance  
24 program that is not provided by the federal government. The department shall  
25 reimburse the county or municipality under this subsection only for the amount of

1 the allowable charges for those services under the medical assistance program that  
2 is provided by the federal government.

3 **SECTION 3002m.** 49.45 (42) of the statutes is created to read:

4 49.45 (42) PERSONAL CARE SERVICES. Personal care services under s. 49.46 (2)  
5 (b) 6. j. provided to an individual are reimbursable under medical assistance only if  
6 all of the following conditions are met:

7 (a) The provider of the personal care services receives prior authorization from  
8 the department for all personal care services that are provided to the individual in  
9 excess of 50 hours in a calendar year.

10 (b) The individual is not eligible to receive home health aide services under  
11 medicare, as defined in sub. (3) (L) 1. b.

12 **SECTION 3002r.** 49.45 (43) of the statutes is created to read:

13 49.45 (43) CASE MANAGEMENT SERVICES FOR HIGH-COST RECIPIENTS. The  
14 department may establish a program to provide case management services for  
15 medical assistance recipients with high-cost chronic health conditions or high-cost  
16 catastrophic health conditions. If the department establishes a program to provide  
17 these case management services, the department shall provide reimbursement for  
18 providers of these case management services under the medical assistance program.

19 **SECTION 3003.** 49.455 (4) (c) of the statutes is repealed and recreated to read:

20 49.455 (4) (c) 1. For any year, the minimum monthly maintenance needs  
21 allowance equals the lesser of the amount determined under subd. 2., or the sum of  
22 the following:

23 a. One-twelfth of 200% of the poverty line for a family of 2 persons.

24 b. Any excess shelter allowance under par. (d).

1           2. The minimum monthly maintenance needs allowance in a year may not  
2 exceed \$1,500 increased by the same percentage as the percentage increase in the  
3 consumer price index between September 1988 and September of the year before the  
4 year involved.

5           3. In making the calculation under subd. 1. a., when the poverty line is revised  
6 the department shall use the revised amount starting on the first day of the 2nd  
7 calendar quarter beginning after the date of publication of the revision.

8           **SECTION 3004.** 49.455 (4) (d) of the statutes is created to read:

9           49.455 (4) (d) The excess shelter allowance equals the amount by which 30%  
10 of the amount determined under par. (c) 1. a. is exceeded by the sum of the following:

11           1. The community spouse's expenses for rent or mortgage principal and  
12 interest, taxes and insurance for his or her principal residence and, if the community  
13 spouse lives in a condominium or cooperative, any required maintenance charge.

14           2. The standard utility allowance established under 7 USC 2014 (e), except that  
15 if the community spouse lives in a condominium or cooperative for which the  
16 maintenance charge includes utility expenses, the standard utility allowance under  
17 7 USC 2014 (e) is reduced by the amount of the utility expenses included in the  
18 maintenance charge.

19           **SECTION 3005b.** 49.455 (6) (b) 1. of the statutes is amended to read:

20           49.455 (6) (b) 1. In 1989, \$60,000; in a calendar year after 1989, \$60,000 any  
21 year, \$12,000 increased by the same percentage as the percentage increase in the  
22 consumer price index between September 1988 and September of the year before the  
23 calendar year involved.

24           **SECTION 3005d.** 49.455 (6) (b) 1m. of the statutes is created to read:

25           49.455 (6) (b) 1m. \$50,000.

**SECTION 3006**

1           **SECTION 3006.** 49.455 (6) (b) 2. of the statutes is created to read:

2           49.455 **(6)** (b) 2. The lesser of the following:

3           a. The spousal share computed under sub. (5) (a) 1.

4           b. In any year, \$60,000 increased by the same percentage as the percentage  
5 increase in the consumer price index between September 1988 and September of the  
6 year before the year involved.

7           **SECTION 3007.** 49.46 (1) (a) 4. of the statutes is amended to read:

8           49.46 **(1)** (a) 4. Any person receiving benefits under s. ~~49.177~~ 49.77 or federal  
9 Title XVI.

10          **SECTION 3008.** 49.46 (1) (a) 15. of the statutes is created to read:

11          49.46 **(1)** (a) 15. Any individual who is infected with tuberculosis and meets the  
12 income and resource eligibility requirements for the federal supplemental security  
13 program under 42 USC 1381 to 1383d.

14          **SECTION 3009.** 49.46 (1) (d) 4. of the statutes is amended to read:

15          49.46 **(1)** (d) 4. A child who meets the conditions under 42 USC 1396a (e) ~~3~~. (3)  
16 shall be considered a recipient of benefits under s. ~~49.177~~ 49.77 or federal Title XVI.

17          **SECTION 3010.** 49.46 (1) (e) of the statutes is amended to read:

18          49.46 **(1)** (e) If an application under s. 49.47 (3) shows that the person has  
19 income and resources within the limitations of s. 49.19, federal Title XVI or s. ~~49.177~~  
20 49.77, or that the person is an essential person, an accommodated person or a patient  
21 in a public medical institution, the person shall be granted the benefits enumerated  
22 under sub. (2) whether or not the person requests or receives a grant of any of such  
23 aids.

24          **SECTION 3011.** 49.46 (2) (a) 2. of the statutes is amended to read:

**SECTION 3011**

1           49.46 (2) (a) 2. Early and periodic screening and diagnosis, including case  
2 management services, of persons under 21 years of age and all medical treatment  
3 and dentists' services ~~specified in par. (b) 1.~~ found necessary by this screening and  
4 diagnosis.

5           **SECTION 3012.** 49.46 (2) (a) 4. d. of the statutes is amended to read:

6           49.46 (2) (a) 4. d. Home health services, subject to the limitations under s. 49.45  
7 (8), (8e) and (8f), or nursing services, if a home health agency is unavailable, nursing  
8 services, subject to the limitations under s. 49.45 (8e) and (8f).

9           **SECTION 3013.** 49.46 (2) (a) 4. g. of the statutes is renumbered 49.46 (2) (a) 4m.  
10 and amended to read:

11           49.46 (2) (a) 4m. ~~Nurse midwifery~~ Nurse-midwifery services.

12           **SECTION 3019b.** 49.46 (2) (b) 1. h. of the statutes is repealed.

13           **SECTION 3019c.** 49.46 (2) (b) 1. i. of the statutes is repealed.

14           **SECTION 3020m.** 49.46 (2) (b) 6. j. of the statutes is amended to read:

15           49.46 (2) (b) 6. j. Personal care services, subject to the limitations under s. 49.45  
16 (8e), (8f) and (42).

17           **SECTION 3021.** 49.46 (2) (b) 6. k. of the statutes is amended to read:

18           49.46 (2) (b) 6. k. Alcohol and other drug abuse day treatment services. This  
19 ~~subd. 6. k. does not apply after June 30, 1995, or the day after publication of the~~  
20 ~~1995-97 biennial budget act, whichever is later.~~

21           **SECTION 3022.** 49.46 (2) (b) 14. of the statutes is created to read:

22           49.46 (2) (b) 14. School medical services under s. 49.45 (39).

23           **SECTION 3023.** 49.46 (2) (b) 15. of the statutes is created to read:

24           49.46 (2) (b) 15. Mental health crisis intervention services under s. 49.45 (41).

25           **SECTION 3023m.** 49.46 (2) (b) 16. of the statutes is created to read:

1           49.46 (2) (b) 16. Case management services for recipients with high-cost  
2 chronic health conditions or high-cost catastrophic health conditions, if the  
3 department operates a program under s. 49.45 (43).

4           **SECTION 3024.** 49.46 (2) (bm) of the statutes is created to read:

5           49.46 (2) (bm) Benefits for an individual who is eligible for medical assistance  
6 only under sub. (1) (a) 15. are limited to those services related to tuberculosis that  
7 are described in 42 USC 1396a (z) (2).

8           **SECTION 3025.** 49.46 (2) (d) of the statutes is amended to read:

9           49.46 (2) (d) Benefits authorized under this subsection may not include  
10 payment for that part of any service payable through 3rd party liability or any  
11 federal, state, county, municipal or private benefit system to which the beneficiary  
12 is entitled. "Benefit system" does not include any public assistance program such as,  
13 but not limited to, Hill-Burton benefits under 42 USC 291c (e), in effect on April 30,  
14 1980, or general relief funded by a relief block grant.

15           **SECTION 3026.** 49.47 (4) (av) of the statutes is created to read:

16           49.47 (4) (av) 1. In this paragraph, "migrant worker" means any person who  
17 temporarily leaves a principal place of residence outside of this state and comes to  
18 this state for not more than 10 months in a year to accept seasonal employment in  
19 the planting, cultivating, raising, harvesting, handling, drying, packing, packaging,  
20 processing, freezing, grading or storing of any agricultural or horticultural  
21 commodity in its unmanufactured state. "Migrant worker" does not include any of  
22 the following:

23           a. A person who is employed only by a state resident if the resident or the  
24 resident's spouse is related to the person as the child, parent, grandchild,

1 grandparent, brother, sister, aunt, uncle, niece, nephew, or the spouse of any such  
2 relative.

3 b. A student who is enrolled or, during the past 6 months has been enrolled, in  
4 any school, college or university unless the student is a member of a family or  
5 household which contains a migrant worker.

6 c. Any other person qualifying for an exemption under rules promulgated by  
7 the department.

8 2. The department shall request a waiver from the secretary of the federal  
9 department of health and human services to allow the application of subd. 3. The  
10 waiver shall also seek a waiver from those federal quality control standards under  
11 the medical assistance program that the department determines to be necessary in  
12 order to make the application of subd. 3. feasible. Subdivision 3. applies only while  
13 the waiver under this subdivision is in effect.

14 3. In determining the eligibility for a migrant worker and his or her dependents  
15 for medical assistance under this section, the department shall do all of the following:

16 a. Grant the migrant worker and his or her dependents eligibility for medical  
17 assistance in this state, if the migrant worker and his or her dependents have a valid  
18 medical assistance identification card issued in another state and the migrant  
19 worker completes a Wisconsin medical assistance application provided by the  
20 department. Eligibility under this subd. 3. a. continues for the period specified on  
21 the identification card issued in the other state. The department shall notify the  
22 other state that the migrant worker and his or her dependents are eligible for  
23 medical assistance in Wisconsin.

24 b. Determine medical assistance eligibility using an income-averaging method  
25 described in the waiver under subd. 2., if the migrant worker and his or her

1 dependents do not meet the income limitations under par. (c) using prospective  
2 budgeting.

3 **SECTION 3028.** 49.47 (4) (c) 1. of the statutes is amended to read:

4 49.47 (4) (c) 1. Except as provided in par. (am) and as limited by subd. 3.,  
5 eligibility exists if income does not exceed 133 1/3% of the maximum aid to families  
6 with dependent children payment under s. 49.19 (11) for the applicant's family size  
7 or the combined benefit amount available under supplemental security income  
8 under 42 USC 1381 to 1383c and state supplemental aid under s. ~~49.177~~ 49.77  
9 whichever is higher. In this subdivision "income" includes earned or unearned  
10 income that would be included in determining eligibility for the individual or family  
11 under s. ~~49.177~~ or 49.19 or 49.77, or for the aged, blind or disabled under 42 USC 1381  
12 to 1385. "Income" does not include earned or unearned income which would be  
13 excluded in determining eligibility for the individual or family under s. ~~49.177~~ or  
14 49.19 or 49.77, or for the aged, blind or disabled individual under 42 USC 1381 to  
15 1385.

16 **SECTION 3035.** 49.48 (title) of the statutes is renumbered 49.68 (title).

17 **SECTION 3036.** 49.48 (1) of the statutes is renumbered 49.68 (1).

18 **SECTION 3037.** 49.48 (1m) of the statutes is renumbered 49.68 (1m).

19 **SECTION 3038.** 49.48 (2) of the statutes is renumbered 49.68 (2).

20 **SECTION 3039.** 49.48 (3) (title) of the statutes is renumbered 49.68 (3) (title).

21 **SECTION 3040.** 49.48 (3) (a) of the statutes is renumbered 49.68 (3) (a) and  
22 amended to read:

23 49.68 (3) (a) Any permanent resident of this state who suffers from chronic  
24 renal disease may be accepted into the dialysis treatment phase of the renal disease

1 control program if the resident meets standards set by rule under sub. (2) and s.  
2 49.487 49.687.

3 **SECTION 3041.** 49.48 (3) (b) of the statutes is renumbered 49.68 (3) (b).

4 **SECTION 3042.** 49.48 (3) (c) of the statutes is renumbered 49.68 (3) (c).

5 **SECTION 3043.** 49.48 (3) (d) of the statutes is renumbered 49.68 (3) (d).

6 **SECTION 3044.** 49.48 (3) (e) of the statutes is renumbered 49.68 (3) (e).

7 **SECTION 3044b.** 49.482 of the statutes is created to read:

8 **49.482 Recovery from estates. (1)** In this section:

9 (a) "Client" means a person who receives or received aid under s. 49.48, 49.483  
10 or 49.485.

11 (b) "Disabled" has the meaning given in s. 49.468 (1) (a) 1.

12 (c) "Home" means property in which a person has an ownership interest  
13 consisting of the person's dwelling and the land used and operated in connection with  
14 the dwelling.

15 **(2)** (a) Except as provided in par. (d), the department shall file a claim against  
16 the estate of a client or against the estate of the surviving spouse of a client for the  
17 amount of aid under s. 49.48, 49.483 or 49.485 paid to or on behalf of the client.

18 (b) The affidavit of a person designated by the secretary to administer this  
19 subsection is evidence of the amount of the claim.

20 (c) The court shall reduce the amount of a claim under par. (a) by up to \$3,000  
21 if necessary to allow the client's heirs or the beneficiaries of the client's will to retain  
22 the following personal property:

23 1. The decedent's wearing apparel and jewelry held for personal use.

24 2. Household furniture, furnishings and appliances.

1           3. Other tangible personal property not used in trade, agriculture or other  
2 business, not to exceed \$1,000 in value.

3           (d) A claim under par. (a) is not allowable if the decedent has a surviving child  
4 who is under age 21 or disabled or a surviving spouse.

5           (e) If the department's claim is not allowable because of par. (d) and the estate  
6 includes an interest in a home, the court exercising probate jurisdiction shall, in the  
7 final judgment, assign the interest in the home subject to a lien in favor of the  
8 department for the amount described in par. (a). The personal representative shall  
9 record the final judgment as provided in s. 863.29.

10          (f) The department may not enforce the lien under par. (e) as long as any of the  
11 following survive the decedent:

12           1. A spouse.

13           2. A child who is under age 21 or disabled.

14          (g) The department may enforce a lien under par. (e) by foreclosure in the same  
15 manner as a mortgage on real property.

16          **(3)** The department shall administer the program under this section and may  
17 contract with an entity to administer all or a portion of the program, including  
18 gathering and providing the department with information needed to recover  
19 payment of aid provided under s. 49.48, 49.483 or 49.485. All funds received under  
20 this subsection, net of any amount claimed under s. 867.035 (3), shall be remitted for  
21 deposit in the general fund.

22          **(4)** (a) The department may recover amounts under this section for the  
23 provision of aid provided under s. 49.48, 49.483 or 49.485 paid on and after  
24 September 1, 1995.

**SECTION 3044b**

1 (b) The department may file a claim under sub. (2) only with respect to a client  
2 who dies after September 1, 1995.

3 (5) The department shall promulgate rules establishing standards for  
4 determining whether the application of this section would work an undue hardship  
5 in individual cases. If the department determines that the application of this section  
6 would work an undue hardship in a particular case, the department shall waive  
7 application of this section in that case.

8 **SECTION 3044c.** 49.482 (title) and (1) (intro.) of the statutes, as created by 1995  
9 Wisconsin Act .... (this act), are renumbered 49.682 (title) and (1) (intro.).

10 **SECTION 3044d.** 49.482 (1) (a) of the statutes, as created by 1995 Wisconsin Act  
11 .... (this act), is renumbered 49.682 (1) (a) and amended to read:

12 49.462 (1) (a) "Client" means a person who receives or received aid under s.  
13 ~~49.48, 49.483 or 49.485~~ 49.68, 49.683 or 49.685.

14 **SECTION 3044e.** 49.482 (1) (b) and (c) of the statutes, as created by 1995  
15 Wisconsin Act .... (this act), are renumbered 49.682 (1) (b) and (c).

16 **SECTION 3044f.** 49.482 (2) (a) of the statutes, as created by 1995 Wisconsin Act  
17 .... (this act), is renumbered 49.682 (2) (a) and amended to read:

18 49.682 (2) (a) Except as provided in par. (d), the department shall file a claim  
19 against the estate of a client or against the estate of the surviving spouse of a client  
20 for the amount of aid under s. ~~49.48, 49.483 or 49.485~~ 49.68, 49.683 or 49.685 paid  
21 to or on behalf of the client.

22 **SECTION 3044g.** 49.482 (2) (b) to (f) of the statutes, as created by 1995  
23 Wisconsin Act .... (this act), are renumbered 49.682 (2) (b) to (f).

24 **SECTION 3044h.** 49.482 (3) of the statutes, as created by 1995 Wisconsin Act  
25 .... (this act), is renumbered 49.682 (3) and amended to read:

**SECTION 3044h**

1           49.682 (3) The department shall administer the program under this section  
2           and may contract with an entity to administer all or a portion of the program,  
3           including gathering and providing the department with information needed to  
4           recover payment of aid provided under s. ~~49.48, 49.483 or 49.485~~ 49.68, 49.683 or  
5           49.685. All funds received under this subsection, net of any amount claimed under  
6           s. 867.035 (3), shall be remitted for deposit in the general fund.

7           **SECTION 3044i.** 49.482 (4) (a) of the statutes, as created by 1995 Wisconsin Act  
8           .... (this act), is renumbered 49.682 (4) (a) and amended to read:

9           49.682 (4) (a) The department may recover amounts under this section for the  
10           provision of aid provided under s. ~~49.48, 49.483 or 49.485~~ 49.68, 49.683 or 49.685 paid  
11           on or after September 1, 1995.

12           **SECTION 3044j.** 49.482 (4) (b) and (5) of the statutes, as created by 1995  
13           Wisconsin Act .... (this act), are renumbered 49.682 (4) (b) and (5).

14           **SECTION 3045.** 49.483 (title) of the statutes is renumbered 49.683 (title).

15           **SECTION 3046.** 49.483 (1) of the statutes is renumbered 49.683 (1) and amended  
16           to read:

17           49.683 (1) The department may provide financial assistance for costs of  
18           medical care of persons over the age of 18 years with the diagnosis of cystic fibrosis  
19           who meet financial requirements established by the department by rule under s.  
20           ~~49.487 (1)~~ 49.687 (1).

21           **SECTION 3047.** 49.483 (2) of the statutes is renumbered 49.683 (2).

22           **SECTION 3048.** 49.485 (title) of the statutes is renumbered 49.685 (title).

23           **SECTION 3049.** 49.485 (1) of the statutes is renumbered 49.685 (1).

24           **SECTION 3050.** 49.485 (2) of the statutes is renumbered 49.685 (2).

**SECTION 3051**

1           **SECTION 3051.** 49.485 (4) of the statutes is renumbered 49.685 (4) and amended  
2 to read:

3           49.685 (4) **ELIGIBILITY.** Any permanent resident of this state who suffers from  
4 hemophilia or other related congenital bleeding disorder may participate in the  
5 program if that person meets the requirements of this section and s. ~~49.487~~ 49.687  
6 and the standards set by rule under this section and s. ~~49.487~~ 49.687. The person  
7 shall enter into an agreement with the comprehensive hemophilia treatment center  
8 for a maintenance program to be followed by that person as a condition for continued  
9 eligibility. The physician director or a designee shall, at least once in each 6-month  
10 period, review the maintenance program and verify that the person is complying  
11 with the program.

12           **SECTION 3052.** 49.485 (5) of the statutes is renumbered 49.685 (5).

13           **SECTION 3053.** 49.485 (6) of the statutes is renumbered 49.685 (6).

14           **SECTION 3054.** 49.485 (7) (title) of the statutes is renumbered 49.685 (7) (title).

15           **SECTION 3055.** 49.485 (7) (a) 1. of the statutes is renumbered 49.685 (7) (a) 1.  
16 and amended to read:

17           49.685 (7) (a) 1. The percentage of the patient's liability for the reasonable costs  
18 for blood products and supplies which are determined to be eligible for  
19 reimbursement under sub. (6) shall be based upon the income and the size of the  
20 person's family unit, according to standards to be established by the department  
21 under s. ~~49.487~~ 49.687.

22           **SECTION 3056.** 49.485 (7) (a) 2. of the statutes is renumbered 49.685 (7) (a) 2.

23           **SECTION 3057.** 49.485 (7) (a) 4. of the statutes is renumbered 49.685 (7) (a) 4.

24           **SECTION 3058.** 49.485 (7) (a) 5. of the statutes is renumbered 49.685 (7) (a) 5.

25           **SECTION 3059.** 49.485 (7) (b) of the statutes is renumbered 49.685 (7) (b).

**SECTION 3060**

1           **SECTION 3060.** 49.485 (8) of the statutes is renumbered 49.685 (8).

2           **SECTION 3061.** 49.486 of the statutes, as affected by 1995 Wisconsin Act .... (this  
3 act), is renumbered 49.686.

4           **SECTION 3062.** 49.486 (2) of the statutes is amended to read:

5           49.486 (2) REIMBURSEMENT. From the appropriation under s. 20.435 (1) (am),  
6 the department shall distribute not more than \$375,600 in fiscal year 1993-94 and  
7 not more than \$491,500 in fiscal year 1994-95 to may reimburse or supplement the  
8 reimbursement of the cost of AZT, the drug pentamidine and any drug approved for  
9 reimbursement under sub. (4) (c) for an applying individual who has HIV infection  
10 is eligible under sub. (3).

11           **SECTION 3062d.** 49.486 (3) (f) of the statutes is amended to read:

12           49.486 (3) (f) Is an individual ~~with an~~ whose annual gross household income  
13 of \$40,000 or less is at or below 200% of the poverty line.

14           **SECTION 3063.** 49.487 (title) of the statutes is renumbered 49.687 (title).

15           **SECTION 3064.** 49.487 (1) of the statutes is renumbered 49.687 (1) and amended  
16 to read:

17           49.687 (1) The department shall promulgate rules that require a person who  
18 is eligible for benefits under s. ~~49.48, 49.483 or 49.485~~ 49.68, 49.683 or 49.685 and  
19 whose current income exceeds specified limits to obligate or expend specified  
20 portions of the income for medical care for treatment of kidney disease, cystic fibrosis  
21 or hemophilia before receiving benefits under s. ~~49.48, 49.483 or 49.485~~ 49.68, 49.683  
22 or 49.685.

23           **SECTION 3065.** 49.487 (2) of the statutes is renumbered 49.687 (2) and  
24 amended to read:

1           49.687 (2) The department shall develop and implement a sliding scale of  
2 patient liability for kidney disease aid under s. ~~49.48~~ 49.68, cystic fibrosis aid under  
3 s. ~~49.483~~ 49.683 and hemophilia treatment under s. ~~49.485~~ 49.685, based on the  
4 patient's ability to pay for treatment. To ensure that the needs for treatment of  
5 patients with lower incomes receive priority within the availability of funds under  
6 s. 20.435 (1) (e), the department shall revise the sliding scale for patient liability by  
7 January 1, 1994, and shall, every 3 years thereafter by January 1, review and, if  
8 necessary, revise the sliding scale.

9           **SECTION 3066.** 49.49 (6) of the statutes is created to read:

10           49.49 (6) RECOVERY. In addition to other remedies available under this section,  
11 the court may award the department of justice the costs of investigation, an amount  
12 reasonably necessary to remedy the harmful effects of the violation and the expenses  
13 of prosecution, including attorney fees, from any person who violates this section.  
14 The department of justice shall deposit in the state treasury for deposit in the general  
15 fund all moneys that the court awards to the department or the state under this  
16 subsection. Ten percent of the money deposited in the general fund that was awarded  
17 under this subsection for the costs of investigation and the expenses of prosecution,  
18 including attorney fees, shall be credited to the appropriation account under s.  
19 20.455 (1) (gh). All of the money deposited in the general fund that was awarded  
20 under this subsection to remedy the harmful effects of the violation shall be credited  
21 to the appropriation account under s. 20.455 (1) (gm).

22           **SECTION 3067.** 49.493 (1) of the statutes is renumbered 49.493 (1) (intro.) and  
23 amended to read:

24           49.493 (1) (intro.) In this section, ~~“uninsured;~~

**SECTION 3067**

1           (c) “Uninsured health plan” means a partially or wholly uninsured plan,  
2 including a plan that is subject to 29 USC 1001 to 1461, providing health care  
3 benefits.

4           **SECTION 3068.** 49.493 (1) (a) of the statutes is created to read:

5           49.493 (1) (a) “Department or contract provider” means the department, the  
6 county providing the medical benefits or assistance or a health maintenance  
7 organization that has contracted with the department to provide the medical  
8 benefits or assistance.

9           **SECTION 3069.** 49.493 (1) (b) of the statutes is created to read:

10          49.493 (1) (b) “Medical benefits or assistance” means medical benefits under  
11 s. 49.02 or 49.046 or medical assistance.

12          **SECTION 3070.** 49.493 (2) of the statutes is amended to read:

13          49.493 (2) The providing of medical benefits or assistance constitutes an  
14 assignment to the department or contract provider, to the extent of the medical  
15 benefits or assistance benefits provided, for benefits to which the recipient would be  
16 entitled under any uninsured health plan.

17          **SECTION 3071.** 49.493 (3) (d) of the statutes is amended to read:

18          49.493 (3) (d) Impose on the department or contract provider, as assignee of a  
19 person or a person’s dependent who is covered under the uninsured health plan and  
20 who is eligible for medical benefits or assistance, requirements that are different  
21 from those imposed on any other agent or assignee of a person who is covered under  
22 the uninsured health plan.

23          **SECTION 3072.** 49.493 (4) of the statutes is amended to read:

24          49.493 (4) Benefits provided by an uninsured health plan shall be primary to  
25 ~~those benefits provided under~~ medical benefits or assistance.

1           **SECTION 3073.** 49.495 of the statutes is amended to read:

2           **49.495 Jurisdiction of the department of justice.** The department of  
3 justice or the district attorney may institute, manage, control and direct, in the  
4 proper county, any prosecution for violation of criminal laws affecting the medical  
5 assistance program including but not limited to laws relating to medical assistance  
6 contained in this ~~chapter~~ subchapter and laws affecting the health, safety and  
7 welfare of recipients of medical assistance. For this purpose the department of  
8 justice shall have and exercise all powers conferred upon district attorneys in such  
9 cases. The department of justice or district attorney shall notify the medical  
10 examining board or the interested affiliated credentialing board of any such  
11 prosecution of a person holding a license granted by the board or affiliated  
12 credentialing board.

13           **SECTION 3074.** 49.496 (3) (a) 2. a. of the statutes, as created by 1993 Wisconsin  
14 Act 437, is amended to read:

15           49.496 (3) (a) 2. a. Home-based or community-based services under 42 USC  
16 1396d (7) and (8) and under any waiver granted under 42 USC 1396n (c) (4) (B) or  
17 42 USC 1396u.

18           **SECTION 3075.** 49.496 (4) of the statutes is amended to read:

19           49.496 (4) ADMINISTRATION. The department may require a county department  
20 under s. 46.215 ~~or~~, 46.22 or 46.23 or the governing body of a federally recognized  
21 American Indian tribe administering medical assistance to gather and provide the  
22 department with information needed to recover medical assistance under this  
23 section. The department shall pay to a county department or tribal governing body  
24 an amount equal to 5% of the recovery collected by the department relating to a  
25 beneficiary for whom the county department or tribal governing body made the last

1 determination of medical assistance eligibility. A county department or tribal  
2 governing body may use funds received under this subsection only to pay costs  
3 incurred under this subsection and, if any amount remains, to pay for improvements  
4 to functions required under s. ~~46.032~~ 49.33 (2). The department may withhold  
5 payments under this subsection for failure to comply with the department's  
6 requirements under this subsection. The department shall treat payments made  
7 under this subsection as costs of administration of the medical assistance program.

8 **SECTION 3076.** 49.496 (5) of the statutes is amended to read:

9 49.496 (5) USE OF FUNDS. From the appropriation under s. 20.435 (1) (im), the  
10 department shall pay the amount of the payments under sub. (4) that is not paid from  
11 federal funds, shall pay to the federal government the amount of the funds recovered  
12 under this section equal to the amount of federal funds used to pay the benefits  
13 recovered under this section and shall spend the remainder of the funds recovered  
14 under this section for medical assistance benefits ~~administered under s. 49.45~~ under  
15 this subchapter.

16 **SECTION 3079r.** 49.498 (16m) of the statutes is created to read:

17 49.498 (16m) APPEALS PROCEDURES. Appeals procedures under this section with  
18 respect to imposition of a remedy, as specified in 42 CFR 488.406 (a) (6), shall be  
19 consistent with appeals procedures in federal regulations promulgated to interpret  
20 42 USC 1396r.

21 **SECTION 3080.** The unnumbered subchapter title preceding 49.50 of the  
22 statutes is repealed.

23 **SECTION 3081.** 49.50 (title) of the statutes is repealed.

24 **SECTION 3082.** 49.50 (1) (title) of the statutes is repealed.

**SECTION 3083**

1           **SECTION 3083.** 49.50 (1) of the statutes is renumbered 49.001 (1) and amended  
2 to read:

3           49.001 (1) ~~In this section, “child~~ “Child care provider” means a child care  
4 provider that is licensed under s. 48.65 (1), certified under s. 48.651 or established  
5 or contracted for under s. 120.13 (14).

6           **SECTION 3084.** 49.50 (2) of the statutes is renumbered 49.33 (4).

7           **SECTION 3085.** 49.50 (3) of the statutes is renumbered 49.33 (5).

8           **SECTION 3086.** 49.50 (4) of the statutes is renumbered 49.33 (6).

9           **SECTION 3087.** 49.50 (5) of the statutes is renumbered 49.33 (7) and amended  
10 to read:

11           49.33 (7) COUNTY PERSONNEL SYSTEMS. Pursuant to rules promulgated under  
12 sub. (2) (4), the department where requested by the county shall delegate to that  
13 county, without restriction because of enumeration, any or all of the department’s  
14 authority under sub. (2) (4) to establish and maintain personnel standards including  
15 salary levels.

16           **SECTION 3088.** 49.50 (6) of the statutes is renumbered 49.82 (1) and amended  
17 to read:

18           49.82 (1) (title) ~~DEPARTMENT~~ DEPARTMENTS TO ADVISE COUNTIES. The department  
19 of health and social services and the department of industry, labor and human  
20 relations shall advise all county officers charged with the administration of such  
21 laws of these requirements relating to public assistance programs under this chapter  
22 and shall render all possible assistance in securing compliance therewith, including  
23 the preparation of necessary blanks and reports. The department of health and  
24 social services and the department of industry, labor and human relations shall also  
25 publish such information as it deems advisable to acquaint persons entitled to public

1 assistance and the public generally with the laws governing the same public  
2 assistance under this chapter.

3 **SECTION 3089c.** 49.50 (6e) (title) of the statutes is renumbered 49.191 (1) (title)  
4 and amended to read:

5 49.191 (1) (title) DAY CHILD CARE FUNDS FOR CERTAIN RECIPIENTS OF AID TO  
6 FAMILIES OF WITH DEPENDENT CHILDREN.

7 **SECTION 3090.** 49.50 (6e) (a) of the statutes is renumbered 49.191 (1) (a).

8 **SECTION 3091.** 49.50 (6e) (b) of the statutes is amended to read:

9 49.50 (6e) (b) Within the limits of funds available under s. 20.435 (4) (cn) and  
10 (na) and (6) (jg), the department shall provide funds for individuals who are working  
11 and who receive aid to families with dependent children to pay child care costs in  
12 excess of the amount of the child care disregard under s. 49.19 (5) (a) and child care  
13 costs incurred before the child care disregard under s. 49.19 (5) (a) becomes available  
14 if the child care is provided by a child care provider.

15 **SECTION 3092.** 49.50 (6e) (b) of the statutes, as affected by 1995 Wisconsin Act  
16 .... (this act), is renumbered 49.191 (1) (b) and amended to read:

17 49.191 (1) (b) Within the limits of funds available under s. ss. 20.435 (4) (en)  
18 and (na) and (6) (3) (jg) and 20.445 (3) (cn) and (na), the department shall provide  
19 funds for individuals who are working and who receive aid to families with  
20 dependent children to pay child care costs in excess of the amount of the child care  
21 disregard under s. 49.19 (5) (a) and child care costs incurred before the child care  
22 disregard under s. 49.19 (5) (a) becomes available if the child care is provided by a  
23 child care provider.

24 **SECTION 3093c.** 49.50 (6g) of the statutes is renumbered 49.191 (2), and 49.191  
25 (2) (title), as renumbered, is amended to read:

**SECTION 3093c**

1           49.191 (2) (title) ~~DAY CHILD~~ CARE FUNDS FOR FORMER RECIPIENTS OF AID TO FAMILIES  
2 WITH DEPENDENT CHILDREN.

3           **SECTION 3094.** 49.50 (6k) (title) of the statutes is amended to read:

4           49.50 (6k) (title) ADMINISTRATION OF ~~DAY CHILD~~ CARE FUNDS UNDER THE AID TO  
5 FAMILIES WITH DEPENDENT CHILDREN PROGRAM.

6           **SECTION 3095.** 49.50 (6k) (title) of the statutes, as affected by 1995 Wisconsin  
7 Act .... (this act), is renumbered 49.191 (3) (title).

8           **SECTION 3096.** 49.50 (6k) (a) of the statutes is renumbered 49.191 (3) (a) and  
9 amended to read:

10           49.191 (3) (a) County departments under ss. 46.215, 46.22 and 46.23 shall  
11 administer the funds appropriated for the purpose of providing child care under  
12 subs. ~~(6e) (b) and (6g) (1) (b) and (2)~~ for recipients and former recipients of aid under  
13 s. 49.19 and under sub. ~~(7) (e)~~ s. 49.26 (1) (e) for participants in the learnfare  
14 program. The department shall allocate funds to county departments under ss.  
15 46.215, 46.22 and 46.23 for the purposes of this paragraph.

16           **SECTION 3097.** 49.50 (6k) (b) of the statutes is renumbered 49.191 (3) (b) and  
17 amended to read:

18           49.191 (3) (b) Beginning on January 1, 1994, a county department under s.  
19 46.215, 46.22 or 46.23 may, with the approval of the department, provide payment  
20 for, or reimbursement of, child care under sub. (1) (a) or s. 49.193 (8) ~~or 49.50 (6e) (a)~~  
21 using funds allocated under par. (a). The department shall approve or disapprove  
22 this use of funds under criteria established to maximize state and federal funding  
23 available for child care.

24           **SECTION 3098.** 49.50 (6k) (c) of the statutes is created to read:

1           49.50 (6k) (c) Notwithstanding s. 49.41, the department shall promptly recover  
2 all overpayments made under subs. (6e), (6g) and (7) (e) and ss. 49.193 (8) and 49.27  
3 (6) (c). The department shall promulgate rules establishing policies and procedures  
4 to administer this paragraph.

5           **SECTION 3099.** 49.50 (6k) (c) of the statutes, as created by 1995 Wisconsin Act  
6 .... (this act), is renumbered 49.191 (3) (c) and amended to read:

7           49.191 (3) (c) Notwithstanding s. ~~49.41~~ 49.96, the department shall promptly  
8 recover all overpayments made under subs. ~~(6e), (6g), and (7) (e)~~ (1) and (2) and ss.  
9 49.193 (8), 49.26 (1) (e) and 49.27 (6) (c). The department shall promulgate rules  
10 establishing policies and procedures to administer this paragraph.

11           **SECTION 3100c.** 49.50 (6n) of the statutes is renumbered 49.191 (4), and 49.191  
12 (4) (title), as renumbered, is amended to read:

13           49.191 (4) (title) DAY CHILD CARE EXPENDITURE INFORMATION.

14           **SECTION 3101.** 49.50 (7) (title) of the statutes is renumbered 49.26 (title) and  
15 amended to read:

16           **49.26** (title) LEARNFARE PILOT PROGRAM.

17           **SECTION 3102b.** 49.50 (7) (a) (intro.) of the statutes is renumbered 49.26 (1) (a)  
18 (intro.) and amended to read:

19           49.26 (1) (a) (intro.) In this subsection, “school”:

20           2. “School” means any one of the following:

21           **SECTION 3102c.** 49.50 (7) (a) 1. to 4. of the statutes are renumbered 49.26 (1)  
22 (a) 2. a. to d.

23           **SECTION 3103b.** 49.50 (7) (e) of the statutes is renumbered 49.26 (1) (e) and  
24 amended to read:

**SECTION 3103b**

1           49.26 (1) (e) For an individual who is a recipient of aid under s. 49.19, who is  
2 the parent with whom a dependent child lives and who is either required to attend  
3 subject to the school attendance requirement under par. (g) (ge) or is under 20 years  
4 of age and wants to attend school, the department shall make a monthly payment  
5 to the individual or the child care provider for the month's child care costs in an  
6 amount based on need with the maximum amount per child equal to the lesser of the  
7 actual cost of the care or the rate established under s. 46.98 (4) (d) or, if a higher rate  
8 is established under s. 46.98 (4) (e) and if the child care meets the quality standards  
9 established under s. 46.98 (4) (e), in an amount based on need with the maximum  
10 amount per child equal to the lesser of the actual cost of the care or the rate  
11 established under s. 46.98 (4) (e), if the individual demonstrates the need to purchase  
12 child care services in order to attend school and those services are available from a  
13 child care provider.

14           **SECTION 3105b.** 49.50 (7) (g) of the statutes is renumbered 49.26 (1) (g), and  
15 49.26 (1) (g) (intro.), as renumbered, is amended to read:

16           49.26 (1) (g) (intro.) An individual who is a recipient of aid under s. 49.19 shall  
17 attend school to meet the participation requirements of the program under this  
18 subsection is subject to the school attendance requirement under par. (g) (ge) if all of the  
19 following apply:

20           **SECTION 3109b.** 49.50 (7) (gm) of the statutes is renumbered 49.26 (1) (gm)  
21 (intro.) and amended to read:

22           49.26 (1) (gm) (intro.) The first time that an individual fails to meet the  
23 requirements school attendance requirement under par. (g) (ge), the county  
24 department under s. 46.215, 46.22 or 46.23 shall offer do all of the following:

**SECTION 3109b**

1           2. Offer case management services described in s. ~~46.62~~ sub. (2) to the  
2 individual and his or her family.

3           **SECTION 3111b.** 49.50 (7) (h) of the statutes is renumbered 49.26 (1) (h), and  
4 49.26 (1) (h) 1. (intro.) and c. and 1m., as renumbered, are amended to read:

5           49.26 (1) (h) 1. (intro.) An individual who is 6 to 12 years of age and who fails  
6 to meet the requirements school attendance requirement under par. (g) (ge) is subject  
7 to sanctions as provided by the department by rule only if all of the following apply:

8           c. The individual continues to fail to meet the requirements school attendance  
9 requirement under par. (g) (ge).

10          1m. An individual who is 13 to 19 years of age and who fails to meet the  
11 requirements school attendance requirement under par. (g) (ge) is subject to  
12 sanctions as provided by the department by rule: only if all of the following apply:

13           **SECTION 3115.** 49.50 (7) (hm) of the statutes is renumbered 49.26 (1) (hm).

14           **SECTION 3116b.** 49.50 (7) (hr) of the statutes is renumbered 49.26 (1) (hr) and  
15 amended to read:

16           49.26 (1) (hr) If an individual ~~required to attend~~ subject to the school  
17 attendance requirement under par. (g) (ge) is enrolled in a public school,  
18 communications between the school district and the department or a county  
19 department under s. 46.215, 46.22 or 46.23 concerning the individual's school  
20 attendance may only be made by a school attendance officer, as defined under s.  
21 118.16 (1) (a).

22           **SECTION 3118b.** 49.50 (7) (i) of the statutes is renumbered 49.26 (1) (i) and  
23 amended to read:

24           49.26 (1) (i) The department shall request a waiver from the secretary of the  
25 federal department of health and human services to permit the application of the

**SECTION 3118b**

1 school attendance requirement under par. ~~(g)~~ (ge). Paragraphs (e) and (g) to (hr) do  
2 not apply unless the federal waiver is in effect. If a waiver is received, the  
3 department shall implement par. (e) beginning with the fall 1987 school term, as  
4 defined under s. 115.001 (12), or on the date the waiver is effective, whichever is later.

5 **SECTION 3120b.** 49.50 (7) (j) of the statutes is renumbered 49.26 (1) (j) amended  
6 to read:

7 49.26 (1) (j) The department shall designate 4 counties in which the school  
8 attendance requirement under par. ~~(g)~~ (ge) will apply to individuals who are 6 to 12  
9 years of age. The department may phase in the requirement by age, beginning on  
10 the first day of the fall 1994 school term, as defined in s. 115.001 (12). The  
11 department shall conduct or contract for an evaluation of the expansion of the school  
12 attendance requirement under this paragraph.

13 **SECTION 3122.** 49.50 (8) of the statutes is renumbered 49.21 (1).

14 **SECTION 3124.** 49.50 (9) of the statutes is renumbered 49.21 (2).

15 **SECTION 3125.** 49.50 (10) of the statutes is renumbered 49.82 (2) and amended  
16 to read:

17 49.82 (2) ELIGIBILITY VERIFICATION. Proof shall be provided for each person  
18 included in an application for public assistance under this chapter, except for a child  
19 who is eligible for medical assistance under s. 49.46 or 49.47 because of 42 USC 1396a  
20 (e) (4), of his or her social security number or that an application for a social security  
21 number has been made.

22 **SECTION 3126.** 49.50 (11) of the statutes is amended to read:

23 49.50 (11) PERIODIC EARNINGS CHECK BY DEPARTMENT. The department shall  
24 make a periodic check of the amounts earned by recipients of medical assistance  
25 under s. 49.46, 49.468 or 49.47, aid to families with dependent children under s. 49.19

1 and food stamps under 7 USC 2011 to 2029 through a check of the amounts credited  
2 to the recipient's social security number. The department shall make an  
3 investigation into any discrepancy between the amounts credited to a social security  
4 number and amounts reported as income on the declaration application and take  
5 appropriate action under s. ~~49.12~~ 49.95 when warranted. The department shall use  
6 the state wage reporting system developed by the department of industry, labor and  
7 human relations under 1985 Wisconsin Act 17, section 65 (1), when the system is  
8 implemented, to make periodic earnings checks. The department of industry, labor  
9 and human relations shall cooperate with the department in supplying this  
10 information.

11 **SECTION 3127.** 49.50 (11) of the statutes, as affected by 1995 Wisconsin Act ....  
12 (this act), is repealed.

13 **SECTION 3128.** 49.51 of the statutes is repealed.

14 **SECTION 3129.** 49.52 (title) of the statutes is renumbered 46.495 (title) and  
15 amended to read:

16 **46.495 (title) ~~Reimbursement~~ Distribution of community aids funds to**  
17 **counties.**

18 **SECTION 3130.** 49.52 (1) (ad) of the statutes, as affected by 1995 Wisconsin Act  
19 .... (this act), is renumbered 49.33 (8) and amended to read:

20 49.33 (8) (title) REIMBURSEMENT FOR INCOME MAINTENANCE ADMINISTRATION. (a)  
21 The department shall reimburse each county for reasonable costs of income  
22 maintenance relating to the administration of the programs under this subchapter  
23 and subch. IV according to a formula based on workload within the limits of available  
24 state and federal funds under s. ~~20.435 (4) (de) and (nL)~~ 20.445 (3) (de) and (nL) by  
25 contract under s. ~~46.032~~ 49.33 (2). The amount of reimbursement calculated under

**SECTION 3130**

1 this paragraph and par. (b) is in addition to any reimbursement provided to a county  
2 for fraud and error reduction under s. 49.197 (1m) and (4).

3 (b) The department may adjust the amounts determined under ~~subd. 1.~~ par. (a)  
4 for workload changes and computer network activities performed by counties.

5 **SECTION 3131.** 49.52 (1) (ad) 2. of the statutes is amended to read:

6 49.52 (1) (ad) 2. The department may adjust the amounts determined under  
7 subd. 1. for workload changes, ~~administration of relief of needy Indian persons under~~  
8 ~~s. 49.046~~ and computer network activities performed by counties.

9 **SECTION 3132.** 49.52 (1) (am) of the statutes is renumbered 46.495 (1) (am) and  
10 amended to read:

11 46.495 (1) (am) The department shall reimburse each county from the  
12 appropriations under s. 20.435 (4) ~~(d) and (p)~~ and (7) (b) and (o) ~~for 100% of the cost~~  
13 ~~of aid to families with dependent children granted under s. 49.19~~, for social services  
14 as approved by the department under ss. 46.215 (1), (2) (c) 1. and (3) and 46.22 (1)  
15 (b) ~~8.~~ 1. d. and (e) 3., and for funeral expenses paid for recipients of aid under s. 49.30,  
16 a. except that no reimbursement may be made for the administration of or aid  
17 granted under s. 49.02.

18 **SECTION 3133.** 49.52 (1) (b) of the statutes is repealed.

19 **SECTION 3134m.** 49.52 (1) (d) of the statutes is amended to read:

20 49.52 (1) (d) From the appropriations under s. 20.435 (7) (b) and (o), the  
21 department shall distribute the funding for social services, including funding for  
22 foster care or treatment foster care of a child receiving aid under s. 49.19, to county  
23 departments under ss. 46.215, 46.22 and 46.23 as provided under s. 46.40. County  
24 matching funds are required for the distributions under s. 46.40 (2), ~~(3), (3m), (4),~~  
25 ~~(4m) and (8), (9) and (12)~~. Each county's required match for a year equals 9.89% of

**SECTION 3134m**

1 the total of the county's distributions for that year for which matching funds are  
2 required plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to  
3 spend for juvenile delinquency-related services from its distribution for 1987.  
4 Matching funds may be from county tax levies, federal and state revenue sharing  
5 funds or private donations to the county that meet the requirements specified in s.  
6 51.423 (5). Private donations may not exceed 25% of the total county match. If the  
7 county match is less than the amount required to generate the full amount of state  
8 and federal funds distributed for this period, the decrease in the amount of state and  
9 federal funds equals the difference between the required and the actual amount of  
10 county matching funds.

11 **SECTION 3135.** 49.52 (1) (d) of the statutes, as affected by 1995 Wisconsin Act  
12 .... (this act), is renumbered 46.495 (1) (d).

13 **SECTION 3136.** 49.52 (1) (dc) of the statutes is renumbered 46.495 (1) (dc).

14 **SECTION 3137.** 49.52 (1) (f) of the statutes is renumbered 46.495 (1) (f).

15 **SECTION 3138.** 49.52 (1) (g) of the statutes is repealed.

16 **SECTION 3139.** 49.52 (2) of the statutes is renumbered 46.495 (2).

17 **SECTION 3140.** 49.52 (4) of the statutes is renumbered 49.124 (2).

18 **SECTION 3141.** 49.52 (5) of the statutes is renumbered 49.124 (3) and amended  
19 to read:

20 49.124 (3) The department shall withhold the value of food stamp losses for  
21 which a county or federally recognized American Indian tribe is liable under sub. (4)  
22 (2) from the payment to the county or tribe under s. 20.435 (4) (de) and (nL) 20.445  
23 (3) (de) and (nL) and reimburse the federal government from the funds withheld.

24 **SECTION 3142.** 49.53 (title) of the statutes is renumbered 49.83 (title).

25 **SECTION 3143.** 49.53 (1m) of the statutes is amended to read:

**SECTION 3143**

1           49.53 (1m) Except as provided under sub. (2), or (3) or (4), no person may use  
2 or disclose information concerning applicants and recipients of ~~general relief under~~  
3 ~~s. 49.02~~ funded by a relief block grant, aid to families with dependent children, social  
4 services, child and spousal support and establishment of paternity services under s.  
5 46.25, or supplemental payments under s. 49.177, for any purpose not connected  
6 with the administration of the programs. Any person violating this subsection may  
7 be fined not less than \$25 nor more than \$500 or imprisoned in the county jail not  
8 less than 10 days nor more than one year or both.

9           **SECTION 3144.** 49.53 (1m) of the statutes, as affected by 1995 Wisconsin Act ....  
10 (this act), is renumbered 49.83 and amended to read:

11           49.83 Except as provided under ~~sub. (2) or (3)~~ s. 49.32 (9) and (10), no person  
12 may use or disclose information concerning applicants and recipients of relief funded  
13 by a relief block grant, aid to families with dependent children, social services, ~~child~~  
14 ~~and spousal support and establishment of paternity services under s. 46.25~~, or  
15 supplemental payments under s. ~~49.177~~ 49.77, for any purpose not connected with  
16 the administration of the programs. Any person violating this subsection may be  
17 fined not less than \$25 nor more than \$500 or imprisoned in the county jail not less  
18 than 10 days nor more than one year or both.

19           **SECTION 3145.** 49.53 (2) (a) of the statutes is amended to read:

20           49.53 (2) (a) Each county department under s. 46.215 ~~or~~, 46.22 or 46.23  
21 administering aid to families with dependent children ~~and each official or agency~~  
22 ~~administering general relief~~ shall maintain a monthly report at its office showing the  
23 names and addresses of all persons receiving such ~~aids~~ aid together with the amount  
24 paid during the preceding month. Nothing in this paragraph shall be construed to  
25 authorize or require the disclosure in the report of any information (names,

**SECTION 3145**

1 addresses, amounts of aid or otherwise) pertaining to adoptions, or aid furnished for  
2 the care of children in foster homes or treatment foster homes under s. 49.19 (10).

3 **SECTION 3146.** 49.53 (2) (a) of the statutes, as affected by 1995 Wisconsin Act  
4 .... (this act), is renumbered 49.32 (9) (a).

5 **SECTION 3147.** 49.53 (2) (b) of the statutes is renumbered 49.32 (9) (b) and  
6 amended to read:

7 49.32 (9) (b) ~~Such~~ The report under par. (a) shall be open to public inspection  
8 at all times during regular office hours and may be destroyed after the next  
9 succeeding report becomes available. Any person except any public officer, seeking  
10 permission to inspect such ~~book~~ report shall be required to prove his or her identity  
11 and to sign a statement setting forth his or her address and the reasons for making  
12 the request and indicating that he or she understands the provisions of par. (c) with  
13 respect to the use of the information obtained. The use of a fictitious name is a  
14 violation of this section. Within 72 hours after any such record has been inspected,  
15 the agency county department shall mail to each person whose record was inspected  
16 a notification of that fact and the name and address of the person making such  
17 inspection. The agency county department shall keep a record of such requests.

18 **SECTION 3148.** 49.53 (2) (c) of the statutes is renumbered 49.32 (9) (c) and  
19 amended to read:

20 49.32 (9) (c) It is unlawful to use any information obtained through access to  
21 such report for political or commercial purposes. The violation of this provision is  
22 punishable upon conviction as provided in ~~sub. (1m)~~ s. 49.83.

23 **SECTION 3149.** 49.53 (3) of the statutes is renumbered 49.32 (10).

24 **SECTION 3150.** 49.53 (4) of the statutes is repealed.

**SECTION 3151**

1           **SECTION 3151.** 49.54 of the statutes is renumbered 49.77 (5) and amended to  
2 read:

3           49.77 (5) INCOME DETERMINATION. In determining the amount of aid to be  
4 granted a person applying for supplemental payments under s. 49.177 this section,  
5 income shall be disregarded to the extent allowed by federal regulations.

6           **SECTION 3152.** 49.65 (title) of the statutes is renumbered 49.89 (title).

7           **SECTION 3153.** 49.65 (1) of the statutes is renumbered 49.89 (1).

8           **SECTION 3154.** 49.65 (2) of the statutes is renumbered 49.89 (2) and amended  
9 to read:

10           49.89 (2) SUBROGATION. The department of health and social services, the  
11 department of industry, labor and human relations, a county or an elected tribal  
12 governing body providing that provides any public assistance under this chapter as  
13 a result of the occurrence of an injury, sickness or death ~~which~~ that creates a claim  
14 or cause of action, whether in tort or contract, on the part of a public assistance  
15 recipient or beneficiary or the estate of a recipient or beneficiary against a 3rd party,  
16 including an insurer, is subrogated to the rights of the recipient, beneficiary or estate  
17 and may make a claim or maintain an action or intervene in a claim or action by the  
18 recipient, beneficiary or estate against the 3rd party.

19           **SECTION 3155.** 49.65 (3) of the statutes is amended to read:

20           49.65 (3) ASSIGNMENT OF ACTIONS. ~~The department, county or elected tribal~~  
21 ~~governing body providing any public assistance authorized under this chapter,~~  
22 ~~including medical assistance,~~ By applying for assistance under this chapter, an  
23 applicant assigns to the department the right to make a claim to recover an  
24 indemnity from a 3rd party, including an insurer, if the assistance is provided as a  
25 result of the occurrence of injury, sickness or death ~~which~~ that results in a possible

**SECTION 3155**

1 recovery of an indemnity from a the 3rd party, ~~including an insurer, may require an~~  
2 ~~assignment from the applicant, recipient or beneficiary of such public assistance or~~  
3 ~~legally appointed representative of the incompetent or deceased applicant, recipient~~  
4 ~~or beneficiary giving it the right to make a claim against the 3rd party.~~

5 **SECTION 3156.** 49.65 (3) of the statutes, as affected by 1995 Wisconsin Act ...  
6 (this act), is renumbered 49.89 (3) and amended to read:

7 49.89 (3) ASSIGNMENT OF ACTIONS. By applying for assistance under this  
8 chapter, an applicant assigns to the state department, the county department or the  
9 tribal governing body that provided the assistance the right to make a claim to  
10 recover an indemnity from a 3rd party, including an insurer, if the assistance is  
11 provided as a result of the occurrence of injury, sickness or death that results in a  
12 possible recovery of an indemnity from the 3rd party.

13 **SECTION 3157.** 49.65 (3m) (title) of the statutes, as created by 1995 Wisconsin  
14 Act ... (this act), is renumbered 49.89 (3m) (title).

15 **SECTION 3158.** 49.65 (3m) of the statutes is created to read:

16 49.65 (3m) NOTICE REQUIREMENTS. (a) An attorney retained to represent a  
17 current or former recipient of assistance under this chapter, or the recipient's estate,  
18 in asserting a claim that is subrogated under sub. (2) or assigned under sub. (3) shall  
19 provide notice under par. (c).

20 (b) If no attorney is retained to represent a current or former recipient of  
21 assistance under this chapter, or the recipient's estate, in asserting a claim that is  
22 subrogated under sub. (2) or assigned under sub. (3), the current or former recipient  
23 or his or her guardian or, if the recipient is deceased, the personal representative of  
24 the recipient's estate, shall provide notice under par. (c).

1 (c) If a person is required to provide notice under this paragraph, the person  
2 shall provide notice by certified mail to the department as soon as practicable after  
3 the occurrence of each of the following events for a claim under par. (a) or (b):

- 4 1. The filing of the action asserting the claim.
- 5 2. Intervention in the action asserting the claim.
- 6 3. Consolidation of the action asserting the claim.
- 7 4. An award or settlement of all or part of the claim.

8 **SECTION 3159.** 49.65 (3m) (a) of the statutes, as created by 1995 Wisconsin Act  
9 .... (this act), is renumbered 49.89 (3m) (a).

10 **SECTION 3160.** 49.65 (3m) (b) of the statutes, as created by 1995 Wisconsin Act  
11 .... (this act), is renumbered 49.89 (3m) (b).

12 **SECTION 3161.** 49.65 (3m) (c) (intro.) of the statutes, as created by 1995  
13 Wisconsin Act .... (this act), is renumbered 49.89 (3m) (c) (intro.) and amended to  
14 read:

15 49.89 (3m) (c) (intro.) If a person is required to provide notice under this  
16 paragraph, the person shall provide notice by certified mail to the department that  
17 provided the assistance as soon as practicable after the occurrence of each of the  
18 following events for a claim under par. (a) or (b):

19 **SECTION 3162.** 49.65 (3m) (c) 1. to 4. of the statutes, as created by 1995  
20 Wisconsin Act .... (this act), are renumbered 49.89 (3m) (c) 1. to 4.

21 **SECTION 3163.** 49.65 (4) of the statutes is renumbered 49.89 (4).

22 **SECTION 3164.** 49.65 (5) of the statutes is renumbered 49.89 (5).

23 **SECTION 3165.** 49.65 (6) of the statutes is renumbered 49.89 (6) and amended  
24 to read:

**SECTION 3165**

1           49.89 (6) (title) ~~DEPARTMENT'S~~ DEPARTMENTS' DUTIES AND POWERS. The  
2 department of health and social services and the department of industry, labor and  
3 human relations shall enforce ~~its~~ their rights under this section and may contract for  
4 the recovery of any claim or right of indemnity arising under this section.

5           **SECTION 3166.** 49.65 (7) (title) of the statutes is renumbered 49.89 (7) (title).

6           **SECTION 3167.** 49.65 (7) (a) of the statutes is renumbered 49.89 (7) (a).

7           **SECTION 3168.** 49.65 (7) (b) of the statutes is renumbered 49.89 (7) (b).

8           **SECTION 3169.** 49.65 (7) (c) of the statutes is amended to read:

9           49.65 (7) (c) The incentive payment shall be an amount equal to 15% of the  
10 amount recovered because of benefits paid under s. ~~49.046~~, 49.19, 49.20 or 49.30 or  
11 as state supplemental payments under s. 49.177. The incentive payment shall be  
12 taken from the state share of the sum recovered, except that the incentive payment  
13 for an amount recovered because of benefits paid under s. 49.19 shall be considered  
14 an administrative cost under s. 49.19 for the purpose of claiming federal funding.

15           **SECTION 3170.** 49.65 (7) (c) of the statutes, as affected by 1995 Wisconsin Act  
16 .... (this act), is renumbered 49.89 (7) (c) and amended to read:

17           49.89 (7) (c) The incentive payment shall be an amount equal to 15% of the  
18 amount recovered because of benefits paid under s. 49.19, 49.20 or 49.30 ~~or as state~~  
19 ~~supplemental payments under s. 49.177.~~ The incentive payment shall be taken from  
20 the state share of the sum recovered, except that the incentive payment for an  
21 amount recovered because of benefits paid under s. 49.19 shall be considered an  
22 administrative cost under s. 49.19 for the purpose of claiming federal funding.

23           **SECTION 3171.** 49.65 (7) (d) of the statutes is renumbered 49.89 (7) (d) 1. and  
24 amended to read:

**SECTION 3171**

1           49.89 (7) (d) 1. Any county or elected tribal governing body that has made a  
2 recovery under this section for which it is eligible to receive an incentive payment  
3 under par. (b) or ~~(e)~~ (bm) shall report such recovery to the department of health and  
4 social services within 30 days after the end of the month in which the recovery is  
5 made in a manner specified by the department of health and social services.

6           **SECTION 3172.** 49.65 (7) (e) of the statutes is renumbered 49.89 (7) (e) and  
7 amended to read:

8           49.89 (7) (e) The amount of the recovery remaining after payments are made  
9 under pars. (b) ~~and to~~ (c) shall be deposited in the state treasury and credited to the  
10 appropriation from which the assistance was originally paid.

11           **SECTION 3173.** 49.65 (8) of the statutes is renumbered 49.89 (8).

12           **SECTION 3174.** 49.65 (9) (intro.) of the statutes is renumbered 49.89 (9) (intro.)  
13 and amended to read:

14           49.89 (9) POWERS OF HEALTH MAINTENANCE ORGANIZATIONS. (intro.) A health  
15 maintenance organization or other prepaid health care plan has the powers of the  
16 department of health and social services under subs. (2) to (5) to recover the costs  
17 which the organization or plan incurs in treating an individual if all of the following  
18 circumstances are present:

19           **SECTION 3175.** 49.65 (9) (a) of the statutes is renumbered 49.89 (9) (a).

20           **SECTION 3176.** 49.65 (9) (b) of the statutes is renumbered 49.89 (9) (b).

21           **SECTION 3177.** 49.65 (9) (c) of the statutes is renumbered 49.89 (9) (c) and  
22 amended to read:

23           49.89 (9) (c) The medical costs are incurred during a period for which the  
24 department of health and social services pays a capitation or enrollment fee for the  
25 recipient.



**SECTION 3181**

1 whole or in part, or to accept an assignment of such securities in whole or in part.  
2 The department is granted such authority as may be necessary and convenient to  
3 enable it to exercise the functions and perform the duties required of it by this  
4 section, including without limitation because of enumeration the authority to  
5 promulgate rules governing eligibility and the furnishing and paying of general  
6 relief under this section, the authority to enter into suitable agreements with the  
7 owner of the security or other appropriate persons for the purpose of carrying out this  
8 section, and the authority to sell or transfer the securities or defend and prosecute  
9 all actions concerning it and pay all just claims against it and do all other things  
10 necessary for the protection, preservation and management of the securities.

11 **SECTION 3182.** 49.80 (title) of the statutes is renumbered 16.385 (title).

12 **SECTION 3183.** 49.80 (1) of the statutes is renumbered 16.385 (1).

13 **SECTION 3184.** 49.80 (2) (title) of the statutes is renumbered 16.385 (2) (title).

14 **SECTION 3185.** 49.80 (2) (a) of the statutes is renumbered 16.385 (2) (a).

15 **SECTION 3186.** 49.80 (2) (b) of the statutes is renumbered 16.385 (2) (b) and  
16 amended to read:

17 16.385 (2) (b) ~~The department of health and social services~~ shall administer a  
18 low-income warm room program to install low-income warm room program  
19 materials in the dwellings of low-income warm room program volunteers and to  
20 train the low-income warm room program volunteers and the members of each  
21 low-income warm room program volunteer's household in the operation of the  
22 low-income warm room program materials to achieve maximum health and heating  
23 efficiency.

24 **SECTION 3187.** 49.80 (3) (intro.) of the statutes is renumbered 16.385 (3)  
25 (intro.).

**SECTION 3188**

1           **SECTION 3188.** 49.80 (3) (b) of the statutes is renumbered 16.385 (3) (b) and  
2 amended to read:

3           16.385 (3) (b) By October 1 of every year from the appropriation under s. ~~20.435~~  
4 ~~(4) (md)~~ 20.505 (7) (o), determine the total amount available for payment of heating  
5 assistance under sub. (6) and determine the benefit schedule.

6           **SECTION 3189.** 49.80 (3) (c) of the statutes is renumbered 16.385 (3) (c) and  
7 amended to read:

8           16.385 (3) (c) From the appropriation under s. ~~20.435 (4) (me)~~ 20.505 (7) (m),  
9 allocate \$1,100,000 in each federal fiscal year for the department's expenses in  
10 administering the funds to provide low-income energy assistance.

11           **SECTION 3190.** 49.80 (3) (d) of the statutes is renumbered 16.385 (3) (d) and  
12 amended to read:

13           16.385 (3) (d) From the appropriation under s. ~~20.435 (4) (md)~~ 20.505 (7) (o),  
14 allocate \$2,900,000 in each federal fiscal year for the expenses of a county  
15 department, another local governmental agency or a private nonprofit organization  
16 in administering under sub. (4) the funds to provide low-income energy assistance.

17           **SECTION 3191.** 49.80 (3) (e) (intro.) of the statutes is renumbered 16.385 (3) (e)  
18 (intro.) and amended to read:

19           16.385 (3) (e) (intro.) From the appropriation under s. ~~20.435 (4) (md)~~ 20.505  
20 (7) (o):

21           **SECTION 3192.** 49.80 (3) (e) 1. of the statutes is renumbered 16.385 (3) (e) 1. and  
22 amended to read:

23           16.385 (3) (e) 1. Allocate and transfer to the appropriation under s. 20.505 (7)  
24 (km), 15% of the moneys received under 42 USC 8621 to 8629 in each federal fiscal  
25 year under the priority of maintaining funding for the geographical areas on July 20,

1 1985, and, if funding is reduced, prorating contracted levels of payment, for the  
2 weatherization assistance program administered by the department of  
3 ~~administration~~ under s. 16.39.

4 **SECTION 3193.** 49.80 (3) (e) 2. of the statutes is amended to read:

5 49.80 (3) (e) 2. Allocate \$2,400,000 not more than \$3,200,000 in each federal  
6 fiscal year for the payment of crisis assistance benefits to meet weather-related or  
7 fuel supply shortage emergencies under sub. (8).

8 **SECTION 3194.** 49.80 (3) (e) 2. of the statutes, as affected by 1995 Wisconsin Act  
9 .... (this act), is renumbered 16.385 (3) (e) 2.

10 **SECTION 3195.** 49.80 (3) (e) 3. of the statutes is renumbered 16.385 (3) (e) 3.

11 **SECTION 3196.** 49.80 (3) (e) 6. of the statutes is renumbered 16.385 (3) (e) 6.

12 **SECTION 3197.** 49.80 (3) (e) 7. of the statutes is renumbered 16.385 (3) (e) 7.

13 **SECTION 3198.** 49.80 (4) (title) of the statutes is renumbered 16.385 (4) (title).

14 **SECTION 3199.** 49.80 (4) (a) of the statutes is renumbered 16.385 (4) (a) and  
15 amended to read:

16 16.385 (4) (a) A household may apply after September 30 and before May 16  
17 of any year for heating assistance from the county department under s. 46.215 (1) (n)  
18 or 46.22 (1) (b) ~~10. 4. a. to e.~~ or from another local governmental agency or a private  
19 nonprofit organization with which the department contracts to administer the  
20 heating assistance program, and shall have the opportunity to do so on a form  
21 prescribed by the department for that purpose.

22 **SECTION 3200.** 49.80 (4) (b) of the statutes is renumbered 16.385 (4) (b).

23 **SECTION 3201.** 49.80 (5) (intro.) of the statutes is renumbered 16.385 (5)  
24 (intro.).

25 **SECTION 3202.** 49.80 (5) (b) of the statutes is renumbered 16.385 (5) (b).



**SECTION 3210**

1 or social security number. The department of health and social services shall provide  
2 without charge any copy for which application is made under this subsection.

3 **SECTION 3211.** 49.84 (5) of the statutes, as affected by 1995 Wisconsin Act ...  
4 (this act), is amended to read:

5 49.84 (5) A person applying for aid to families with dependent children under  
6 s. 49.19, medical assistance under ~~ss. 49.45 to 49.47~~ subch. IV or food stamp program  
7 benefits under 7 USC 2011 to 2029 shall, as a condition of eligibility, provide a  
8 declaration and other verification of citizenship or satisfactory immigration status  
9 as required in 42 USC 1320b-7 (d).

10 **SECTION 3212.** 49.85 (2) (b), (3) (b) and (4) (b) of the statutes are created to read:

11 49.85 (2) (b) At least annually, the department of industry, labor and human  
12 relations shall certify to the department of revenue the amounts that, based on the  
13 notifications received under sub. (1) and on other information received by the  
14 department of industry, labor and human relations, the department of industry,  
15 labor and human relations has determined that it may recover under ss. 49.125 and  
16 49.195 (3), except that the department of industry, labor and human relations may  
17 not certify an amount under this subsection unless it has met the notice  
18 requirements under sub. (3) and unless its determination has either not been  
19 appealed or is no longer under appeal.

20 (3) (b) At least 30 days before certification of an amount, the department of  
21 industry, labor and human relations shall send a notice to the last-known address  
22 of the person from whom that department intends to recover the amount. The notice  
23 shall do all of the following:

24 1. Inform the person that the department of industry, labor and human  
25 relations intends to certify to the department of revenue an amount that the

1 department of industry, labor and human relations has determined to be due under  
2 s. 49.125 or 49.195 (3), for setoff from any state tax refund that may be due the person.

3 2. Inform the person that he or she may appeal the determination of the  
4 department of industry, labor and human relations to certify the amount by  
5 requesting a hearing under sub. (4) within 30 days after the date of the letter and  
6 inform the person of the manner in which he or she may request a hearing.

7 3. Inform the person that, if the determination of the department of industry,  
8 labor and human relations is appealed, that department will not certify the amount  
9 to the department of revenue while the determination of the department of industry,  
10 labor and human relations is under appeal.

11 4. Inform the person that, unless a contested case hearing is requested to  
12 appeal the determination of the department of industry, labor and human relations,  
13 the person may be precluded from challenging any subsequent setoff of the certified  
14 amount by the department of revenue, except on the grounds that the certified  
15 amount has been partially or fully paid or otherwise discharged, since the date of the  
16 notice.

17 5. Request that the person inform the department of industry, labor and human  
18 relations if a bankruptcy stay is in effect with respect to the person or if the claim has  
19 been discharged in bankruptcy.

20 6. Inform the person that the person may need to contact the department of  
21 revenue in order to protect the refunds of spouses who are not liable for the claim.

22 (4) (b) If a person has requested a hearing under this subsection, the  
23 department of industry, labor and human relations shall hold a contested case  
24 hearing under s. 227.44, except that the department of industry, labor and human

1 relations may limit the scope of the hearing to exclude issues that were presented at  
2 a prior hearing or that could have been presented at a prior opportunity for hearing.

3 **SECTION 3213.** 49.86 of the statutes is created to read:

4 **49.86 Disbursement of funds and facsimile signatures.** Withdrawal or  
5 disbursement of moneys deposited in a public depository, as defined in s. 34.01 (5),  
6 to the credit of the department of industry, labor and human relations or any of its  
7 divisions or agencies shall be by check, share draft or other draft signed by the  
8 secretary of industry, labor and human relations or by one or more persons in the  
9 department of industry, labor and human relations designated by written  
10 authorization of the secretary of industry, labor and human relations. Such checks,  
11 share drafts and other drafts shall be signed personally or by use of a mechanical  
12 device adopted by the secretary of industry, labor and human relations or his or her  
13 designees for affixing a facsimile signature. Any public depository shall be fully  
14 warranted and protected in making payment on any check, share draft or other draft  
15 bearing such facsimile signature notwithstanding that the facsimile may have been  
16 placed thereon without the authority of the secretary of industry, labor and human  
17 relations or his or her designees.

18 **SECTION 3214.** 49.89 (7) (bm) of the statutes is created to read:

19 49.89 (7) (bm) The incentive payment shall be an amount equal to 15% of the  
20 amount recovered because of benefits paid as state supplemental payments under  
21 s. 49.77. The incentive payment shall be taken from the state share of the sum  
22 recovered.

23 **SECTION 3215.** 49.89 (7) (d) 2. of the statutes is created to read:

24 49.89 (7) (d) 2. Any county or elected tribal governing body that has made a  
25 recovery under this section for which it is eligible to receive an incentive payment

1 under par. (c) shall report such recovery to the department of industry, labor and  
2 human relations within 30 days after the end of the month in which the recovery is  
3 made in a manner specified by the department of industry, labor and human  
4 relations.

5 **SECTION 3216.** 49.90 (1) (b) of the statutes is amended to read:

6 49.90 (1) (b) For purposes of this section those persons receiving benefits under  
7 federal Title XVI or under s. ~~49.177~~ 49.77 shall not be deemed dependent persons.

8 **SECTION 3216m.** 49.90 (2) of the statutes is amended to read:

9 49.90 (2) Upon failure of these relatives to provide maintenance the authorities  
10 or board shall submit to the corporation counsel a report of its findings. Upon receipt  
11 of the report the corporation counsel shall, within 60 days, apply to the circuit court  
12 for the county in which the dependent person under sub. (1) (a) 1. or the child of a  
13 dependent person under sub. (1) (a) 2. resides for an order to compel the  
14 maintenance. Upon such an application the corporation counsel shall make a  
15 written report to the county department under s. 46.215, 46.22 or 46.23, with a copy  
16 to the chairperson of the county board of supervisors in a county with a single-county  
17 department or the county boards of supervisors in counties with a multicounty  
18 department, and to the department of health and social services or the department  
19 of revenue, whichever is appropriate.

20 **SECTION 3217.** 49.90 (2g) of the statutes is amended to read:

21 49.90 (2g) In addition to the remedy specified in sub. (2), upon failure of a  
22 grandparent to provide maintenance under sub. (1) (a) 2., another grandparent who  
23 is or may be required to provide maintenance under sub. (1) (a) 2., a child of a  
24 dependent minor or the child's parent may apply to the circuit court for the county  
25 in which the child resides for an order to compel the provision of maintenance. A

1 county department under s. 46.215, 46.22 or 46.23, a county child support agency or  
2 the department of revenue may initiate an action to obtain maintenance of the child  
3 by the child's grandparent under sub. (1) (a) 2., regardless of whether the child  
4 receives public assistance.

5 **SECTION 3218.** 49.90 (4) of the statutes is amended to read:

6 49.90 (4) The circuit court shall in a summary way hear the allegations and  
7 proofs of the parties and by order require maintenance from these relatives, if they  
8 have sufficient ability, considering their own future maintenance and making  
9 reasonable allowance for the protection of the property and investments from which  
10 they derive their living and their care and protection in old age, in the following  
11 order: First the husband or wife; then the father and the mother; and then the  
12 grandparents in the instances in which sub. (1) (a) 2. applies. The order shall specify  
13 a sum which will be sufficient for the support of the dependent person under sub. (1)  
14 (a) 1. or the maintenance of a child of a dependent person under sub. (1) (a) 2., to be  
15 paid weekly or monthly, during a period fixed by the order or until the further order  
16 of the court. If the court is satisfied that any such relative is unable wholly to  
17 maintain the dependent person or the child, but is able to contribute to the person's  
18 support or the child's maintenance, the court may direct 2 or more of the relatives  
19 to maintain the person or the child and prescribe the proportion each shall  
20 contribute. If the court is satisfied that these relatives are unable together wholly  
21 to maintain the dependent person or the child, but are able to contribute to the  
22 person's support or the child's maintenance, the court shall direct a sum to be paid  
23 weekly or monthly by each relative in proportion to ability. Contributions directed  
24 by court order, if for less than full support, shall be paid to the department of health  
25 and social services and distributed as required by state and federal law. An order

1 under this subsection that relates to maintenance required under sub. (1) (a) 2. shall  
2 specifically assign responsibility for and direct the manner of payment of the child's  
3 health care expenses, subject to the limitations under subs. (1) (a) 2. and (11). Upon  
4 application of any party affected by the order and upon like notice and procedure, the  
5 court may modify such an order. Obedience to such an order may be enforced by  
6 proceedings for contempt.

7 **SECTION 3219b.** 49.90 (6) of the statutes is amended to read:

8 49.90 (6) If any relative who has been ordered to maintain an institutionalized  
9 dependent person or an institutionalized child of a dependent person under 18 years  
10 of age neglects to do as ordered, the authorities in charge of the dependent or child  
11 or in charge of the institution may recover in an action on behalf of the general relief  
12 agency or institution for general relief or support accorded the dependent person or  
13 child against such relative ~~the sum prescribed for each week~~ while the order was  
14 disobeyed and up to the time of judgment, with costs.

15 **SECTION 3220.** 49.95 (4m) (a) of the statutes, as affected by 1995 Wisconsin Act  
16 .... (this act), is amended to read:

17 49.95 (4m) (a) Without legal authority, sends or brings a person to a county,  
18 tribal governing body or municipality or advises a person to go to a county, tribal  
19 governing body or municipality for the purpose of obtaining relief funded by a relief  
20 block grant, aid to families with dependent children under s. 49.19, medical  
21 assistance under ss. ~~49.45 to 49.47~~ subch. IV or food stamps under 7 USC 2011 to  
22 2029.

23 **SECTION 3221b.** 50.01 (1d) of the statutes is created to read:

24 50.01 (1d) "Assisted living facility" means a place where 5 or more adults reside  
25 that consists of independent apartments, each of which has an individual lockable

1 entrance and exit, a kitchen, including a stove, and individual bathroom, sleeping  
2 and living areas, and that provides, to a person who resides in the place, not more  
3 than 28 hours per week of services that are supportive, personal and nursing  
4 services. "Assisted living facility" does not include a nursing home or a  
5 community-based residential facility, but may be physically part of a structure that  
6 is a nursing home or community-based residential facility.

7 **SECTION 3221e.** 50.01 (1g) (f) of the statutes is created to read:

8 50.01 (1g) (f) An assisted living facility.

9 **SECTION 3221g.** 50.01 (3) (e) of the statutes is created to read:

10 50.01 (3) (e) An assisted living facility.

11 **SECTION 3222.** 50.02 (1) of the statutes is amended to read:

12 50.02 (1) DEPARTMENTAL AUTHORITY. The department may provide uniform,  
13 statewide licensing, inspection and regulation of community-based residential  
14 facilities and nursing homes as provided in this subchapter. The department shall  
15 certify, inspect and otherwise regulate adult family homes, as specified under s.  
16 50.032 and shall license adult family homes, as specified under s. 50.033. Nothing  
17 in this subchapter may be construed to limit the authority of the department of  
18 ~~industry, labor and human relations~~ development or of municipalities to set  
19 standards of building safety and hygiene, but any local orders of municipalities shall  
20 be consistent with uniform, statewide regulation of community-based residential  
21 facilities. The department may not prohibit any nursing home from distributing  
22 over-the-counter drugs from bulk supply. The department may consult with  
23 nursing homes as needed and may provide specialized consultations when requested  
24 by any nursing home, separate from its inspection process, to scrutinize any

1 particular questions the nursing home raises. The department shall, by rule, define  
2 “specialized consultation”.

3 **SECTION 3223.** 50.02 (2) (a) of the statutes is amended to read:

4 50.02 (2) (a) The department, by rule, shall develop, establish and enforce  
5 regulations and standards for the care, treatment, health, safety, rights, welfare and  
6 comfort of residents in community-based residential facilities and nursing homes  
7 and for the construction, general hygiene, maintenance and operation of those  
8 facilities which, in the light of advancing knowledge, will promote safe and adequate  
9 accommodation, care and treatment of residents in those facilities; and promulgate  
10 and enforce rules consistent with this section. Such standards and rules shall  
11 provide that intermediate care facilities, which have 16 or fewer beds may, if  
12 exempted from meeting certain physical plant, staffing and other requirements of  
13 the federal regulations, be exempted from meeting the corresponding provisions of  
14 the department’s standards and rules. The department shall consult with the  
15 department of industry, labor and human relations development when developing  
16 exemptions relating to physical plant requirements.

17 **SECTION 3225.** 50.02 (2) (b) of the statutes is renumbered 50.02 (2) (b) 1. and  
18 amended to read:

19 50.02 (2) (b) 1. The department ~~may~~ shall conduct plan reviews of all capital  
20 construction and remodeling of nursing homes to ensure that the plans comply with  
21 building code requirements under ch. 101 and with life safety code and physical plant  
22 requirements under s. 49.498, this chapter or under rules promulgated under this  
23 chapter.

24 2. The department shall promulgate rules that establish a fee schedule for its  
25 services under subd. 1. in conducting the plan reviews. The schedule established

1 under these rules shall set fees for nursing home plan reviews in amounts that are  
2 less than the sum of the amounts required on September 30, 1995, for fees under this  
3 paragraph and for fees for examination of nursing home plans under s. 101.19 (1) (a),  
4 1993 stats.

5 **SECTION 3227.** 50.03 (4) (a) 1. b. of the statutes is amended to read:

6 50.03 (4) (a) 1. b. Except as provided in sub. (4m) (b), the department shall issue  
7 a license for a community-based residential facility if it finds the applicant to be fit  
8 and qualified, if it finds that the community-based residential facility meets the  
9 requirements established by this subchapter and if the community-based  
10 residential facility has paid the license fee under s. ~~140.85 (2) (a)~~ 50.037 (2) (a). In  
11 determining whether to issue a license for a community-based residential facility,  
12 the department may consider any action by the applicant or by an employe of the  
13 applicant that constitutes a substantial failure by the applicant or employe to protect  
14 and promote the health, safety or welfare of a resident. The department may deny  
15 licensure to or not renew licensure for any person who conducted, maintained,  
16 operated or permitted to be maintained or operated a community-based residential  
17 facility for which licensure was revoked. The department, or its designee, shall make  
18 such inspections and investigations as are necessary to determine the conditions  
19 existing in each case and shall file written reports. Before renewing the license of  
20 any community-based residential facility, the department shall consider all  
21 complaints filed under sub. (2) (f) during the current license period and the  
22 disposition of each. The department shall promulgate rules defining "fit and  
23 qualified" for the purposes of this subd. 1. b.

24 **SECTION 3228.** 50.03 (4) (c) of the statutes is renumbered 50.03 (4) (c) 1. and  
25 amended to read:

**SECTION 3228**

1           50.03 (4) (c) 1. Unless sooner revoked or suspended, a community-based  
2 residential facility license shall be is valid for one year. ~~Unless sooner revoked or~~  
3 ~~suspended, a nursing home license is valid for one year, but may be issued to a new~~  
4 ~~licensee for less than one year to coincide with the date of federal medical assistance~~  
5 ~~certification as a skilled nursing facility or intermediate care facility~~ 24 months. At  
6 least 120 days but not more than 150 30 days prior to license expiration, the applicant  
7 shall submit ~~an annual~~ a biennial report and application for renewal of the license  
8 in ~~such~~ the form and containing ~~such~~ the information as that the department  
9 requires. If the report and application are approved, the license shall be renewed for  
10 an additional ~~one-year~~ 24-month period. If the application for renewal and a  
11 complete annual report are not timely filed, the department shall issue a warning  
12 to the licensee. Failure to make application for renewal within 30 days ~~there after~~  
13 ~~may be~~ after receipt of the warning is grounds for nonrenewal of the license.

14           **SECTION 3229.** 50.03 (4) (c) 2. of the statutes is created to read:

15           50.03 (4) (c) 2. Unless sooner revoked or suspended, a nursing home license is  
16 valid for 12 months, but may be issued to a new licensee for less than 12 months to  
17 coincide with the date of federal medical assistance certification as a skilled nursing  
18 facility or intermediate care facility. At least 120 days but not more than 150 days  
19 prior to license expiration, the applicant shall submit an annual report and  
20 application for renewal of the license in the form and containing the information that  
21 the department requires. If the report and application are approved, the license shall  
22 be renewed for an additional 12-month period. If the application for renewal and a  
23 complete annual report are not timely filed, the department shall issue a warning  
24 to the licensee. Failure to make application for renewal within 30 days after receipt  
25 of the warning is grounds for nonrenewal of the license.

1           **SECTION 3230.** 50.03 (5g) (c) (intro.) of the statutes is amended to read:

2           50.03 **(5g)** (c) (intro.) If the department provides to a community-based  
3 residential facility written notice of the grounds for a sanction or penalty, an  
4 explanation of the types of sanctions or penalties that the department may impose  
5 under this subsection and an explanation of the process for appealing a sanction or  
6 penalty imposed under this subsection, the department may impose any of the  
7 following against a licensee or other person who violates the applicable provisions  
8 of this section or rules promulgated under the applicable provisions of this section  
9 or who fails to comply with an order issued under par. (b) by the time specified in the  
10 order:

11           **SECTION 3231.** 50.03 (5g) (c) 1. a. of the statutes is amended to read:

12           50.03 **(5g)** (c) 1. a. Within the limits specified in this subdivision, the  
13 department may, by rule, set daily forfeiture amounts and payment deadlines based  
14 on the size and type of community-based residential facility and the seriousness of  
15 the violation. ~~As part of the order, the~~ The department may set daily forfeiture  
16 amounts that increase periodically within the statutory limits if there is continued  
17 failure to comply with an order issued under par. (b).

18           **SECTION 3232.** 50.03 (14) (b) of the statutes is amended to read:

19           50.03 **(14)** (b) The county departments of the county in which the facility is  
20 located that are responsible for providing services under s. 46.215 (1) (L), 46.22 (1)  
21 (b) ~~7. a. 1. c.~~, 51.42 or 51.437 shall participate in the development and  
22 implementation of individual relocation plans. Any county department of another  
23 county shall participate in the development and implementation of individual  
24 relocation plans in place of the county departments of the county in which the facility

1 is located, if the county department accepts responsibility for the resident or is  
2 delegated responsibility for the resident by the department or by a court.

3 **SECTION 3233.** 50.033 (2) of the statutes is amended to read:

4 50.033 (2) REGULATION. Standards for operation of licensed adult family homes  
5 and procedures for application for licensure, monitoring, inspection, revocation and  
6 appeal of revocation shall be under rules promulgated by the department under s.  
7 50.02 (2) (am) 2. Licensure shall be for a term not to exceed ~~12~~ 24 months from the  
8 date of issuance and is not transferable. The biennial licensure fee for a licensed  
9 adult family home is \$75. The fee is payable to the county department under s.  
10 46.215, 46.22, 46.23, 51.42 or 51.437, if the county department licenses the adult  
11 family home under sub. (1m) (b), and is payable to the department if the department  
12 licenses the adult family home under sub. (1m) (b).

13 **SECTION 3234b.** 50.034 of the statutes is created to read:

14 **50.034 Assisted living facilities. (1) CERTIFICATION OR REGISTRATION**  
15 **REQUIRED.** (a) No person may operate an assisted living facility that provides living  
16 space for residents who are clients under s. 46.27 (11) or 46.277 and publicly funded  
17 services as a home health agency or under contract with a county department under  
18 s. 46.215, 46.22, 46.23, 51.42 or 51.437 that is a home health agency unless the  
19 assisted living facility is certified by the department under this section. The  
20 department may charge a fee, in an amount determined by the department, for  
21 certification under this paragraph. The amount of any fee charged by the  
22 department for certification of an assisted living facility need not be promulgated as  
23 a rule under ch. 227.

1 (b) No person may operate an assisted living facility that is not certified as  
2 required under par. (a) unless the assisted living facility is registered by the  
3 department.

4 **(2) RULES.** The department shall promulgate all of the following rules for the  
5 regulation of certified assisted living facilities and for the registration of assisted  
6 living facilities under this section:

7 (a) Defining the term “kitchen, including a stove” for purposes of the definition  
8 of “assisted living facility” under s. 50.01 (1d).

9 (b) Establishing standards for operation of certified assisted living facilities.

10 (c) Establishing minimum information requirements for registration and  
11 registration application procedures and forms for assisted living facilities that are  
12 not certified.

13 (d) Establishing procedures for monitoring certified assisted living facilities.

14 (e) Establishing intermediate sanctions and penalties for and standards and  
15 procedures for imposing intermediate sanctions or penalties on certified assisted  
16 living facilities and for appeals of intermediate sanctions or penalties.

17 (f) Establishing standards and procedures for appeals of revocations of  
18 certification or refusal to issue or renew certification.

19 **(3) REQUIREMENTS FOR OPERATION.** A certified or registered assisted living  
20 facility shall do all of the following:

21 (a) Establish, with each resident of the assisted living facility, a mutually  
22 agreed-upon written service agreement that identifies the services to be provided to  
23 the resident, based on a comprehensive assessment of the resident’s needs and  
24 preferences that is conducted by one of the following:

1           1. For residents for whom services are reimbursable under s. 46.27 (11), by the  
2 county department or aging unit designated under s. 46.27 (3) (b) in the county.

3           2. For residents for whom services are reimbursable under s. 46.277, by the  
4 county department under s. 46.277 (4) (a) in the county.

5           3. For residents who have private or 3rd-party funding, by the assisted living  
6 facility.

7           (b) Establish a schedule of fees for services to residents of the assisted living  
8 facility.

9           (c) Provide or ensure the provision of services that are sufficient and qualified  
10 to meet the needs identified in a resident's service agreement under par. (a), to meet  
11 unscheduled care needs and to provide emergency assistance 24 hours a day.

12           (d) Establish, with each resident of the assisted living facility, a signed,  
13 negotiated risk agreement that identifies situations that could put the resident at  
14 risk and for which the resident understands and accepts responsibility.

15           **(4) LIMITATION ON NUMBER OF ASSISTED LIVING FACILITY UNITS.** (a) The maximum  
16 number of individual units of assisted living facilities that the department may  
17 certify or register for operation is 1,500 units, which may be implemented only as  
18 follows:

19           1. In fiscal year 1996-97, not more than a total of 600 units.

20           2. In fiscal year 1997-98, not more than a total, in the aggregate, of 900 units.

21           3. In fiscal year 1998-99 and thereafter, not more than a total, in the aggregate,  
22 of 1,500 units.

23           (b) An assisted living facility may not be newly constructed and a nursing home  
24 or a community-based residential facility may not convert a separate area of its total

1 area to an assisted living facility unless the department first approves the  
2 construction or conversion.

3 (c) If the department receives in a fiscal year applications for certification or  
4 registration of assisted living facilities that exceed the maximum number of  
5 individual units that may be registered or certified, as specified in par. (a), the  
6 department may select applications for approval, within the maximum limits  
7 specified, based on all of the following criteria:

8 1. The geographical distribution of the state's population of elderly persons.

9 2. Whether or not the assisted living facility proposes to serve both publicly  
10 funded residents and residents who pay privately for services.

11 3. Whether or not a closure of nursing home beds would result.

12 4. Whether or not certification or registration of the assisted living facility  
13 would alleviate a shortage of long-term care facilities in the area.

14 (d) The department may charge an application fee of \$300 to any facility  
15 applying for certification or registration as an assisted living facility under par. (c).  
16 The amounts of fees received under this paragraph shall be credited to the  
17 appropriation under s. 20.435 (1) (gn).

18 **(5) USE OF NAME PROHIBITED.** An entity that does not meet the definition under  
19 s. 50.01 (1d) may not designate itself as an "assisted living facility" or use the word  
20 "assisted living facility" to represent or tend to represent the entity as an assisted  
21 living facility or services provided by the entity as services provided by an assisted  
22 living facility.

23 **(6) FUNDING.** Funding for supportive, personal or nursing services that a  
24 person who resides in an assisted living facility receives, other than private or  
25 3rd-party funding, may be provided only under s. 46.27 (11) (c) 7. or 46.277 (5) (e),

1 unless the provider of the services is a certified medical assistance provider under  
2 s. 49.45 (3) (a).

3 **(7) REVOCATION OF CERTIFICATION.** Certification for an assisted living facility  
4 may be revoked because of the substantial and intentional violation of this section  
5 or of rules promulgated by the department under sub. (2) or because of failure to meet  
6 the minimum requirements for certification. The operator of the certified assisted  
7 living facility shall be given written notice of any revocation of certification and the  
8 grounds for the revocation. Any assisted living facility certification applicant or  
9 operator of a certified assisted living facility may, if aggrieved by the failure to issue  
10 or renew the certification or by revocation of certification, appeal under the  
11 procedures specified by the department by rule under sub. (2).

12 **SECTION 3235.** 50.035 (2) (a) 3. of the statutes is amended to read:

13 50.035 **(2)** (a) 3. The department or the department of ~~industry, labor and~~  
14 ~~human relations~~ development may waive the requirement under subd. 1. or 2. for a  
15 community-based residential facility that has a smoke detection or sprinkler system  
16 in place that is at least as effective for fire protection as the type of system required  
17 under the relevant subdivision.

18 **SECTION 3236.** 50.035 (2) (b) (intro.) of the statutes is amended to read:

19 50.035 **(2)** (b) (intro.) No facility may install a smoke detection system that fails  
20 to receive the approval of the department or of the department of ~~industry, labor and~~  
21 ~~human relations~~ development. At least one smoke detector shall be located at each  
22 of the following locations:

23 **SECTION 3237.** 50.035 (7) of the statutes is created to read:

24 50.035 **(7)** STATEMENT OF FINANCIAL CONDITION REQUIRED. (a) No  
25 community-based residential facility may initially admit as a resident an individual

1 who applies for admission to the facility and who intends to pay for residence in the  
2 facility from private funds, unless the individual provides certain financial  
3 information to the community-based residential facility. From this information, the  
4 community-based residential facility shall prepare and provide to the individual a  
5 statement of financial condition to which all of the following apply:

6 1. The statement is pertinent to the individual.

7 2. The statement estimates a date, if any, by which the individual's assets and  
8 other private funding sources would be depleted if the individual resides  
9 continuously in the community-based residential facility.

10 3. The statement indicates that public funding may not be available when the  
11 individual's assets and other private funding sources, if any, are depleted and  
12 specifies options that may be available to the individual at that time.

13 (b) The individual shall waive his or her right to confidentiality for the  
14 information provided under par. (a), to the administrator of the community-based  
15 residential facility, to the preparer of the statement of financial condition and, if par.

16 (c) applies, to the county department under s. 46.215 or 46.22.

17 (c) If the date estimated under par. (a) 2. is less than 24 months after the date  
18 of the individual's statement of financial condition, the community-based  
19 residential facility shall provide the statement to the county department under s.  
20 46.215 or 46.22.

21 **SECTION 3238m.** 50.037 (2) (a) of the statutes is amended to read:

22 50.037 (2) (a) The ~~annual~~ biennial fee for a community-based residential  
23 facility is ~~\$75~~ \$170, plus an annual fee of ~~\$10~~ \$22 per resident, based on the number  
24 of residents that the facility is licensed to serve.

25 **SECTION 3239.** 50.037 (2) (c) of the statutes is amended to read:

1           50.037 (2) (c) A community-based residential facility that wishes to renew a  
2 license issued under s. 50.03 (4) (a) 1. b. and that fails to submit the ~~annual~~ biennial  
3 fee prior to the renewal date of the license, or a new community-based residential  
4 facility subject to this section that fails to submit the ~~annual~~ biennial fee by 30 days  
5 prior to the opening of the new community-based residential facility, shall pay an  
6 additional fee of \$10 per day for every day after the deadline that the facility does not  
7 pay the fee.

8           **SECTION 3240.** 50.037 (3) of the statutes is amended to read:

9           50.037 (3) EXEMPTION. Community-based residential facilities where the total  
10 monthly charges for each resident do not exceed the monthly state supplemental  
11 payment rate under s. ~~49.177 (3s)~~ 49.77 (3s) that is in effect at the time the fee under  
12 sub. (2) is assessed are exempt from this section.

13           **SECTION 3240m.** 50.04 (4) (e) 1. of the statutes is amended to read:

14           50.04 (4) (e) 1. If a nursing home desires to contest any department action  
15 under this subsection ~~or under federal law requiring the department, as the~~  
16 ~~designated medical assistance agency, to notify the nursing home of deficiencies~~  
17 ~~under federal regulations and report those deficiencies to the appropriate federal~~  
18 ~~agency, it shall send a written request for a hearing under s. 227.44 to the division~~  
19 ~~of hearings and appeals created under s. 15.103 (1) within 10 days of receipt of notice~~  
20 ~~of the contested action. Department action that is subject to a hearing under this~~  
21 ~~subsection includes imposition service of a notice of a deficiency under federal~~  
22 ~~regulations violation of this subchapter or rules promulgated under this subchapter,~~  
23 a notation in the report under sub. (3) (b), imposition of a plan of correction and  
24 rejection of a nursing home's plan of correction, but does not include a correction  
25 order. Upon the request of the nursing home, the division shall grant a stay of the

**SECTION 3240m**

1 hearing under this paragraph until the department assesses a forfeiture, so that its  
2 hearing under this paragraph is consolidated with the forfeiture appeal hearing held  
3 under sub. (5) (e). All agency action under this subsection arising out of a violation,  
4 deficiency or rejection and imposition of a plan of correction shall be the subject of  
5 a single hearing. Unless a stay is granted under this paragraph, the division shall  
6 commence the hearing within 30 days of the request for hearing, within 30 days of  
7 the department's acceptance of a nursing home's plan of correction or within 30 days  
8 of the department's imposition of a plan of correction, whichever is later. ~~If the~~  
9 ~~department initiates decertification of a nursing home under federal regulations, a~~  
10 ~~hearing on federal deficiencies that are the subject of that decertification may be held~~  
11 ~~if informal reconsideration has been completed.~~ The division shall send notice to the  
12 nursing home in conformance with s. 227.44. Issues litigated at the hearing may not  
13 be relitigated at subsequent hearings under this paragraph arising out of the same  
14 violation or deficiency.

15 **SECTION 3240y.** 50.05 (3) of the statutes is amended to read:

16 50.05 (3) MONITOR. In any situation described in sub. (2), the department may  
17 place a person to act as monitor in the facility. The monitor shall observe operation  
18 of the facility, assist the facility by advising it on how to comply with state  
19 regulations, and shall submit a written report periodically to the department on the  
20 operation of the facility. The department may require payment by the operator or  
21 controlling person of the facility for the costs of placement of a person to act as  
22 monitor in the facility, if, subsequently, a court appoints a receiver for the facility  
23 under sub. (4).

24 **SECTION 3241d.** 50.05 (10) of the statutes is amended to read:

**SECTION 3241d**

1           50.05 (10) CONTINGENCY FUND. If funds collected under subs. (3), (7) and (8) are  
2 insufficient to meet the expenses of performing the powers and duties conferred on  
3 the receiver by this section, or if there are insufficient funds on hand to meet those  
4 expenses, the department may draw from the supplemental funds fund created  
5 under s. 20.435 (1) (dm) ~~and (6) (dm)~~ to pay ~~those~~ the expenses associated with the  
6 placement of a monitor, if any, in a nursing home and the receivership of a nursing  
7 home. Operating funds collected under this section and not applied to the expenses  
8 of the placement of a monitor, if any, and the receivership, except for the amount of  
9 a security, if any is required under sub. (14m), shall be used to reimburse the fund  
10 for advances made under this section.

11           **SECTION 3241f.** 50.05 (11) of the statutes is amended to read:

12           50.05 (11) (title) COMPENSATION OF MONITOR OR RECEIVER. The court shall set the  
13 compensation of a person placed as a monitor, if any, and of the receiver, which will  
14 be considered a necessary ~~expense~~ expenses of a receivership.

15           **SECTION 3241h.** 50.05 (14m) of the statutes is amended to read:

16           50.05 (14m) BOND UPON TERMINATION; REAPPOINTMENT. If the court terminates  
17 a receivership under sub. (14) and the department grants a license for the facility to  
18 the same applicant under which the facility was licensed immediately prior to  
19 appointment of a receiver under sub. (4) or (5), the court may require that person to  
20 post a bond for a period of not less than 120 days in an amount fixed by the court as  
21 security for maintaining compliance with this subchapter and the rules promulgated  
22 under this subchapter. If the court, after notice to the parties in the receivership  
23 proceeding and after a hearing, finds that the standards for appointment under sub.  
24 (4) are met, the court may reappoint the receiver. If the court reappoints the receiver,  
25 the receiver may use the security, if any has been required under this subsection, in

**SECTION 3241h**

1 addition to funds under subs. (7), (8) and (10), for purposes of payment of the  
2 placement of a monitor, if any, and for the receivership.

3 **SECTION 3241j.** 50.05 (15) (a) of the statutes is amended to read:

4 50.05 (15) (a) Within 30 days after termination, the receiver shall give the court  
5 a complete accounting of all property of which the receiver has taken possession, of  
6 all funds collected under this section and of the expenses of the monitor, if any is  
7 placed in a nursing home, and the receivership.

8 **SECTION 3241L.** 50.05 (15) (b) of the statutes is amended to read:

9 50.05 (15) (b) If the operating funds collected by the receiver under subs. (7)  
10 and (8) exceed the reasonable expenses of the placement of a monitor in a nursing  
11 home, if any, and of the receivership, the court shall order payment of the surplus to  
12 the operator or controlling person, after reimbursement of funds drawn from the  
13 contingency fund under sub. (10). If the operating funds are insufficient to cover the  
14 reasonable expenses of the placement of a monitor in a nursing home, if any, and of  
15 the receivership, the operator or controlling person shall be liable for the deficiency.  
16 The operator or controlling person may apply to the court to determine the  
17 reasonableness of any expense of the placement of a monitor in a nursing home, if  
18 any, and of the receivership. The operator or controlling person shall not be  
19 responsible for expenses in excess of what the court finds to be reasonable. Payment  
20 recovered from the operator or controlling person shall be used to reimburse the  
21 contingency fund for amounts drawn by the receiver under sub. (10).

22 **SECTION 3242b.** 50.05 (15) (f) of the statutes is amended to read:

23 50.05 (15) (f) The receiver shall, within 60 days after termination of the  
24 receivership, file a notice of any lien created under this subsection. No action on a  
25 lien created under this subsection may be brought more than 2 years after the date

1 of filing. If the lien is on real property, the notice shall be filed with the clerk of circuit  
2 court of the county in which the facility is located and entered on the lien docket kept  
3 under s. 779.07. If the lien is on personal property, the lien shall be filed with the  
4 ~~secretary of state~~ department of financial institutions. The ~~secretary of state~~  
5 department of financial institutions shall place the lien on personal property in the  
6 same file as financing statements are filed under ss. 409.401 and 409.402. The notice  
7 shall specify the name of the person against whom the lien is claimed, the name of  
8 the receiver, the dates of the petition for receivership and the termination of  
9 receivership, a description of the property involved and the amount claimed. No lien  
10 shall exist under this section against any person, on any property, or for any amount  
11 not specified in the notice filed under this paragraph. To the extent applicable, ch.  
12 846 controls the foreclosure of liens under this subsection that attach to real  
13 property.

14 **SECTION 3243.** 50.135 (1) of the statutes is amended to read:

15 50.135 (1) DEFINITION. In this section, “inpatient health care facility” means  
16 any hospital, nursing home, county home, county mental hospital, tuberculosis  
17 sanatorium or other place licensed or approved by the department under ss. 49.14,  
18 49.16, 49.171, 49.70, 49.71, 49.72, 50.02, 50.03, 50.35, 51.08, 51.09, 58.06, 252.073  
19 and 252.076, but does not include community-based residential facilities.

20 **SECTION 3244.** 50.135 (2) (c) of the statutes is amended to read:

21 50.135 (2) (c) The fees collected under par. (a) shall be credited to the  
22 appropriation under s. 20.435 (1) (gm) for ~~health planning and cost containment~~  
23 ~~activities and to the appropriation under s. 20.488 (1) (g)~~ licensing, review and  
24 certifying activities.

25 **SECTION 3245.** 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 ~~industry, labor and human relations~~ development  
8 shall apply to all hospitals and the department may adopt additional construction  
9 codes and standards for hospitals, provided they are not lower than the requirements  
10 of the department of ~~industry, labor and human relations~~ development. Except for  
11 the construction codes and standards of the department of ~~industry, labor and~~  
12 ~~human relations~~ development and except as provided in s. 50.39 (3), the department  
13 shall be the sole agency to adopt and enforce rules and standards pertaining to  
14 hospitals.

15           **SECTION 3246.** 50.36 (2) of the statutes is renumbered 50.36 (2) (a) and  
16 amended to read:

17           50.36 (2) (a) The department ~~may~~ shall conduct plan reviews of all capital  
18 construction and remodeling projects of hospitals to ensure that the plans comply  
19 with building code requirements under ch. 101 and with physical plant requirements  
20 under this chapter or under rules promulgated under this chapter.

21           (b) The department shall promulgate rules that establish a fee schedule for its  
22 services in conducting the plan reviews under par. (a). The schedule established  
23 under these rules shall set fees for hospital plan reviews in amounts that are less  
24 than the sum of the amounts required on September 30, 1995, for fees under this

1 subsection and for fees for examination of hospital plans under s. 101.19 (1) (a), 1993  
2 stats.

3 **SECTION 3247.** 50.39 (3) of the statutes is amended to read:

4 50.39 (3) Facilities governed by ss. 45.365, 48.62, 49.14, 49.171, 49.70, 49.72,  
5 50.02, 51.09, 58.06, 252.073, 252.076 and 252.10, secured correctional facilities as  
6 defined in s. 48.02 (15m), correctional institutions governed by the department of  
7 corrections under s. 301.02 and the offices and clinics of persons licensed to treat the  
8 sick under chs. 446, 447 and 448 are exempt from ss. 50.32 to 50.39. Sections 50.32  
9 to 50.39 do not abridge the rights of the medical examining board, physical therapists  
10 affiliated credentialing board, dentistry examining board, pharmacy examining  
11 board, chiropractic examining board and board of nursing in carrying out their  
12 statutory duties and responsibilities.

13 **SECTION 3249.** 51.01 (14) of the statutes is amended to read:

14 51.01 (14) "Residence", "legal residency" or "county of residence" has the  
15 meaning given under s. 49.01 (8g) 49.001 (6).

16 **SECTION 3250.** 51.02 (1) (b) of the statutes is amended to read:

17 51.02 (1) (b) Provide recommendations to the department on the expenditure  
18 of federal funds received under the community mental health block grant under 42  
19 USC 300x to 300x-9 and participate in the development of and monitor and evaluate  
20 the implementation of, the community mental health block grant plan.

21 **SECTION 3251.** 51.04 of the statutes is amended to read:

22 **51.04 (title) ~~Outpatient treatment~~ Treatment facility determination**  
23 **certification.** Any treatment facility may apply to the department for  
24 ~~determination of whether such facility is an outpatient treatment facility~~  
25 ~~established and maintained according to rules promulgated by the department~~

**SECTION 3251**

1 ~~under s. 51.42 (7) (b) certification of the facility for the receipt of funds for services~~  
2 ~~provided as a benefit to a medical assistance recipient under s. 49.46 (2) (b) 6. f. or~~  
3 ~~to a community aids funding recipient under s. 51.423 (2) or provided as mandated~~  
4 ~~coverage under s. 632.89. The department shall annually charge a fee for each such~~  
5 ~~determination certification.~~

6 **SECTION 3251e.** 51.15 (1) (b) 2. of the statutes is amended to read:

7 51.15 (1) (b) 2. A specific recent overt act or attempt or threat to act or omission  
8 by the individual which is reliably reported to the officer or person by any other  
9 person, including any probation and parole agent authorized by the department to  
10 exercise control and supervision over a probationer or parolee or a person on  
11 community supervision.

12 **SECTION 3251g.** 51.30 (4) (b) 10. (intro.), a., b. and d. of the statutes are  
13 amended to read:

14 51.30 (4) (b) 10. (intro.) To a correctional facility or to a probation and parole  
15 agent who is responsible for the supervision of an individual who is receiving  
16 inpatient or outpatient evaluation or treatment under this chapter in a program that  
17 is operated by, or is under contract with, the department or a county department  
18 under s. 51.42 or 51.437, or in a treatment facility, as a condition of the probation and  
19 parole supervision plan or the community supervision plan, or whenever such an  
20 individual is transferred from a state or local correctional facility to such a treatment  
21 program and is then transferred back to the correctional facility. Every probationer  
22 or parolee or person on community supervision who receives evaluation or treatment  
23 under this chapter shall be notified of the provisions of this subdivision by the  
24 individual's probation and parole agent. Release of records under this subdivision  
25 is limited to:

**SECTION 3251g**

1 a. The report of an evaluation which is provided pursuant to the written  
2 probation and parole supervision plan or the community supervision plan.

3 b. The discharge summary, including a record or summary of all somatic  
4 treatments, at the termination of any treatment which is provided as part of the  
5 probation and parole supervision plan or the community supervision plan.

6 d. Any information necessary to establish, or to implement changes in, the  
7 individual's treatment plan or the level and kind of supervision on probation,  
8 community supervision or parole, as determined by the director of the facility or the  
9 treatment director. In cases involving a person transferred back to a correctional  
10 facility, disclosure shall be made to clinical staff only. In cases involving a person on  
11 probation, community supervision or parole, disclosure shall be made to a probation  
12 and parole agent only. The department shall promulgate rules governing the release  
13 of records under this subdivision.

14 **SECTION 3258m.** 51.35 (3) (a) of the statutes is amended to read:

15 51.35 (3) (a) A licensed psychologist of a juvenile correctional facility under s.  
16 ~~48.52~~ 48.557 or a licensed physician of the department of corrections, who has reason  
17 to believe that any individual confined in the facility is, in his or her opinion, in need  
18 of services for developmental disability, alcoholism or drug dependency or in need of  
19 psychiatric services, and who has obtained voluntary consent to make a transfer for  
20 treatment, shall make a report, in writing, to the superintendent of the facility,  
21 stating the nature and basis of the belief and verifying the consent. In the case of  
22 a minor age 14 and over, the minor and the minor's parent or guardian shall consent  
23 unless the minor is admitted under s. 51.13 (1) (c); and in the case of a minor under  
24 the age of 14, only the minor's parent or guardian need consent. The superintendent  
25 shall inform, orally and in writing, the minor and the minor's parent or guardian,

**SECTION 3258m**

1 that transfer is being considered and shall inform them of the basis for the request  
2 and their rights as provided in s. 51.13 (3). If the department of corrections, upon  
3 review of a request for transfer, determines that transfer is appropriate, ~~the that~~  
4 department shall immediately notify the department of health and social services  
5 and, if the department of health and social services consents, the department of  
6 corrections may immediately transfer the individual. The department of corrections  
7 shall file a petition under s. 51.13 (4) (a) in the court assigned to exercise jurisdiction  
8 under ch. 48 of the county where the treatment facility is located.

9 **SECTION 3259m.** 51.35 (3) (e) of the statutes is amended to read:

10 51.35 (3) (e) The department of corrections may authorize emergency transfer  
11 of an individual from a juvenile correctional facility to a state treatment facility if  
12 there is cause to believe that the individual is mentally ill, drug dependent or  
13 developmentally disabled and exhibits conduct which constitutes a danger as  
14 defined in s. 51.20 (1) (a) 2. to the individual or to others, or is an alcoholic and is  
15 dangerous as provided in s. 51.45 (13) (a) 1. and 2. The correctional custodian of the  
16 sending institution shall execute a statement of emergency detention or petition for  
17 emergency commitment for the individual and deliver it to the receiving state  
18 treatment facility. The department of health and social services shall file the  
19 statement or petition with the court within 24 hours after the subject individual is  
20 received for detention or commitment. The statement or petition shall conform to s.  
21 51.15 (4) or (5) or 51.45 (12) (b). After an emergency transfer is made, the director  
22 of the receiving facility may file a petition for continued commitment under s. 51.20  
23 (1) or 51.45 (13) or may return the individual to the institution from which the  
24 transfer was made. As an alternative to this procedure, the procedure provided in

1 s. 51.15 or 51.45 (12) may be used, except that no prisoner may be released without  
2 the approval of the court which directed confinement in the correctional facility.

3 **SECTION 3260.** 51.42 (3) (aw) 1. d. of the statutes is amended to read:

4 51.42 (3) (aw) 1. d. Provide treatment and services that are specified in a  
5 conditional release plan approved by a court for a person who is a county resident and  
6 is conditionally released under s. 971.17 (3) or (4). If the county department provides  
7 treatment and services under this subdivision, the department of health and social  
8 services shall, from the appropriation under s. 20.435 (7) (2) (bj), pay the county  
9 department for the costs of the treatment and services.

10 **SECTION 3261b.** 51.42 (3) (d) 12. f. of the statutes is amended to read:

11 51.42 (3) (d) 12. f. The receiver shall, within 60 days after termination of the  
12 receivership, file a notice of any lien created under this subdivision. No action on a  
13 lien created under this subdivision may be brought more than 2 years after the date  
14 of filing. If the lien is on real property, the notice shall be filed with the clerk of circuit  
15 court for the county in which the county department of community programs or  
16 related program is located and entered on a lien docket kept under s. 779.07. If the  
17 lien is on personal property, the lien shall be filed with the ~~secretary of state~~  
18 department of financial institutions. The ~~secretary of state~~ department of financial  
19 institutions shall place the lien on personal property in the same file as financing  
20 statements are filed under ss. 409.401 and 409.402. The notice shall specify the  
21 name of the county department of community programs or related program against  
22 which the lien is claimed, the name of the receiver, the dates of the petition for  
23 receivership and the termination of receivership, a description of the property  
24 involved and the amount claimed. No lien may exist under this subdivision against  
25 any person, on any property or for any amount not specified in the notice filed under

**SECTION 3261b**

1 this subd. 12. f. To the extent applicable, ch. 846 controls the foreclosure of liens  
2 under this subdivision that attach to real property.

3 **SECTION 3262.** 51.42 (3) (e) of the statutes is amended to read:

4 51.42 (3) (e) *Exchange of information.* Notwithstanding ss. 49.45 (4), 49.53  
5 (~~1m~~) 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82 and 252.11 (7), any subunit of  
6 a county department of community programs acting under this section may  
7 exchange confidential information about a client, without the informed consent of  
8 the client, with any other subunit of the same county department of community  
9 programs or with any person providing services to the client under a purchase of  
10 services contract with the county department of community programs, if necessary  
11 to enable an employe or service provider to perform his or her duties, or to enable the  
12 county department of community programs to coordinate the delivery of services to  
13 the client.

14 **SECTION 3263.** 51.421 (1) of the statutes is amended to read:

15 51.421 (1) PURPOSE. In order to provide the least restrictive and most  
16 appropriate care and treatment for persons with chronic mental illness, community  
17 support programs should be available in all parts of the state. In order to integrate  
18 community support programs with other long-term care programs, community  
19 support programs shall be coordinated, to the greatest extent possible, with the  
20 community options program under s. 46.27, with the protective services system in  
21 a county, with the medical assistance program under ss. ~~49.43 to 49.47~~ subch. IV of  
22 ch. 49 and with other care and treatment programs for persons with chronic mental  
23 illness.

24 **SECTION 3264m.** 51.423 (2) of the statutes is amended to read:

**SECTION 3264m**

1           51.423 (2) From the appropriations under s. 20.435 (7) (b) and (o), the  
2 department shall distribute the funding for services provided or purchased by county  
3 departments under s. 46.23, 51.42 or 51.437 to such county departments as provided  
4 under s. 46.40. County matching funds are required for the distributions under s.  
5 46.40 (2), (3), (5), (9) and (12). Each county's required match for a year equals 9.89%  
6 of the total of the county's distributions for that year for which matching funds are  
7 required plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to  
8 spend for juvenile delinquency-related services from its distribution for 1987.  
9 Matching funds may be from county tax levies, federal and state revenue sharing  
10 funds or private donations to the counties that meet the requirements specified in  
11 sub. (5). Private donations may not exceed 25% of the total county match. If the  
12 county match is less than the amount required to generate the full amount of state  
13 and federal funds distributed for this period, the decrease in the amount of state and  
14 federal funds equals the difference between the required and the actual amount of  
15 county matching funds.

16           **SECTION 3265.** 51.423 (5) (a) (intro.) of the statutes is amended to read:

17           51.423 (5) (a) (intro.) A private donation to a county may be used to match the  
18 state grant-in-aid under s. ~~49.52 (1) (d)~~ 46.495 (1) (d) or under sub. (2) only if the  
19 donation is both of the following:

20           ”.

21           **SECTION 3266m.** 51.437 (4rm) (a) of the statutes is amended to read:

22           51.437 (4rm) (a) A county department of developmental disabilities services  
23 shall authorize all care of any patient in a state, local or private facility under a  
24 contractual agreement between the county department of developmental disabilities  
25 services and the facility, unless the county department of developmental disabilities

**SECTION 3266m**

1 services governs the facility. The need for inpatient care shall be determined by the  
2 program director or designee in consultation with and upon the recommendation of  
3 a licensed physician trained in psychiatry and employed by the county department  
4 of developmental disabilities services or its contract agency prior to the admission  
5 of a patient to the facility except in the case of emergency services. In cases of  
6 emergency, a facility under contract with any county department of developmental  
7 disabilities services shall charge the county department of developmental  
8 disabilities services having jurisdiction in the county where the individual receiving  
9 care is found. The county department of developmental disabilities services shall  
10 reimburse the facility for the actual cost of all authorized care and services less  
11 applicable collections under s. 46.036, unless the department of health and social  
12 services determines that a charge is administratively infeasible, or unless the  
13 department of health and social services, after individual review, determines that  
14 the charge is not attributable to the cost of basic care and services. The exclusionary  
15 provisions of s. 46.03 (18) do not apply to direct and indirect costs which are  
16 attributable to care and treatment of the client. County departments of  
17 developmental disabilities services may not reimburse any state institution or  
18 receive credit for collections for care received therein by nonresidents of this state,  
19 interstate compact clients, transfers under s. 51.35 (3) (a), commitments under s.  
20 975.01, 1977 stats., or s. 975.02, 1977 stats. or s. 971.14, 971.17 or 975.06, admissions  
21 under s. 975.17, 1977 stats., or children placed in the guardianship ~~or legal custody~~  
22 of the department of health and social services under s. ~~48.355, 48.427 or 48.43~~ or  
23 under the supervision of the department of corrections under s. 48.355.

24 **SECTION 3267.** 51.44 (3) (a) of the statutes is amended to read:

1           51.44 (3) (a) From the appropriations under s. 20.435 (7) (3) (bt) and (nL) the  
2 department shall allocate and distribute funds to counties to provide or contract for  
3 the provision of early intervention services to individuals eligible to receive the early  
4 intervention services.

5           **SECTION 3268.** 51.45 (5) (title) of the statutes is amended to read:

6           51.45 (5) (title) COMMUNITY ALCOHOL AND OTHER DRUG ABUSE PREVENTION PILOT  
7 PROGRAM.

8           **SECTION 3269.** 51.45 (5) (b) (intro.) of the statutes is amended to read:

9           51.45 (5) (b) (intro.) The department shall select, upon application by counties,  
10 county departments under s. 46.215, 46.22, 46.23, 51.42 or 51.437 in up to 8 counties  
11 representing various geographical regions and populations and shall, from the  
12 ~~appropriation~~ appropriations under s. 20.435 (7) (f) and (o), award a total of not more  
13 than \$500,000 in grants in each fiscal year to the selected county departments to  
14 participate in a ~~pilot~~ program to implement and coordinate alcohol and other drug  
15 abuse programs and services relating to primary prevention. The county  
16 department in each county receiving funding under this paragraph shall appoint or  
17 contract with an alcohol and other drug abuse prevention specialist whose duties  
18 shall include all of the following:

19           **SECTION 3270m.** 51.62 (3m) of the statutes is created to read:

20           51.62 (3m) FUNDING. From the appropriation under s. 20.435 (7) (md), the  
21 department shall distribute \$75,000 in each fiscal year to the protection and  
22 advocacy agency for performance of community mental health protection and  
23 advocacy services.

24           **SECTION 3271.** 55.06 (8) (intro.) of the statutes is amended to read:

1           55.06 (8) (intro.) Before ordering the protective placement of any individual,  
2 the court shall direct a comprehensive evaluation of the person in need of placement,  
3 if such an evaluation has not already been made. The court may utilize available  
4 multidisciplinary resources in the community in determining the need for  
5 placement. The board designated under s. 55.02 or an agency designated by it shall  
6 cooperate with the court in securing available resources. Where applicable by reason  
7 of the particular disability, the appropriate board designated under s. 55.02 or an  
8 agency designated by it having responsibility for the place of legal residence of the  
9 individual as provided in s. ~~49.01 (8g)~~ 49.001 (6) shall make a recommendation for  
10 placement. If the court is considering placement of the individual in a center for the  
11 developmentally disabled, the court shall request a statement from the department  
12 regarding whether the placement is appropriate for the person's needs and whether  
13 it is consistent with the purpose of the center under s. 51.06 (1) unless testimony was  
14 provided by the department under sub. (5). A copy of the comprehensive evaluation  
15 shall be provided to the guardian, the guardian ad litem, and to the individual or  
16 attorney at least 96 hours in advance of the hearing to determine placement. The  
17 court or the cooperating agency obtaining the evaluation shall request appropriate  
18 information which shall include at least the following:

19           **SECTION 3274s.** 59.07 (97) of the statutes is amended to read:

20           59.07 (97) CHILD AND SPOUSAL SUPPORT; PATERNITY PROGRAM; MEDICAL SUPPORT  
21 LIABILITY PROGRAM. The county board shall contract with the department of health  
22 ~~and social services~~ revenue to implement and administer the child and spousal  
23 support and establishment of paternity and the medical support liability programs  
24 provided for by Title IV of the federal social security act. The board may designate  
25 by board resolution any office, officer, board, department or agency as the county

1 designee. The board or its designee shall implement and administer the programs  
2 in accordance with the contract with the state department of health and social  
3 services revenue. The attorneys responsible for support enforcement under s. 59.458  
4 (1), family court commissioner, clerk of court and all other county officials shall  
5 cooperate with the county and the department of revenue as necessary to provide the  
6 services required under the programs. The county shall charge the fee established  
7 by the department of revenue under s. ~~46.25~~ 73.25 for services provided under this  
8 subsection to persons not receiving assistance under s. 49.19 or 49.47.

9 **SECTION 3275.** 59.07 (98) of the statutes is amended to read:

10 59.07 (98) EMERGENCY ENERGY RELIEF. Regardless of ~~the type of general relief~~  
11 ~~system used within~~ whether a county operates a relief program under sub. (154),  
12 appropriate money for making payments to individuals or providing grants to  
13 community action agencies, cities, villages and towns to assist persons and families  
14 in the purchase of emergency energy supplies.

15 **SECTION 3276.** 59.07 (109) of the statutes is amended to read:

16 59.07 (109) PUBLIC ASSISTANCE; FALSE REPRESENTATION. Enact and enforce an  
17 ordinance to prohibit conduct that is the same as or similar to conduct that is  
18 prohibited by s. ~~49.12~~ 49.95 (1) and provide a forfeiture for a violation of the  
19 ordinance.

20 **SECTION 3277.** 59.07 (153) (a) of the statutes is amended to read:

21 59.07 (153) (a) In counties having a population of 500,000 or more, determine  
22 policy for the operation, maintenance and improvement of the county hospital under  
23 s. ~~49.16 (2)~~ 49.71 (2) and, notwithstanding the powers and duties specified under s.  
24 46.21 (2) (k), (3r) and (6) with respect to the county hospital and the administrator  
25 and specified under s. 46.21 (2) (b), (L), (m), (n), (nm), (o), (p) and (q) and (3g), provide

1 for the management of the county hospital as the board considers appropriate, except  
2 that the employe positions at the hospital will be county employe positions. If the  
3 board acts under this subsection, the board may not discontinue operation,  
4 maintenance and improvement of the county hospital under s. ~~49.16~~ 49.71 (2) and  
5 shall exercise the duties under s. 46.21 (4m).

6 **SECTION 3278.** 59.07 (153) (b) of the statutes is amended to read:

7 59.07 (153) (b) This subsection does not apply if the board acts under s. 46.21  
8 with respect to the county hospital under s. ~~49.16 (2)~~ 49.71 (2).

9 **SECTION 3279.** 59.07 (154) of the statutes is created to read:

10 59.07 (154) OPERATION OF RELIEF PROGRAMS. Operate a program of relief to  
11 dependent persons residing in a county. The program may provide dependent  
12 persons with such services, commodities or money as the county determines to be  
13 reasonable and necessary under the circumstances. The program may include work  
14 components. The county may enact any ordinances necessary or useful to the  
15 operation of a relief program under this subsection. Counties may use vehicle  
16 registration information from the department of transportation in determining  
17 eligibility for relief programs under this subsection.

18 **SECTION 3279g.** 59.07 (155) of the statutes is created to read:

19 59.07 (155) COLLECTION OF COURT IMPOSED PENALTIES. Adopt a resolution  
20 authorizing the clerk of circuit court, under s. 59.396, to contract with a collection  
21 agency for the collection of unpaid fines and forfeitures.

22 **SECTION 3280.** 59.145 (title) of the statutes is amended to read:

23 **59.145 (title) Optical disk and electronic storage.**

24 **SECTION 3281.** 59.145 (1) of the statutes is amended to read:

**SECTION 3281**

1           59.145 (1) Upon request of any office, department, commission, board or agency  
2 of the county, the board may authorize any county record that is in the custody of the  
3 office, department, commission, board or agency to be transferred to, or maintained  
4 in, optical disk or electronic storage in accordance with rules of the department of  
5 administration under s. 16.612. The board may thereafter authorize destruction of  
6 the original record, if appropriate, in accordance with ss. 16.61 (3) (e), 19.21 (5) and  
7 59.715 to 59.717 unless preservation is required by law.

8           **SECTION 3282.** 59.145 (2) (intro.) of the statutes is amended to read:

9           59.145 (2) (intro.) Any copy of a county record generated from optical imaging  
10 or electronic formatting of an original record is deemed an original record if all of the  
11 following conditions are met:

12           **SECTION 3283.** 59.145 (2) (a) of the statutes is amended to read:

13           59.145 (2) (a) The devices used to transform the record to optical disk or  
14 electronic format and to generate a copy of the record from optical disk or electronic  
15 format are ones which accurately reproduce the content of the original.

16           **SECTION 3284.** 59.145 (2) (b) of the statutes is amended to read:

17           59.145 (2) (b) The optical disk or electronic copy and the copy generated from  
18 optical disk or electronic format comply with the minimum standards of quality for  
19 such copies, as established by the rule of the department of administration under s.  
20 16.612.

21           **SECTION 3285.** 59.145 (2) (d) of the statutes is amended to read:

22           59.145 (2) (d) The legal custodian of the record executes a statement of intent  
23 and purpose describing the record to be transferred to optical disk or electronic  
24 format and the disposition of the original record, and executes a certificate verifying  
25 that the record was received or created and transferred to optical disk or electronic

1 format in the normal course of business and that the statement of intent and purpose  
2 is properly recorded in his or her office.

3 **SECTION 3286.** 59.145 (4) of the statutes is amended to read:

4 59.145 (4) A copy of a record generated from an original record stored on an  
5 optical disk or in electronic format which conforms with the standards prescribed  
6 under sub. (2) shall be taken as and stand in lieu of and have all of the effect of the  
7 original record and shall be admissible in evidence in all courts and all other  
8 tribunals or agencies, administrative or otherwise, in all cases where the original  
9 document is admissible. A transcript, exemplification or certified copy of such a  
10 record so generated, for the purposes specified in this subsection, is deemed to be a  
11 transcript, exemplification or certified copy of the original. An enlarged copy of any  
12 record so generated, made in accordance with the standards prescribed under sub.  
13 (2) and certified by the custodian as provided in s. 889.18 (2), has the same effect as  
14 an actual-size copy.

15 **SECTION 3287.** 59.15 (2) (c) of the statutes is amended to read:

16 59.15 (2) (c) The board may provide, fix or change the salary or compensation  
17 of any such office, board, commission, committee, position, employe or deputies to  
18 elective officers without regard to the tenure of the incumbent (except as provided  
19 in par. (d)) and also establish the number of employes in any department or office  
20 including deputies to elective officers, and may establish regulations of employment  
21 for any person paid from the county treasury, but no action of the board shall be  
22 contrary to or in derogation of the rules and regulations of the department of health  
23 and social services pursuant to s. ~~49.50 (2) to (5)~~ 49.33 (4) to (7) relating to employes  
24 administering old-age assistance, aid to dependent children, aid to the blind and aid  
25 to totally and permanently disabled persons or ss. 63.01 to 63.17.

1           **SECTION 3287b.** 59.175 of the statutes is amended to read:

2           **59.175 Clerks of counties containing state institutions to make claims**  
3 **in certain cases.** The county clerk of any county which is entitled to reimbursement  
4 under s. 16.51 (7) shall make a certified claim against the state, without direction  
5 from the county board, in all cases where the reimbursement is directed in that  
6 subsection, upon forms prescribed by the department of administration. The forms  
7 shall contain information required by the clerk and shall be filed annually ~~with the~~  
8 ~~department of corrections~~ on or before June 1. If the claim is for reimbursement of  
9 expenses involving a prisoner in a state prison, as defined in s. 302.01, the form shall  
10 be filed with the department of corrections. If the claim is for reimbursement of  
11 expenses involving a child in a secured correctional facility, as defined in s. 48.02  
12 (15m), the form shall be filed with the department of health and social services. If  
13 the claims are approved by the department of corrections or the department of health  
14 and social services, they shall be certified to the department of administration and  
15 paid from the appropriation made by under s. 20.410 (1) (c) or 20.435 (3) (c).

16           **SECTION 3287bm.** 59.175 of the statutes, as affected by 1995 Wisconsin Act ....  
17 (this act), is repealed and recreated to read:

18           **59.175 Clerks of counties containing state institutions to make claims**  
19 **in certain cases.** The county clerk of any county which is entitled to reimbursement  
20 under s. 16.51 (7) shall make a certified claim against the state, without direction  
21 from the county board, in all cases where the reimbursement is directed in that  
22 subsection, upon forms prescribed by the department of administration. The forms  
23 shall contain information required by the clerk and shall be filed annually with the  
24 department of corrections on or before June 1. If the claims are approved by the  
25 department of corrections, they shall be certified to the department of

1 administration and paid from the appropriation made by s. 20.410 (1) (c), if the claim  
2 is for reimbursement of expenses involving a prisoner in a state prison named in s.  
3 302.01, or from the appropriation under s. 20.410 (3) (c), if the claim is for  
4 reimbursement of expenses involving a child in a secured correctional facility, as  
5 defined in s. 48.02 (15m).

6 **SECTION 3288.** 59.23 (8) of the statutes is amended to read:

7 59.23 (8) The sheriff is authorized to destroy all sheriff's dockets, daily jail  
8 records and cash books dated prior to 1901. It shall be the duty of the sheriff to  
9 hereafter retain and safely keep all such records for a period of 8 years, or a shorter  
10 period authorized by the public records and forms board under s. 16.61 (3) (b), after  
11 which the records may be destroyed.

12 **SECTION 3289.** 59.23 (10) of the statutes is amended to read:

13 59.23 (10) To enforce in the county all general orders of the department of  
14 ~~industry, labor and human relations~~ development relating to the sale, transportation  
15 and storage of explosives.

16 **SECTION 3290.** 59.39 (1) of the statutes is amended to read:

17 59.39 (1) File and keep all papers properly deposited with him or her in every  
18 action or proceeding unless required to transmit such papers. Such papers may be  
19 microfilmed or microphotographed, or transferred to optical disks or electronic  
20 format if authorized under s. 59.145, and the originals may thereafter be destroyed  
21 upon compliance with SCR chapter 72.

22 **SECTION 3291.** 59.39 (2) of the statutes is amended to read:

23 59.39 (2) Keep a court record and write therein names of parties in every civil  
24 action or proceeding in the court, the names of attorneys representing the parties,  
25 a brief statement of the nature of the action or proceeding, the date of filing every

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1 paper therein and of each proceeding taken, the file wherein the papers can be found,  
2 the time when put on the calendar for trial, and when and how disposed of; the  
3 location where minutes in every case can be found and the place in the judgment  
4 record or microfilm or optical disk or electronic file where any judgment, order or  
5 report has been recorded, so as to make the court record a history in brief of each  
6 action or proceeding from beginning to final disposition; and a complete index of all  
7 proceedings therein.

8 **SECTION 3291c.** 59.395 (7) of the statutes is amended to read:

9 59.395 (7) Cooperate with the department of ~~health and social services~~ revenue  
10 with respect to the child and spousal support and establishment of paternity and  
11 medical liability support program under ss. ~~46.25 and 59.07 (97)~~ and 73.25, and  
12 provide that department with any information from court records which it requires  
13 to administer that program.

14 **SECTION 3291g.** 59.396 of the statutes is created to read:

15 **59.396 Clerk of circuit court; collection agency contract.** If authorized  
16 by the county board under s. 59.07 (155), the clerk of circuit court may contract with  
17 a collection agency for the collection of unpaid fines and forfeitures. Any contract  
18 entered into shall provide that the collection agency shall be paid from the proceeds  
19 recovered by the collection agency. The net proceeds received by the clerk of circuit  
20 court after the payment to the collection agency shall be considered the amount of  
21 fines and forfeitures collected for purposes of distribution to the state and county  
22 under s. 59.395 (5).

23 **SECTION 3291m.** 59.458 (2) of the statutes is amended to read:

24 59.458 (2) Attorneys responsible for support enforcement under sub. (1) shall  
25 institute, commence, appear in or perform other prescribed duties in actions or

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1 proceedings under ss. ~~46.25 (7)~~, 59.07 (97), 73.25 (7), 767.075, 767.08 and 767.45 and  
2 ch. 769.

3 **SECTION 3292.** 59.51 (1) of the statutes is amended to read:

4 59.51 (1) Record or cause to be recorded in suitable books to be kept in his or  
5 her office, correctly and legibly all deeds, mortgages, maps, instruments and writings  
6 authorized by law to be recorded in his or her office and left with him or her for that  
7 purpose, provided such documents have plainly printed or typewritten thereon the  
8 names of the grantors, grantees, witnesses and notary. Any county, by board  
9 resolution duly adopted, may combine the separate books or volumes for deeds,  
10 mortgages, miscellaneous instruments, attachments, lis pendens, sales and notices,  
11 certificates of organization of corporations, plats or other recorded or filed  
12 instruments or classes of documents as long as separate indexes are maintained.  
13 Notwithstanding any other provisions of the statutes, any county adopting a system  
14 of microfilming or like process or a system of recording documents by optical imaging  
15 or electronic formatting pursuant to ch. 228 may substitute the headings, reel, or  
16 disk or electronic file name and microfilm image (frame) for volume and page where  
17 recorded and different classes of instruments may be recorded, reproduced or copied  
18 on or transferred to the same reel, or disk or electronic file or part of a reel or disk.  
19 All recordings made prior to June 28, 1961, which would have been valid under this  
20 paragraph, had this paragraph then been in effect, are hereby validated.

21 **SECTION 3293b.** 59.51 (11) of the statutes is amended to read:

22 59.51 (11) File all documents pertaining to security interests in personal  
23 property, crops or fixtures that are required or authorized by law to be filed with the  
24 register. Except as otherwise prescribed by the ~~secretary of state~~ department of  
25 financial institutions pursuant to ss. 409.403 to 409.406, these documents shall be

1 executed on white or light colored sheets of paper, 8 or 8-1/2 inches wide and 5, 7,  
2 10-1/2 or 14 inches long. Whenever there is offered for filing any document that  
3 varies more than one-eighth of an inch from the approved size, or that is not on a  
4 standard form prescribed by the ~~secretary of state~~ department of financial  
5 institutions, then in addition to the regular filing fee an additional filing fee shall be  
6 charged by the register of deeds, as prescribed by s. 59.57. No assignment, release  
7 or other instrument shall be offered for filing that is executed or endorsed on any  
8 other document, but each shall be a separate and distinct document, except those  
9 assignments or notices that are printed or written on and immediately following the  
10 original agreement or financing statement, offered for filing at the same time, shall  
11 be considered as one document. All these documents shall be legibly written, and  
12 shall have the names of the debtor and secured party plainly printed or typed on the  
13 document and shall provide a space for filing data of the register of deeds on the  
14 outside of the document.

15 **SECTION 3294.** 59.512 (title) of the statutes is amended to read:

16 **59.512 (title) Register of deeds; microfilming and optical imaging disk**  
17 **and electronic storage.**

18 **SECTION 3295.** 59.512 (1) of the statutes is amended to read:

19 59.512 (1) Except as provided in sub. (2), upon the request of the register of  
20 deeds, any county, by board resolution, may authorize the register of deeds to  
21 photograph, microfilm or record on optical disks or in electronic format records of  
22 deeds, mortgages or other instruments relating to real property or may authorize the  
23 register of deeds to record on optical disks or in electronic format instruments  
24 relating to security interests in accordance with the requirements of s. 16.61 (7) or  
25 59.145 and to store the original records within the county at a place designated by

1 the board. The storage place for the original records shall be reasonably safe and  
2 shall provide for the preservation of the records authorized to be stored under this  
3 subsection. The register of deeds shall keep a photograph, microfilm or optical disk  
4 or electronic copy of such records in conveniently accessible files in his or her office  
5 and shall provide for examination of such reproduction or examination of a copy  
6 generated from an optical disk or electronic file in enlarged, easily readable form  
7 upon request. Compliance with this subsection satisfies the requirement of s. 59.51  
8 (1) that the register of deeds shall keep such records in his or her office. The register  
9 of deeds may make certified copies reproduced from an authorized photograph, from  
10 a copy generated from an optical disk or electronic storage or from the original  
11 records.

12 **SECTION 3296.** 59.512 (2) of the statutes is amended to read:

13 59.512 (2) The register of deeds may microfilm or record on optical disks or in  
14 electronic format notices of lis pendens that are at least one year old, in accordance  
15 with the requirements of s. 16.61 (7) or 59.145 (2) to (4). The register of deeds shall  
16 keep a microfilm or optical disk or electronic copy of notices of lis pendens in  
17 conveniently accessible files in his or her office and shall provide for examination of  
18 such reproduction or examination of a copy generated from an optical disk or  
19 electronic storage in enlarged, easily readable form upon request. Compliance with  
20 this subsection satisfies the requirement of s. 59.51 (1) that the register of deeds shall  
21 keep such records in his or her office. The register of deeds may make certified copies  
22 reproduced from a copy generated from microfilm or from an optical disk or electronic  
23 storage. The register of deeds may destroy or move to off-site storage any notice of  
24 lis pendens that has been microfilmed or recorded on optical disk or in electronic  
25 format under this subsection.

1           **SECTION 3297.** 59.57 (6) of the statutes is amended to read:

2           59.57 (6) For performing functions under s. 409.407 (1) and (2) (a) and (b), the  
3 register shall charge the fees stated in ~~that section~~ s. 409.407 (2) (a) or (b). A  
4 financing statement and an assignment or notice of assignment of the security  
5 interest, offered for filing at the same time, shall be considered as only one document  
6 for the purpose of this subsection. Whenever there is offered for filing any document  
7 that is not on a standard form prescribed by the secretary of state or that varies more  
8 than one-eighth of an inch from the approved size as prescribed by s. 59.51, the  
9 appropriate fee specified in ss. 409.403 to 409.406 or an additional filing fee of  
10 one-half the regular fee, whichever is applicable, shall be charged by the register.

11           **SECTION 3298b.** 59.57 (6) of the statutes, as affected by 1995 Wisconsin Act ....  
12 (this act), is repealed and recreated to read:

13           59.57 (6) For performing functions under s. 409.407 (1) and (2) (a) and (b), the  
14 register shall charge the fees stated in s. 409.407 (2) (a) or (b). A financing statement  
15 and an assignment or notice of assignment of the security interest, offered for filing  
16 at the same time, shall be considered as only one document for the purpose of this  
17 subsection. Whenever there is offered for filing any document that is not on a  
18 standard form prescribed by the department of financial institutions or that varies  
19 more than one-eighth of an inch from the approved size as prescribed by s. 59.51, the  
20 appropriate fee specified in ss. 409.403 to 409.406 or an additional filing fee of  
21 one-half the regular fee, whichever is applicable, shall be charged by the register.

22           **SECTION 3300.** 59.90 (1) (a) of the statutes is amended to read:

23           59.90 (1) (a) On or before January 10 of every odd-numbered year, each city,  
24 village, town and county officer, and each clerk of every court of record, shall file with  
25 the treasurer of that person's county a written report under oath giving the names

**SECTION 3300**

1 and the last-known addresses of all persons for whom any such officer or clerk holds  
2 money or security, and which has not been claimed for at least one year, and showing  
3 the amount of the money or the nature of the security in detail. A duplicate report  
4 shall also be mailed to the ~~secretary of state~~ department of financial institutions.  
5 Upon receiving the reports the treasurer shall cause to be published a class 3 notice,  
6 under ch. 985, on or before February 1 of the same year, which contains the names  
7 and last-known addresses of the owners of such unclaimed money or security, and  
8 shall state that unless the owners call for and prove their ownership of the money  
9 or security, within 6 months from the time of the completed publication, the treasurer  
10 will take possession or control of the money or security.

11 **SECTION 3300d.** 59.971 (1) (c) of the statutes is amended to read:

12 59.971 (1) (c) "Shoreland zoning standard" means a standard for ordinances  
13 enacted under this section that ~~are~~ is promulgated as ~~rules~~ a rule by the department.

14 **SECTION 3300g.** 59.971 (2m) of the statutes is created to read:

15 59.971 (2m) (a) A county may enact an ordinance under this section to regulate  
16 the setback of a building or structure from a body of water. A county may amend an  
17 ordinance that is enacted under this section and that is in effect on the effective date  
18 of this paragraph .... [revisor inserts date] in order to change or repeal any provision  
19 of the ordinance related to the setback of a building or structure from a body of water.

20 (b) The department may not establish by rule any shoreland zoning standard,  
21 or otherwise maintain any standard or criterion, that regulates the setback of  
22 buildings or structures from a body of water in the unincorporated area of a county.

23 **SECTION 3300m.** 60.23 (5) of the statutes is amended to read:

24 60.23 (5) COOPERATION IN COUNTY PLANNING. Cooperate with the county in rural  
25 planning under ss. ~~27.015~~ 27.019, 59.07 (65) and 59.97.

**SECTION 3301**

1           **SECTION 3301.** 60.33 (9) (a) of the statutes is amended to read:

2           60.33 (9) (a) Perform the clerk's duties under chs. 115 to 121, relating to public  
3 ~~instruction~~ education.

4           **SECTION 3302.** 60.71 (4) (b) of the statutes is amended to read:

5           60.71 (4) (b) The town board shall publish a class 2 notice, under ch. 985, of the  
6 hearing. The notice shall contain an announcement of the hearing and a description  
7 of the boundaries of the proposed town sanitary district. The town board shall mail  
8 the notice to the department of ~~industry, labor and human relations~~ development and  
9 the department of natural resources at least 10 days prior to the hearing.

10          **SECTION 3303.** 60.71 (4) (c) of the statutes is amended to read:

11          60.71 (4) (c) Any person may file written comments on the formation of the  
12 district with the town clerk. Any owner of property within the boundary of the  
13 proposed district may appear at the hearing and offer objections, criticisms or  
14 suggestions as to the necessity of the proposed district and the question of whether  
15 his or her property will be benefited by the establishment of the district. A  
16 representative of the department of ~~industry, labor and human relations~~  
17 development and of the department of natural resources may attend the hearing and  
18 advise the town board.

19          **SECTION 3304.** 61.34 (4) of the statutes is amended to read:

20          61.34 (4) VILLAGE FINANCES. The village board may levy and provide for the  
21 collection of taxes and special assessments; may refund any tax or special  
22 assessment paid, or any part thereof, when satisfied that the same was unjust or  
23 illegal; and generally may manage the village finances. The village board may loan  
24 money to any school district located within the village or within which the village is  
25 wholly or partially located in such sums as are needed by such district to meet the

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1 immediate expenses of operating the schools thereof, and the board of the district  
2 may borrow money from such village accordingly and give its note therefor. No such  
3 loan shall be made to extend beyond August 30 next following the making thereof or  
4 in an amount exceeding one-half of the estimated receipts for such district as  
5 certified by the ~~state superintendent~~ department of public instruction education and  
6 the local school clerk. The rate of interest on any such loan shall be determined by  
7 the village board.

8 **SECTION 3305.** 62.12 (9) of the statutes is amended to read:

9 62.12 (9) LOANS. The council may loan money to any school district located  
10 within the city, or within which the city is wholly or partially located, in such sums  
11 as are needed by such district to meet the immediate expenses of operating the  
12 schools thereof, and the board of the district may borrow money from such city  
13 accordingly and give its note therefor. No such loan shall be made to extend beyond  
14 August 30 next following the making thereof or in an amount exceeding one-half of  
15 the estimated receipts for such district as certified by the ~~state superintendent~~  
16 department of public instruction education and the local school clerk. The rate of  
17 interest on any such loan shall be determined by the city council.

18 **SECTION 3305m.** 65.07 (1) (e) of the statutes is amended to read:

19 65.07 (1) (e) A school operations fund, as constituted and for the purposes  
20 specified in s. 119.46 (1).

21 **SECTION 3306.** 66.013 (2) (a) of the statutes is amended to read:

22 66.013 (2) (a) "Department" means the department of ~~administration~~  
23 development.

24 **SECTION 3307.** 66.02 of the statutes is amended to read:

1           **66.02 Consolidation.** Subject to s. 66.023 (7), any town, village or city may  
2 be consolidated with a contiguous town, village or city, by ordinance, passed by a  
3 two-thirds vote of all the members of each board or council, fixing the terms of the  
4 consolidation and ratified by the electors at a referendum held in each municipality.

5       The ballots shall bear the words, “for consolidation”, and “against consolidation”,  
6 and if a majority of the votes cast thereon in each municipality are for consolidation,  
7 the ordinances shall then be in effect and have the force of a contract. The ordinance  
8 and the result of the referendum shall be certified as provided in s. 66.018 (5); if a  
9 town the certification shall be preserved as provided in ss. 60.03 and 66.018 (5),  
10 respectively. Consolidation shall not affect the preexisting rights or liabilities of any  
11 municipality and actions thereon may be commenced or completed as though no  
12 consolidation had been effected. Any consolidation ordinance proposing the  
13 consolidation of a town and another municipality shall, within 10 days after its  
14 adoption and prior to its submission to the voters for ratification at a referendum, be  
15 submitted to the circuit court and the department of ~~administration~~ development for  
16 a determination whether such proposed consolidation is in the public interest. The  
17 circuit court shall determine whether the proposed ordinance meets the formal  
18 requirements of this section and shall then refer the matter to the department of  
19 ~~administration~~ development, which shall find as prescribed in s. 66.014 whether the  
20 proposed consolidation is in the public interest in accordance with the standards in  
21 s. 66.016. The department’s findings shall have the same status as incorporation  
22 findings under ss. 66.014 to 66.019.

23           **SECTION 3308.** 66.021 (7) (a) of the statutes is amended to read:

24           66.021 (7) (a) An ordinance for the annexation of the territory described in the  
25 annexation petition may be enacted by a two-thirds vote of the elected members of

1 the governing body not less than 20 days after the publication of the notice of  
2 intention to circulate the petition and not later than 120 days after the date of filing  
3 with the city or village clerk of the petition for annexation or of the referendum  
4 election if favorable to the annexation. If the annexation is subject to sub. (11) the  
5 governing body shall first review the reasons given by the department of  
6 ~~administration~~ development that the proposed annexation is against the public  
7 interest. Subject to s. 59.971 (7), such an ordinance may temporarily designate the  
8 classification of the annexed area for zoning purposes until the zoning ordinance is  
9 amended as prescribed in s. 62.23 (7) (d). Before introduction of an ordinance  
10 containing such temporary classification, the proposed classification shall be  
11 referred to and recommended by the plan commission. The authority to make such  
12 temporary classification shall not be effective when the county ordinance prevails  
13 during litigation as provided in s. 59.97 (7).

14 **SECTION 3309.** 66.021 (11) (a) of the statutes is amended to read:

15 66.021 (11) (a) *Annexations within populous counties.* No annexation  
16 proceeding within a county having a population of 50,000 or more shall be valid  
17 unless the person causing a notice of annexation to be published under sub. (3) shall  
18 within 5 days of the publication mail a copy of the notice, legal description and a scale  
19 map of the proposed annexation to the clerk of each municipality affected and the  
20 department of ~~administration~~ development. The department may within 20 days  
21 after receipt of the notice mail to the clerk of the town within which the territory lies  
22 and to the clerk of the proposed annexing village or city a notice that in its opinion  
23 the annexation is against the public interest. No later than 10 days after mailing the  
24 notice, the department shall advise the clerk of the town in which the territory is  
25 located and the clerk of the village or city to which the annexation is proposed of the

1 reasons the annexation is against the public interest as defined in par. (c). The  
2 annexing municipality shall review the advice before final action is taken.

3 **SECTION 3310.** 66.021 (11) (c) (intro.) of the statutes is amended to read:

4 66.021 (11) (c) *Definition of public interest.* (intro.) For purposes of this  
5 subsection public interest is determined by the department of ~~administration~~  
6 development after consideration of the following:

7 **SECTION 3311.** 66.021 (12) of the statutes is amended to read:

8 66.021 (12) UNANIMOUS APPROVAL. If a petition for direct annexation signed by  
9 all of the electors residing in the territory and the owners of all of the real property  
10 in the territory is filed with the city or village clerk, and with the town clerk of the  
11 town or towns in which the territory is located, together with a scale map and a legal  
12 description of the property to be annexed, an annexation ordinance for the  
13 annexation of the territory may be enacted by a two-thirds vote of the elected  
14 members of the governing body of the city or village without compliance with the  
15 notice requirements of sub. (3). In such annexations, subject to sub. (11), the person  
16 filing the petition with the city or village clerk and the town clerk shall, within 5 days  
17 of the filing, mail a copy of the scale map and a legal description of the territory to  
18 be annexed to the department of ~~administration~~ development and the governing  
19 body shall review the advice of the department, if any, before enacting the annexation  
20 ordinance.

21 **SECTION 3312.** 66.021 (15) of the statutes is amended to read:

22 66.021 (15) ANNEXATION OF TOWN ISLANDS. Upon its own motion, a city or village  
23 by a two-thirds vote of the entire membership of its governing body may enact an  
24 ordinance annexing territory which comprises a portion of a town or towns and which  
25 was completely surrounded by territory of the city or village on December 2, 1973.

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1 The ordinance shall include all surrounded town areas except those exempt by  
2 mutual agreement of all of the governing bodies involved. The annexation ordinance  
3 shall contain a legal description of the territory and the name of the town or towns  
4 from which the territory is detached. Upon enactment of the ordinance, the city or  
5 village clerk immediately shall file 6 certified copies of the ordinance in the office of  
6 the secretary of state, together with 6 copies of a scale map. The secretary of state  
7 shall forward 2 copies of the ordinance and scale map to the department of  
8 transportation, one copy to the department of natural resources, one copy to the  
9 department of revenue and one copy to the department of ~~administration~~  
10 development. This subsection does not apply if the town island was created only by  
11 the annexation of a railroad right-of-way or drainage ditch. This subsection does  
12 not apply to land owned by a town government which has existing town government  
13 buildings located thereon. No town island may be annexed under this subsection if  
14 the island consists of over 65 acres or contains over 100 residents. After December  
15 2, 1973, no city or village may, by annexation, create a town area which is completely  
16 surrounded by the city or village.

17 **SECTION 3313.** 66.03 (3) (c) of the statutes is amended to read:

18 66.03 (3) (c) When as a result of any annexation whereby a school district is left  
19 without a school building, any moneys are received by such school district as a result  
20 of the division of assets and liabilities required by s. 66.03, which are derived from  
21 values that were capital assets, such moneys and interest thereon shall be held in  
22 trust by such school district and dispensed only for procuring new capital assets or  
23 remitted to an operating district as the remainder of the suspended district becomes  
24 a part of such operating district, and shall in no case be used to meet current  
25 operating expenditures. This shall include any funds in the hands of any district

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1 officers on July 1, 1953, resulting from such action previously taken under s. 66.03.  
2 The boards involved shall, as part of their duties in division of assets and liabilities  
3 in school districts, make a written report of the allocation of assets and liabilities to  
4 the ~~state superintendent~~ department of ~~public instruction~~ education and any local  
5 superintendent of schools whose territory is involved in the division of assets.

6 **SECTION 3314.** 66.03 (5) of the statutes is amended to read:

7 66.03 (5) APPORTIONMENT BOARD. The boards or councils of the municipalities,  
8 or committees, thereof selected for that purpose, acting together, shall constitute an  
9 apportionment board. When any municipality is dissolved by reason of all of its  
10 territory being so transferred the board or council thereof existing at the time of such  
11 dissolution shall, for the purpose of this section, continue to exist as the governing  
12 body of such municipality until there has been an apportionment of assets by  
13 agreement of the interested municipalities or by an order of the circuit court. After  
14 an agreement for apportionment of assets has been entered into between the  
15 interested municipalities, or an order of the circuit court becomes final, a copy of such  
16 apportionment agreement, or of such order, certified to by the clerks of the interested  
17 municipalities, shall be filed with the department of revenue, the department of  
18 natural resources, the department of transportation, the ~~state superintendent~~  
19 department of ~~public instruction~~ education, the department of administration, and  
20 with any other department or agency of the state from which the town may be  
21 entitled by law to receive funds or certifications or orders relating to the distribution  
22 or disbursement of funds, with the county treasurer, with the treasurer of any  
23 municipality, or with any other entity from which payment would have become due  
24 if such dissolved municipality from which such territory was transferred had  
25 continued in existence. Thereafter payments from the shared revenue account made

1 pursuant to ch. 79, payments of forest crop taxes under s. 77.05, of transportation  
2 aids under s. 20.395, of state aids for school purposes under ch. 121, payments for  
3 managed forest land under subch. VI of ch. 77 and all payments due from a  
4 department or agency of the state, from a county, from a municipality, or from any  
5 other entity from which payments would have become due if such dissolved  
6 municipality from which such territory was transferred had continued in existence,  
7 shall be paid to the interested municipality as provided by such agreement for  
8 apportionment of assets or by any order of apportionment by the circuit court and  
9 such payments shall have the same force and effect as if made to the dissolved  
10 municipality from which such territory was transferred.

11 **SECTION 3315.** 66.04 (2) (a) 3s. of the statutes is created to read:

12 66.04 (2) (a) 3s. Bonds issued by the University of Wisconsin Hospitals and  
13 Clinics Authority.

14 **SECTION 3316m.** 66.069 (1) (c) of the statutes is amended to read:

15 66.069 (1) (c) The income of a public utility owned by a municipality, shall first  
16 be used to make payments to meet operation, maintenance, depreciation, interest,  
17 and debt service fund requirements, local and school tax equivalents, additions and  
18 improvements, and other necessary disbursements or indebtedness. Beginning with  
19 taxes levied in 1995, payable in 1996, payments for local and school tax equivalents  
20 shall at least be equal to the payment made on the property for taxes levied in 1994,  
21 payable in 1995, unless a lower payment is authorized by the governing body of the  
22 municipality. Income in excess of these requirements may be used to purchase and  
23 hold interest bearing bonds, issued for the acquisition of the utility, or bonds issued  
24 by the United States or any municipal corporation of this state, or insurance upon  
25 the life of an officer or manager of such utility, or may be paid into the general fund.

**SECTION 3317**

1           **SECTION 3317.** 66.122 (2) of the statutes is amended to read:

2           66.122 **(2)** Except in cases of emergency where no special inspection warrant  
3 shall be required, special inspection warrants shall be issued for inspection of  
4 personal or real properties which are not public buildings or for inspection of portions  
5 of public buildings which are not open to the public only upon showing that consent  
6 to entry for inspection purposes has been refused. The definition of “public building”  
7 under s. 101.01 ~~(2)~~ ~~(g)~~ (12) applies to this section.

8           **SECTION 3318.** 66.293 (3) (i) of the statutes is amended to read:

9           66.293 **(3)** (i) The department of industry, labor and human relations or the  
10 contracting municipality may demand and examine copies of any payrolls and other  
11 records and information relating to the wages paid laborers, workmen or mechanics  
12 on work to which this subsection applies. The department may inspect records in the  
13 manner provided in ~~eh. 101~~ chs. 103 to 106. Every contractor, subcontractor or agent  
14 is subject to the requirements of ~~eh. 101~~ chs. 103 to 106 relating to examination of  
15 records.

16           **SECTION 3319.** 66.293 (3) (k) of the statutes is amended to read:

17           66.293 **(3)** (k) The provisions of s. ~~101.02~~ 103.005 (5) (f), (11), (12), and (13) ~~and~~  
18 ~~(14)~~ apply to this subsection. Section 111.322 (2m) applies to discharge or other  
19 discriminatory acts arising in connection with any proceeding under this subsection,  
20 including proceedings under par. (a).

21           **SECTION 3320.** 66.30 (6) (g) of the statutes is amended to read:

22           66.30 **(6)** (g) At least 30 days prior to entering into a contract under this  
23 subsection or a modification or extension of the contract, the school boards of the  
24 districts involved or their designated agent shall file the proposed agreement with  
25 the ~~state superintendent~~ department of education to enable the state

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1 ~~superintendent or state superintendent's designee~~ department to assist and advise  
2 the school boards involved in regard to the applicable recognized accounting  
3 procedure for the administration of the school aid programs. The ~~state~~  
4 ~~superintendent~~ department of education shall review the terms of the proposed  
5 contract to ensure that each participating district's interests are protected.

6 **SECTION 3320m.** 66.365 of the statutes is amended to read:

7 **66.365 Aids to municipalities; environmental damage compensation.**

8 The department of natural resources may make grants to any county, city, village or  
9 town for the acquisition or development of recreational lands and facilities from  
10 moneys appropriated under s. 20.370 (2) (~~fq~~) (dv). Use and administration of the  
11 grant shall be consistent with any court order issued under s. 147.23 (3). A county,  
12 city, village or town which receives a grant under this section is not required to share  
13 in the cost of a project under this section.

14 **SECTION 3321.** 66.40 (9) (v) of the statutes is amended to read:

15 66.40 (9) (v) To establish a procedure for preservation of the records of the  
16 authority by the use of microfilm, another reproductive device, ~~or~~ optical imaging,  
17 or electronic formatting if authorized under s. 19.21 (4) (c). Any such procedure shall  
18 assure that copies of such records that are open to public inspection continue to be  
19 available to members of the public requesting them. A photographic reproduction  
20 of a record or copy of a record generated from optical disk or electronic storage is  
21 deemed the same as an original record for all purposes if it meets the applicable  
22 standards established in ss. 16.61 and 16.612.

23 **SECTION 3321m.** 66.407 (2) (b) 3. of the statutes is amended to read:

24 66.407 (2) (b) 3. ~~Apply~~ Subject to s. 44.65, apply for a grant or loan under s.  
25 44.60 in connection with an arts incubator.

1           **SECTION 3322.** 66.412 of the statutes is amended to read:

2           **66.412 Urban redevelopment; transfer of land.** Notwithstanding any  
3 requirement of law to the contrary or the absence of direct provision therefor in the  
4 instrument under which a fiduciary is acting, every executor, administrator, trustee,  
5 guardian or other person, holding trust funds or acting in a fiduciary capacity, unless  
6 the instrument under which such fiduciary is acting expressly forbids, the state, its  
7 subdivisions, cities, all other public bodies, all public officers, corporations organized  
8 under or subject to the provisions of the banking law, the ~~commissioner~~ division of  
9 banking as conservator, liquidator or rehabilitator of any such person, partnership  
10 or corporation, persons, partnerships and corporations organized under or subject to  
11 the provisions of the banking law, the commissioner of insurance as conservator,  
12 liquidator or rehabilitator of any such person, partnership or corporation, any of  
13 which owns or holds any real property within a development area, may grant, sell,  
14 lease or otherwise transfer any such real property to a redevelopment corporation,  
15 and receive and hold any cash, stocks, income debentures, mortgages, or other  
16 securities or obligations, secured or unsecured, exchanged therefor by such  
17 redevelopment corporation, and may execute such instruments and do such acts as  
18 may be deemed necessary or desirable by them or it and by the redevelopment  
19 corporation in connection with the development and the development plan.

20           **SECTION 3323.** 66.416 (2) of the statutes is amended to read:

21           **66.416 (2)** Certificates, bonds and notes, or part interests therein, or any part  
22 of an issue thereof, which are issued by a redevelopment corporation and secured by  
23 a first mortgage on the real property of the redevelopment corporation, or any part  
24 thereof, shall be securities in which all the following persons, partnerships or  
25 corporations and public bodies or public officers may legally invest the funds within

1 their control, but the principal amount thereof shall not exceed the limits, if any,  
2 imposed by law for such investments by the person, partnership, corporation, public  
3 body or public officer making the investment: Every executor, administrator, trustee,  
4 guardian, committee or other person or corporation holding trust funds or acting in  
5 a fiduciary capacity; the state, its subdivisions, cities, all other public bodies, all  
6 public officers; persons, partnerships and corporations organized under or subject to  
7 the provisions of the banking law (including savings banks, savings and loan  
8 associations, trust companies, bankers and private banking corporations); the  
9 ~~commissioner~~ division of banking as conservator, liquidator or rehabilitator of any  
10 such person, partnership or corporation; persons, partnerships or corporations  
11 organized under or subject to chs. 600 to 646; and the commissioner of insurance as  
12 conservator, liquidator or rehabilitator of any such person, partnership or  
13 corporation.

14 **SECTION 3323m.** 66.431 (4) (d) 7. of the statutes is amended to read:

15 66.431 (4) (d) 7. Studying the feasibility of and initial design for an arts  
16 incubator, developing and operating an arts incubator and, subject to s. 44.65,  
17 applying for a grant or loan under s. 44.60 in connection with an arts incubator.

18 **SECTION 3324.** 66.431 (5) (a) 5. of the statutes is amended to read:

19 66.431 (5) (a) 5. To establish a procedure for preservation of the records of the  
20 authority by the use of microfilm, another reproductive device, ~~or~~ optical imaging or  
21 electronic formatting, if authorized under s. 19.21 (4) (c). Any such procedure shall  
22 assure that copies of such records that are open to public inspection continue to be  
23 available to members of the public requesting them. A photographic reproduction  
24 of a record or copy of a record generated from optical disk or electronic storage is

1 deemed the same as an original record for all purposes if it meets the applicable  
2 standards established in ss. 16.61 and 16.612.

3 **SECTION 3325.** 66.432 (1) of the statutes is amended to read:

4 66.432 (1) DECLARATION OF POLICY. The right of all persons to have equal  
5 opportunities for housing regardless of their sex, race, color, physical condition,  
6 disability as defined in s. ~~101.22~~ 106.04 (1m) (g), sexual orientation as defined in s.  
7 111.32 (13m), religion, national origin, marital status, family status as defined in s.  
8 ~~101.22~~ 106.04 (1m) (k), lawful source of income, age or ancestry is a matter both of  
9 statewide concern under s. ~~101.22~~ 106.04 and also of local interest under this section  
10 and s. 66.433. The enactment of s. ~~101.22~~ 106.04 by the legislature shall not preempt  
11 the subject matter of equal opportunities in housing from consideration by political  
12 subdivisions, and shall not exempt political subdivisions from their duty, nor deprive  
13 them of their right, to enact ordinances which prohibit discrimination in any type of  
14 housing solely on the basis of an individual being a member of a protected class.

15 **SECTION 3326.** 66.432 (1m) (a) of the statutes is amended to read:

16 66.432 (1m) (a) "Aggrieved person" has the meaning given in s. ~~101.22~~ 106.04  
17 (1m) (b).

18 **SECTION 3327.** 66.432 (1m) (b) of the statutes is amended to read:

19 66.432 (1m) (b) "Complainant" has the meaning given in s. ~~101.22~~ 106.04 (1m)  
20 (c).

21 **SECTION 3328.** 66.432 (1m) (c) of the statutes is amended to read:

22 66.432 (1m) (c) "Discriminate" has the meaning given in s. ~~101.22~~ 106.04 (1m)  
23 (h).

24 **SECTION 3329.** 66.432 (1m) (d) of the statutes is amended to read:

1           66.432 (1m) (d) "Member of a protected class" has the meaning given in s.  
2           ~~101.22~~ 106.04 (1m) (nm).

3           **SECTION 3330.** 66.432 (2) of the statutes is amended to read:

4           66.432 (2) ANTIDISCRIMINATION HOUSING ORDINANCES. Political subdivisions may  
5           enact ordinances prohibiting discrimination in housing within their respective  
6           boundaries solely on the basis of an individual being a member of a protected class.  
7           Such an ordinance may be similar to s. ~~101.22~~ 106.04 (1) to (8) or may be more  
8           inclusive in its terms or in respect to the different types of housing subject to its  
9           provisions, but any such ordinance establishing a forfeiture as a penalty for violation  
10          shall not be for an amount that is less than the statutory forfeitures under s. ~~101.22~~  
11          106.04. Such an ordinance may permit a complainant, aggrieved person or  
12          respondent to elect to remove the action to circuit court after a finding has been made  
13          that there is reasonable cause to believe that a violation of the ordinance has  
14          occurred. Such an ordinance may also authorize the political subdivision, at any  
15          time after a complaint has been filed alleging an ordinance violation, to file a  
16          complaint in circuit court seeking a temporary injunction or restraining order  
17          pending final disposition of the complaint.

18          **SECTION 3330c.** 66.46 (2) (f) 3. of the statutes is created to read:

19          66.46 (2) (f) 3. Notwithstanding subd. 1., project costs may not include any  
20          expenditures made or estimated to be made or monetary obligations incurred or  
21          estimated to be incurred by the city for newly platted residential development for any  
22          tax incremental district for which a project plan is approved after September 30,  
23          1995.

24          **SECTION 3330e.** 66.46 (4) (h) of the statutes is renumbered 66.46 (4) (h) 1. and  
25          amended to read:

**SECTION 3330e**

1           66.46 (4) (h) 1. The Subject to subd. 2., the planning commission may at any  
2 time, by resolution, adopt an amendment to a project plan, which amendment shall  
3 be subject to approval by the local legislative body and approval of the amendment  
4 shall require the same findings as provided in par. (g). Any amendment to a project  
5 plan is also subject to review by a joint review board, acting under sub. (4m).  
6 Adoption of an amendment to a project plan shall be preceded by a public hearing  
7 held by the plan commission at which interested parties shall be afforded a  
8 reasonable opportunity to express their views on the amendment. Notice of the  
9 hearing shall be published as a class 2 notice, under ch. 985. The notice shall include  
10 a statement of the purpose and cost of the amendment and shall advise that a copy  
11 of the amendment will be provided on request. Prior to such publication, a copy of  
12 the notice shall be sent by 1st class mail to the chief executive officer or administrator  
13 of all local governmental entities having the power to levy taxes on property within  
14 the district and to the school board of any school district which includes property  
15 located within the proposed district. For any county with no chief executive officer  
16 or administrator, this notice shall be sent to the county board chairperson.

17           **SECTION 3330g.** 66.46 (4) (h) 2. of the statutes is created to read:

18           66.46 (4) (h) 2. Not more than once during the 7 years after the tax incremental  
19 district is created, the planning commission may adopt an amendment to a project  
20 plan under subd. 1. to modify the district's boundaries by adding territory to the  
21 district that is contiguous to the district and that is served by public works or  
22 improvements that were created as part of the district's project plan. Expenditures  
23 for project costs that are incurred because of an amendment to a project plan to which  
24 this subdivision applies may be made for not more than 3 years after the date on  
25 which the local legislative body adopts a resolution amending the project plan.

**SECTION 3330i**

1           **SECTION 3330i.** 66.46 (4m) (a) of the statutes is amended to read:

2           66.46 **(4m)** (a) Any city that seeks to create a tax incremental district or amend  
3 a project plan shall convene a joint review board to review the proposal. The board  
4 shall consist of one representative chosen by the school district that has power to levy  
5 taxes on the property within the tax incremental district, one representative chosen  
6 by the technical college district that has power to levy taxes on the property within  
7 the tax incremental district, one representative chosen by the county that has power  
8 to levy taxes on the property within the tax incremental district, one representative  
9 chosen by the city and one public member. If more than one school district, more than  
10 one technical college district or more than one county has the power to levy taxes on  
11 the property within the tax incremental district, the unit in which is located property  
12 of the tax incremental district that has the greatest value shall choose that  
13 representative to the board. The public member and the board's chairperson shall  
14 be selected by a majority of the other board members before the public hearing under  
15 sub. (4) (a) or (h) 1. is held. All board members shall be appointed and the first board  
16 meeting held within 14 days after the notice is published under sub. (4) (a) or (h) 1.  
17 Additional meetings of the board shall be held upon the call of any member. The city  
18 that seeks to create the tax incremental district or to amend its project plan shall  
19 provide administrative support for the board. By majority vote, the board may  
20 disband following approval or rejection of the proposal.

21           **SECTION 3330k.** 66.46 (4m) (b) 1. of the statutes is amended to read:

22           66.46 **(4m)** (b) 1. The board shall review the public record, planning documents  
23 and the resolution passed by the local legislative body or planning commission under  
24 sub. (4) (gm) or (h) 1. As part of its deliberations the board may hold additional  
25 hearings on the proposal.

**SECTION 3330L**

1           **SECTION 3330L.** 66.46 (4m) (b) 2. of the statutes is amended to read:

2           66.46 (4m) (b) 2. No tax incremental district may be created and no project plan  
3 may be amended unless the board approves the resolution adopted under sub. (4)  
4 (gm) or (h) 1. by a majority vote not less than 10 days nor more than 30 days after  
5 receiving the resolution.

6           **SECTION 3330m.** 66.46 (5) (c) of the statutes is amended to read:

7           66.46 (5) (c) If the city adopts an amendment to the original project plan for any  
8 district which includes additional project costs at least part of which will be incurred  
9 after the period specified in sub. (6) (am) 1, the tax incremental base for the district  
10 shall be redetermined under par. (b) as of the January 1 ~~following next preceding~~ the  
11 effective date of the amendment, ~~except that~~ if the amendment becomes effective  
12 between January 2 and September 30, as of the next subsequent January 1 if the  
13 amendment becomes effective between October 1 and December 31 and if the  
14 effective date of the amendment is January 1 of any year, the redetermination shall  
15 be made on that date. The tax incremental base as redetermined under this  
16 paragraph is effective for the purposes of this section only if it exceeds the original  
17 tax incremental base determined under par. (b).

18           **SECTION 3330n.** 66.46 (5) (ce) of the statutes is created to read:

19           66.46 (5) (ce) If the city adopts an amendment, to which sub. (4) (h) 2. applies,  
20 to the original project plan for any district which includes additional project costs,  
21 none of which will be incurred after the period specified in sub. (6) (am) 1., the tax  
22 incremental base for the district shall be redetermined under par. (b) as of the  
23 January 1 next preceding the effective date of the amendment if the amendment  
24 becomes effective between January 2 and September 30, as of the next subsequent  
25 January 1 if the amendment becomes effective between October 1 and December 31

**SECTION 3330n**

1 and if the effective date of the amendment is January 1 of any year, the  
2 redetermination shall be made on that date. The tax incremental base as  
3 redetermined under this paragraph is effective for the purposes of this section only  
4 if it exceeds the original tax incremental base determined under par. (b).

5 **SECTION 3331.** 66.46 (6) (a) of the statutes is amended to read:

6 66.46 **(6)** (a) If the joint review board approves the creation of the tax  
7 incremental district under sub. (4m), positive tax increments with respect to a tax  
8 incremental district are allocated to the city which created the district for each year  
9 commencing after the date when a project plan is adopted under sub. (4) (g). The  
10 department of revenue shall not authorize allocation of tax increments until it  
11 determines from timely evidence submitted by the city that each of the procedures  
12 and documents required under sub. (4) (d) to (f) have been completed and all related  
13 notices given in a timely manner. The department of revenue may authorize  
14 allocation of tax increments for any tax incremental district only if the city clerk and  
15 assessor annually submit to the department all required information on or before the  
16 2nd Monday in June. The facts supporting any document adopted or action taken  
17 to comply with sub. (4) (d) to (f) shall not be subject to review by the department of  
18 revenue under this paragraph. Thereafter, the department of revenue shall  
19 annually authorize allocation of the tax increment to the city that created such a  
20 district until the department of revenue receives a notice under sub. (8) and the  
21 notice has taken effect under sub. (8) (b), 27 years after the tax incremental district  
22 is created if the district is created before October 1, 1995, or 23 years after the tax  
23 incremental district is created if the district is created after September 30, 1995,  
24 whichever is sooner.

25 **SECTION 3331m.** 66.46 (6) (am) 1. of the statutes is amended to read:

**SECTION 3331m**

1           66.46 (6) (am) 1. No For a tax incremental district that is created after  
2           September 30, 1995, no expenditure may be made later than 7 years after the tax  
3           incremental district is created, and for a tax incremental district that is created  
4           before October 1, 1995, no expenditure may be made later than 10 years after the tax  
5           incremental district is created.

6           **SECTION 3332.** 66.46 (6) (c) of the statutes is amended to read:

7           66.46 (6) (c) Except for tax increments allocated under par. (d) or (e), all tax  
8           increments received with respect to a tax incremental district shall, upon receipt by  
9           the city treasurer, be deposited into a special fund for that district. The city treasurer  
10          may deposit additional moneys into such fund pursuant to an appropriation by the  
11          common council. No moneys may be paid out of such fund except to pay project costs  
12          with respect to that district, to reimburse the city for such payments, to pay project  
13          costs of a district under par. (d) or (e) or to satisfy claims of holders of bonds or notes  
14          issued with respect to such district. Subject to par. (d) or (e), moneys paid out of the  
15          fund to pay project costs with respect to a district may be paid out before or after the  
16          district is terminated under sub. (7). Subject to any agreement with bondholders,  
17          moneys in the fund may be temporarily invested in the same manner as other city  
18          funds if any investment earnings are applied to reduce project costs. After all project  
19          costs and all bonds and notes with respect to the district have been paid or the  
20          payment thereof provided for, subject to any agreement with bondholders, if there  
21          remain in the fund any moneys that are not allocated under par. (d) or (e), they shall  
22          be paid over to the treasurer of each county, school district or other tax levying  
23          municipality or to the general fund of the city in the amounts that belong to each  
24          respectively, having due regard for that portion of the moneys, if any, that represents

1 tax increments not allocated to the city and that portion, if any, that represents  
2 voluntary deposits of the city into the fund.

3 **SECTION 3332m.** 66.46 (6) (d) 1. of the statutes is amended to read:

4 66.46 (6) (d) 1. After the date on which a tax incremental district pays off the  
5 aggregate of all of its project costs under its project plan, but not later than the date  
6 on which a tax incremental district terminates under sub. (7) (am), a planning  
7 commission may amend under sub. (4) (h) 1. the project plan of such a tax  
8 incremental district to allocate positive tax increments generated by that tax  
9 incremental district to another tax incremental district created by that planning  
10 commission in which soil affected by environmental pollution exists to the extent  
11 that development has not been able to proceed according to the project plan because  
12 of the environmental pollution.

13 **SECTION 3333.** 66.46 (6) (d) 2. of the statutes is amended to read:

14 66.46 (6) (d) 2. ~~No~~ Except as provided in subd. 2m., no tax increments may be  
15 allocated under this paragraph later than 16 years after the last expenditure  
16 identified in the project plan of the tax incremental district, the positive tax  
17 increments of which are to be allocated, is made.

18 **SECTION 3334.** 66.46 (6) (d) 2m. of the statutes is created to read:

19 66.46 (6) (d) 2m. No tax increments may be allocated under this paragraph  
20 later than 20 years after the last expenditure identified in the project plan of the tax  
21 incremental district, the positive tax increments of which are to be allocated, is made  
22 if the district is created before October 1, 1995, except that in no case may the total  
23 number of years during which expenditures are made under par. (am) 1. plus the  
24 total number of years during which tax increments are allocated under this  
25 paragraph exceed 27 years.

1           **SECTION 3335.** 66.46 (6) (e) of the statutes is created to read:

2           66.46 **(6)** (e) 1. Before the date on which a tax incremental district terminates  
3 under sub. (7) (a), but not later than the date on which a tax incremental district  
4 terminates under sub. (7) (am), a planning commission may amend under sub. (4) (h)  
5 the project plan of such a tax incremental district to allocate positive tax increments  
6 generated by that tax incremental district to another tax incremental district  
7 created by that planning commission if all of the following conditions are met:

8           a. The donor tax incremental district, the positive tax increments of which are  
9 to be allocated, and the recipient tax incremental district have the same overlying  
10 taxing jurisdictions.

11           b. The donor tax incremental district and the recipient tax incremental district  
12 have been created before October 1, 1995.

13           2. Each year, the city that created the tax incremental districts may determine  
14 the portion of the donor tax incremental district's positive tax increment that is in  
15 excess of the tax increment that is necessary to pay the donor's project costs in that  
16 year that shall be allocated to the recipient tax incremental district and shall inform  
17 the department of revenue of these amounts.

18           3. A project plan that is amended under sub. (4) (h) to authorize the allocation  
19 of positive tax increments under subd. 1. may authorize such an allocation for a  
20 period not to exceed 5 years, except that if the planning commission determines that  
21 the allocation may be needed for a period longer than 5 years, the planning  
22 commission may authorize such an allocation for up to an additional 5 years if the  
23 project plan is amended under sub. (4) (h) during the 4th year of the allocation. In  
24 no case may positive tax increments under subd. 1. be allocated from one donor tax  
25 incremental district for a period longer than 10 years.

**SECTION 3336**

1           **SECTION 3336.** 66.46 (7) (a) of the statutes is amended to read:

2           66.46 (7) (a) That time when the city has received aggregate tax increments  
3 with respect to such district in an amount equal to the aggregate of all project costs  
4 under the project plan and any amendments to the project plan for such district,  
5 except that this paragraph does not apply to a district whose positive tax increments  
6 have been allocated under sub. (6) (d) or (e) until the district to which the allocation  
7 is made has paid off the aggregate of all of its project costs under its project plan.

8           **SECTION 3337.** 66.46 (7) (am) of the statutes is amended to read:

9           66.46 (7) (am) Sixteen years after the last expenditure identified in the project  
10 plan is made if the district to which the plan relates is created after September 30,  
11 1995, or 20 years after the last expenditure identified in the project plan is made if  
12 the district to which the plan relates is created before October 1, 1995, except that  
13 in no case may the total number of years during which expenditures are made under  
14 par. (am) 1. plus the total number of years during which tax increments are allocated  
15 under this paragraph exceed 27 years.

16           **SECTION 3337e.** 66.77 (title) of the statutes is amended to read:

17           **66.77 (title) Tax levy rate limit.**

18           **SECTION 3337f.** 66.77 (1) (c) of the statutes is amended to read:

19           66.77 (1) (c) "Excess over the limit" means the amount greater of the amounts  
20 of revenue received by a county that results from the county exceeding the limit  
21 under sub. (2) or (2m).

22           **SECTION 3337g.** 66.77 (2) (title) of the statutes is amended to read:

23           66.77 (2) (title) LIMIT LEVY RATE LIMIT.

24           **SECTION 3337i.** 66.77 (2m) of the statutes is created to read:

**SECTION 3337i**

1           **66.77 (2m) LEVY LIMIT.** Except as provided in sub. (3), beginning in 1995, no  
2 county may impose an operating levy that exceeds the amount calculated as follows:

3           (a) Determine the operating levy for the previous year or, for the 1995  
4 calculation only, the operating levy for 1994 or the operating levy for 1993 increased  
5 by 3%, whichever is higher, and add the difference between the total of state and  
6 federal aid received by the county in the current year compared to the amount  
7 received in the previous year if that total decreased.

8           (b) Multiply the amount determined under par. (a) by 3%.

9           (c) Multiply the amount determined under par. (a) by the percentage change  
10 in the county's population between the previous year and the current year, as  
11 estimated by the department of administration under s. 16.96 (1), if the percentage  
12 change in the county's population is greater than zero.

13           (d) Add the results obtained under pars. (a), (b) and (c).

14           **SECTION 3337k.** 66.77 (3) (a) 1. of the statutes is amended to read:

15           **66.77 (3) (a) 1.** If the governing body of a county wishes to exceed the operating  
16 levy rate limit or the levy limit otherwise applicable to the county under this section,  
17 it shall adopt a resolution to that effect. The resolution shall specify either the  
18 operating levy rate or the operating levy that the governing body wishes to impose  
19 for either a specified number of years or an indefinite period. The governing body  
20 shall call a special referendum for the purpose of submitting the resolution to the  
21 electors of the county for approval or rejection. In lieu of a special referendum, the  
22 governing body may specify that the referendum be held at the next succeeding  
23 spring primary or election or September primary or general election to be held not  
24 earlier than 30 days after the adoption of the resolution of the governing body.

25           **SECTION 3337m.** 66.77 (3) (a) 3. of the statutes is amended to read:

**SECTION 3337m**

1           66.77 (3) (a) 3. The referendum shall be held in accordance with chs. 5 to 12.  
2           The governing body shall provide the election officials with all necessary election  
3           supplies. The form of the ballot shall correspond substantially with the standard  
4           form for referendum ballots prescribed by the elections board under ss. 5.64 (2) and  
5           7.08 (1) (a). If the resolution under subd. 1. specifies the operating levy rate, the  
6           question shall be submitted as follows: “Under state law, the operating levy rate for  
7           the .... (name of county), for the tax to be imposed for the year .... (year), is limited  
8           to \$.... per \$1,000 of equalized value. Shall the .... (name of county) be allowed to  
9           exceed this rate limit for .... (a specified number of years) (an indefinite period) by \$....  
10          per \$1,000 of equalized value that results in an operating levy rate of \$.... per \$1,000  
11          of equalized value?” If the resolution under subd. 1. specifies the operating levy, the  
12          question shall be submitted as follows one of the following: “Under state law, the  
13          operating levy rate for the .... (name of county), for the tax to be imposed for the year  
14          .... (year), is limited to \$.... per \$1,000 of equalized value. Notwithstanding the  
15          operating levy rate limit, shall the .... (name of county) be allowed to levy an amount  
16          not to exceed \$.... (operating levy) for operating purposes for the year .... (year), which  
17          may increase the operating levy rate for .... (a specified number of years) (an  
18          indefinite period)? This would allow a ....% increase above the levy of \$.... (preceding  
19          year operating levy) for the year .... (preceding year).”, or “Under state law, the  
20          operating levy for the .... (name of county), for the tax to be imposed for the year ....  
21          (year), is limited to \$.... , and the increase in the operating levy, compared to last  
22          year’s levy, is limited to 3% plus the percentage increase in the county’s population  
23          since last year. Notwithstanding the operating levy limit, shall the .... (name of  
24          county) be allowed to levy an amount not to exceed \$.... (operating levy) for operating  
25          purposes for the year .... (year), which may increase the operating levy rate for .... (a

**SECTION 3337m**

1 specified number of years) (an indefinite period)? This would allow a ....% increase  
2 above the levy of \$... (preceding year operating levy) for the year ... (preceding  
3 year).”

4 **SECTION 3337n.** 66.77 (3) (a) 4. of the statutes is amended to read:

5 66.77 (3) (a) 4. Within 14 days after the referendum, the clerk of the county  
6 shall certify the results of the referendum to the department of revenue. A county  
7 may exceed the operating levy rate limit or operating levy limit otherwise applicable  
8 to it under this section in that year by an amount not exceeding the amount approved  
9 by a majority of those voting on the question.

10 **SECTION 3337o.** 66.77 (3) (b) 1. of the statutes is amended to read:

11 66.77 (3) (b) 1. If an increased operating levy rate or operating levy is approved  
12 by a referendum under par. (a) for a specified number of years, the increased  
13 operating levy rate or operating levy shall be the operating levy rate limit or  
14 operating levy for that number of years for purposes of this section. If an increased  
15 operating levy rate or operating levy is approved by a referendum under par. (a) for  
16 an indefinite period, the increased operating levy rate or operating levy shall be the  
17 operating levy rate or operating levy limit for purposes of this section.

18 **SECTION 3337p.** 66.77 (3) (b) 2. of the statutes is amended to read:

19 66.77 (3) (b) 2. If an increased operating levy is approved by a referendum  
20 under par. (a), the increased operating levy shall be used to calculate the operating  
21 levy rate, or the operating levy rate limit, for the approved year for purposes of this  
22 section. After the approved year, the operating levy rate or the operating levy rate  
23 limit in the approved year, or the operating levy rate or the operating levy rate limit  
24 that would have been applicable if there had been no referendum, whichever is

1 greater, shall be the rate or the limit for the specified number of years or for an  
2 indefinite period for purposes of this section.

3 **SECTION 3337q.** 66.77 (3) (c) of the statutes is amended to read:

4 66.77 (3) (c) 1. If a county transfers to another governmental unit  
5 responsibility for providing any service that the county provided in the preceding  
6 year, the levy rate limit or the operating levy limit otherwise applicable under this  
7 section to the county in the current year is decreased to reflect the cost that the  
8 county would have incurred to provide that service, as determined by the department  
9 of revenue.

10 2. If a county increases the services that it provides by adding responsibility  
11 for providing a service transferred to it from another governmental unit in any year,  
12 the levy rate limit or the operating levy limit otherwise applicable under this section  
13 to the county in the current year is increased to reflect the cost of that service, as  
14 determined by the department of revenue.

15 **SECTION 3337s.** 66.77 (5) of the statutes is amended to read:

16 66.77 (5) RATE COMPARISON. Annually, the department of revenue shall compare  
17 the operating levy rate limit and the operating levy limit of each county under this  
18 section to the actual operating levy rate and the actual operating levy imposed by the  
19 county.

20 **SECTION 3338m.** 66.949 of the statutes is created to read:

21 **66.949 Energy savings performance contracting. (1) DEFINITIONS.** In this  
22 section:

23 (a) "Energy conservation measure" means a facility alteration or training,  
24 service or operations program designed to reduce energy consumption or operating  
25 costs or ensure state or local building code compliance.

1 (b) "Local governmental unit" has the meaning given in s. 19.42 (7u).

2 (c) "Performance contract" means a contract for the evaluation and  
3 recommendation of energy conservation and facility improvement measures, and for  
4 the implementation of one or more such measures.

5 (d) "Qualified provider" means a person who is experienced in the design,  
6 implementation and installation of energy conservation and facility improvement  
7 measures and who has the ability to provide labor and material payment and  
8 performance bonds equal to the maximum amount of any payments due under a  
9 performance contract entered into by the person.

10 **(2) AUTHORIZATION; REPORT.** (a) Any local governmental unit may, in accordance  
11 with this section, enter into a performance contract with a qualified provider to  
12 reduce energy or operating costs, ensure state or local building code compliance or  
13 enhance the protection of property of the local governmental unit.

14 (b) Prior to entering into a performance contract for the implementation of any  
15 energy conservation or facility improvement measure, a local governmental unit  
16 shall obtain a report from a qualified provider containing recommendations  
17 concerning the amount the local governmental unit should spend on energy  
18 conservation and facility improvement measures. The report shall contain estimates  
19 of all costs of installation, modifications, or remodeling, including costs of design,  
20 engineering, maintenance, repairs and financing. In addition, the report shall  
21 contain a guarantee specifying a minimum amount by which energy or operating  
22 costs of the local governmental unit will be reduced, if the installation, modification  
23 or remodeling is performed by that qualified provider.

24 (c) If, after review of the report under par. (b), the local governmental unit finds  
25 that the amount it would spend on the energy conservation and facility improvement

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1 measures recommended in the report is not likely to exceed the amount to be saved  
2 in energy and operation costs over the remaining useful life of the facility to which  
3 the measures apply, the local governmental unit may enter into the contract.

4 **(3) NOTICE.** Before entering into a performance contract under this section, a  
5 local governmental unit shall publish a class 1 notice of its intent to award the  
6 performance contract, the names of the parties to the proposed performance contract,  
7 and a description of the energy conservation and facility improvement measures  
8 included in the performance contract.

9 **(4) INSTALMENT PAYMENT AND LEASE-PURCHASE AGREEMENTS.** A local  
10 governmental unit may enter into an instalment payment contract or  
11 lease-purchase agreement for the purchase and installation of energy conservation  
12 or facility improvement measures.

13 **(5) PAYMENT SCHEDULE; SAVINGS.** Each performance contract shall provide that  
14 all payments, except obligations on termination of the contract before its expiration,  
15 shall be made over time as energy savings are achieved. Energy savings shall be  
16 guaranteed by the qualified provider for the entire term of the performance contract.

17 **(6) TERMS OF CONTRACTS.** A performance contract may extend beyond the fiscal  
18 year in which it becomes effective, subject to appropriation of moneys for costs  
19 incurred in future fiscal years, if required by law.

20 **(7) ALLOCATION OF OBLIGATIONS.** Each local governmental unit shall allocate  
21 sufficient moneys for each fiscal year to make payment of any amounts payable by  
22 the local governmental unit under performance contracts during that fiscal year.

23 **(8) BONDS.** Each qualified provider under a performance contract shall provide  
24 labor and material payment and performance bonds in an amount equivalent to the  
25 maximum amount of any payments due under the contract.

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1           **(9) USE OF MONEYS.** Unless otherwise provided by law or ordinance, if a local  
2 governmental unit has funding designated for operating and capital expenditures,  
3 the local governmental unit may use moneys designated for operating or capital  
4 expenditures to make payments under any performance contract, including  
5 instalment payments or payments under lease-purchase agreements.

6           **(10) MONITORING; REPORTS.** During the entire term of each performance  
7 contract, the qualified provider entering into the contract shall monitor the  
8 reductions in energy consumption and cost savings attributable to the energy  
9 conservation and facility improvement measures installed under the contract, and  
10 shall periodically prepare and provide a report to the local governmental unit  
11 entering into the contract documenting the reductions in energy consumption and  
12 cost savings to the local governmental unit.

13           **(11) ENERGY CONSERVATION MEASURES.** Energy conservation measures under  
14 this section may include the following:

15           (a) Insulation of a building structure or systems within a building.

16           (b) Storm windows or doors, caulking or weather stripping, multiglazed  
17 windows or doors, heat-absorbing or heat-reflective glazed and coated window or  
18 door systems, additional glazing, reductions in glass area, or other window and door  
19 system modifications that reduce energy consumption.

20           (c) Automated or computerized energy control and facility management  
21 systems or computerized maintenance management systems.

22           (d) Heating, ventilating or air conditioning system modifications or  
23 replacements.

24           (e) Replacement or modification of lighting fixtures to increase the energy  
25 efficiency of the lighting system without increasing the overall illumination of a

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1 facility, unless an increase in illumination is necessary to conform to the applicable  
2 state or local building code for the lighting system after the proposed modifications  
3 are made.

4 (f) Energy recovery systems.

5 (g) Utility management systems and services.

6 (h) Cogeneration systems that produce steam or forms of energy such as heat,  
7 as well as electricity, for use primarily within a building or complex of buildings.

8 (i) Lifesafety systems.

9 (j) Any other facility improvement measure that is designed to provide  
10 long-term energy or operating cost reductions or compliance with state or local  
11 building codes.

12 **(12) APPLICATION.** No local governmental unit may enter into a performance  
13 contract except in accordance with this section.

14 **SECTION 3340.** 67.03 (1) (b) of the statutes is amended to read:

15 67.03 **(1)** (b) For any school district which offers no less than grades 1 to 12 and  
16 which at the time of incurring such debt is eligible for the highest level of school aids  
17 to receive state aid under s. 121.08, 10% of such equalized value shall be permitted.  
18 ~~Any school district which at the time of incurring indebtedness is eligible to receive~~  
19 ~~state aids under s. 121.08 is eligible for the highest level of school aids for purposes~~  
20 ~~of school district borrowing and indebtedness limitations.~~ Any school district about  
21 to incur indebtedness may apply to the state superintendent department of  
22 education for, and the superintendent department may issue, a certificate as to the  
23 eligibility of the school district ~~for the highest level of school aids~~ to receive state aid  
24 under s. 121.08, which certificate shall be conclusive as to such eligibility for 30 days,  
25 but not beyond the next June 30.

**SECTION 3340m**

1           **SECTION 3340m.** 67.12 (12) (f) of the statutes is created to read:

2           67.12 (12) (f) Paragraph (e) 2. does not apply to borrowing by a school district  
3 from the state trust funds under subch. II of ch. 24 if the trust fund loan is for a  
4 distance education project and the loan has been approved by the board of control of  
5 the cooperative educational service agency in which the school district participates.

6           **SECTION 3340r.** 69.03 (14) of the statutes is amended to read:

7           69.03 (14) Provide hospitals with a pamphlet containing information for  
8 parents about birth certificates including how to add the name of the father of a child  
9 whose parents were not married at any time from the conception to the birth of the  
10 child to the birth certificate under s. 69.15 (3) (b) or, if the father will not sign an  
11 affidavit, through a paternity action; the legal significance and future medical  
12 advantages to the child of having the father's name inserted on the birth certificate;  
13 and the availability of services under s. ~~46.25~~ 73.25.

14           **SECTION 3341r.** 69.15 (3) (b) 3. of the statutes is amended to read:

15           69.15 (3) (b) 3. Except as provided under par. (c), if the state registrar receives  
16 a statement acknowledging paternity on a form prescribed by the state registrar and  
17 signed by both parents, along with the fee under s. 69.22, the state registrar shall  
18 insert the name of the father under subd. 1. The state registrar shall mark the  
19 certificate to show that the form is on file. The form shall be available to the  
20 department of revenue or its designee under s. 59.07 (97) pursuant to the program  
21 responsibilities under s. ~~46.25~~ 73.25 or to any other person with a direct and tangible  
22 interest in the record. The state registrar shall include on the form for the  
23 acknowledgment a notice of the information in ss. 767.458 (1) (a) to (e) and 767.62.

24           **SECTION 3343d.** 69.22 (1) (c) of the statutes is amended to read:

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1           69.22 (1) (c) ~~Ten~~ Twelve dollars for issuing a copy of a birth certificate, \$5 ~~\$7~~  
2 of which shall be forwarded to the state treasurer as provided in sub. (1m) and  
3 credited to the appropriations under s. 20.433 (1) (g) and (h).

4           **SECTION 3343u.** 69.30 (1) (bm) of the statutes is created to read:

5           69.30 (1) (bm) "Service office" has the meaning given in s. 45.36 (1) (c).

6           **SECTION 3343w.** 69.30 (2) of the statutes is amended to read:

7           69.30 (2) A financial institution, state agency ~~or~~, county department or service  
8 office or an employe of a financial institution, state agency ~~or~~, county department or  
9 service office is not subject to s. 69.24 (1) (a) for copying a certified copy of a vital  
10 record for use by the financial institution, state agency ~~or~~, county department or  
11 service office, including use under s. 45.36 (4m), if the copy is marked "FOR  
12 ADMINISTRATIVE USE".

13           **SECTION 3343wb.** 70.05 (5) (a) 1m. of the statutes is amended to read:

14           70.05 (5) (a) 1m. "Class of property" means residential under s. 70.32 (2) (a) 1.  
15 ~~or (b) 1.~~; commercial under s. 70.32 (2) (a) 2. ~~or (b) 2.~~; personal property; or the sum  
16 of ~~agricultural under s. 70.32 (2) (a) 4. or (b) 4.,~~ swamp or waste under s. 70.32 (2)  
17 ~~(b) (a) 5. and,~~ productive forest land under s. 70.32 (2) ~~(b) (a) 6. and other under s.~~  
18 70.32 (2) (a) 7.

19           **SECTION 3344.** 70.11 (4) of the statutes is amended to read:

20           70.11 (4) EDUCATIONAL, RELIGIOUS AND BENEVOLENT INSTITUTIONS; WOMEN'S CLUBS;  
21 HISTORICAL SOCIETIES; FRATERNITIES; LIBRARIES. Property owned and used exclusively  
22 by educational institutions offering regular courses 6 months in the year; or by  
23 churches or religious, educational or benevolent associations, including benevolent  
24 nursing homes and retirement homes for the aged but not including an organization  
25 that is organized under s. 185.981 or ch. 611, 613 or 614 and that offers a health

1 maintenance organization as defined in s. 609.01 (2) or a limited service health  
2 organization as defined in s. 609.01 (3) or an organization that is issued a certificate  
3 of authority under ch. 618 and that offers a health maintenance organization or a  
4 limited service health organization and not including property owned by any  
5 nonstock, nonprofit corporation which services guaranteed student loans for others  
6 or on its own account, and also including property owned and used for housing for  
7 pastors and their ordained assistants, members of religious orders and communities,  
8 and ordained teachers, whether or not contiguous to and a part of other property  
9 owned and used by such associations or churches; or by women's clubs; or by  
10 domestic, incorporated historical societies; or by domestic, incorporated, free public  
11 library associations; or by fraternal societies operating under the lodge system  
12 (except university, college and high school fraternities and sororities), but not  
13 exceeding 10 acres of land necessary for location and convenience of buildings while  
14 such property is not used for profit. Property owned by churches or religious  
15 associations necessary for location and convenience of buildings, used for  
16 educational purposes and not for profit, shall not be subject to the 10-acre limitation  
17 but shall be subject to a 30-acre limitation. Property that is exempt from taxation  
18 under this subsection and is leased remains exempt from taxation only if, in addition  
19 to the requirements specified in the introductory phrase of this section, the lessee  
20 does not discriminate on the basis of race.

21 **SECTION 3345.** 70.11 (4m) of the statutes is amended to read:

22 70.11 (4m) NONPROFIT HOSPITALS. (a) Real property owned and used and  
23 personal property used exclusively for the purposes of any hospital of 10 beds or more  
24 devoted primarily to the diagnosis, treatment or care of the sick, injured, or disabled,  
25 which hospital is owned and operated by a corporation, voluntary association,

1 foundation or trust, except an organization that is organized under s. 185.981 or ch.  
2 611, 613 or 614 and that offers a health maintenance organization as defined in s.  
3 609.01 (2) or a limited service health organization as defined in s. 609.01 (3) or an  
4 organization that is issued a certificate of authority under ch. 618 and that offers a  
5 health maintenance organization or a limited service health organization, no part of  
6 the net earnings of which inures to the benefit of any shareholder, member, director  
7 or officer, and which hospital is not operated principally for the benefit of or  
8 principally as an adjunct of the private practice of a doctor or group of doctors. This  
9 exemption does not apply to property used for commercial purposes or as a doctor's  
10 office. The exemption for residential property shall be limited to dormitories of 12  
11 or more units which house student nurses enrolled in a state accredited school of  
12 nursing affiliated with the hospital.

13 (b) Real property leased by and used exclusively for the purposes of any hospital  
14 that has 10 beds or more, is devoted primarily to the diagnosis, treatment or care of  
15 the sick, injured or disabled and is owned and operated by a corporation, voluntary  
16 association, foundation or trust, except an organization that is organized under s.  
17 185.981 or ch. 611, 613 or 614 and that offers a health maintenance organization as  
18 defined in s. 609.01 (2) or a limited service health organization as defined in s. 609.01  
19 (3) or an organization that is issued a certificate of authority under ch. 618 and that  
20 offers a health maintenance organization or a limited service health organization,  
21 no part of the net earnings of which inures to the benefit of any shareholder, member,  
22 director or officer and is not operated principally for the benefit of or principally as  
23 an adjunct to the private practice of a doctor or group of doctors. This exemption  
24 applies only to real property leased from a nonprofit organization or nonprofit  
25 hospital that is exempt from taxation under this chapter and that uses the income

1 derived from the lease only for maintenance of the leased property or construction  
2 debt retirement of the leased property or both. This exemption does not apply to  
3 property used for commercial purposes or as a doctor's office.

4 **SECTION 3346.** 70.11 (19) of the statutes is repealed and recreated to read:

5 70.11 (19) INSTITUTIONS FOR DEPENDENT CHILDREN AND PERSONS WHO HAVE  
6 DEVELOPMENTAL DISABILITIES. The property of any institution that is licensed under  
7 s. 48.60 for the care of dependent, neglected or delinquent children if that property  
8 is used for that purpose and the property of any nonprofit institution that is subject  
9 to examination under s. 46.03 (5) and that has a full-time population of at least 150  
10 individuals who have developmental disabilities, as defined in s. 51.01 (5), if that  
11 property is used for that purpose.

12 **SECTION 3347.** 70.11 (34) (a) 2. of the statutes is amended to read:

13 70.11 (34) (a) 2. Is a public building, as defined in s. 101.01 ~~(2) (g)~~ (12).

14 **SECTION 3348m.** 70.11 (38) of the statutes is created to read:

15 70.11 (38) UNIVERSITY OF WISCONSIN HOSPITALS AND CLINICS AUTHORITY.  
16 Notwithstanding the provisions of s. 70.11 (intro.) that relate to leased property, all  
17 property owned by the University of Wisconsin Hospitals and Clinics Authority and  
18 all property leased to the University of Wisconsin Hospitals and Clinics Authority  
19 that is owned by the state, provided that use of the property is primarily related to  
20 the purposes of the authority.

21 **SECTION 3348n.** 70.111 (18) of the statutes is amended to read:

22 70.111 (18) SOLAR AND WIND ENERGY SYSTEMS. Solar energy systems and wind  
23 energy systems. In this subsection, "solar energy system" means equipment which  
24 directly converts and then transfers or stores solar energy into usable forms of  
25 thermal or electrical energy, but does not include equipment or components that

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1 would be present as part of a conventional energy system or a system that operates  
2 without mechanical means. In this subsection, "wind energy system" means  
3 equipment which converts and then transfers or stores energy from the wind into  
4 usable forms of energy, but does not include equipment or components that would be  
5 present as part of a conventional energy system. ~~The exemption under this~~  
6 ~~subsection is effective until December 31, 1995.~~

7 **SECTION 3349.** 70.113 (1) of the statutes is amended to read:

8 70.113 (1) As soon after April 20 of each year as is feasible the department of  
9 natural resources shall pay to the city, village, or town treasurer the sum of 80 cents  
10 per acre as a grant out of the appropriation made by s. 20.370 ~~(4) (ea)~~ (5) (da) and ~~(eq)~~  
11 (dq) on each acre situated in the municipality of state forest lands, as defined in s.  
12 28.02 (1), state parks under s. 27.01 and state public shooting, trapping or fishing  
13 grounds and reserves or refuges operated thereon, acquired at any time under s.  
14 23.09 (2) (d), 29.10, 1943 stats., 29.571 (1) or from the appropriations made by s.  
15 20.866 (2) (tp) by the department of natural resources or leased from the federal  
16 government by the department of natural resources.

17 **SECTION 3351.** 70.113 (2) (a) of the statutes is amended to read:

18 70.113 (2) (a) Towns, cities or villages shall be paid for forest lands as defined  
19 in s. 28.02 (1), state parks under s. 27.01 and other lands acquired under s. 23.09 (2)  
20 (d), 23.27, 23.29, 23.293, 23.31 or 29.571 (1) located within such municipality and  
21 acquired after June 30, 1969. Such payments shall be made from the appropriation  
22 under s. 20.370 ~~(4) (ea)~~ (5) (da) or ~~(eq)~~ (dq) and remitted by the department of natural  
23 resources in the amounts certified by the department of revenue according to par. (b).

24 **SECTION 3355.** 70.119 (1) of the statutes is amended to read:

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1           70.119 (1) The state and the University of Wisconsin Hospitals and Clinics  
2 Authority shall make reasonable payments at established rates for water, sewer and  
3 electrical services and all other services directly provided by a municipality to state  
4 facilities by a municipality and facilities of the University of Wisconsin Hospitals and  
5 Clinics Authority described in s. 70.11 (38), including garbage and trash disposal and  
6 collection, which are financed in whole or in part by special charges or fees. Such  
7 payments for services provided to state facilities shall be made from the  
8 appropriations to state agencies for the operation of state the facilities. Each state  
9 agency making such payments shall annually report the payments to the  
10 department.

11           **SECTION 3356.** 70.119 (3) (d) of the statutes is amended to read:

12           70.119 (3) (d) “Municipal services” means police and fire protection, garbage  
13 and trash disposal and collection not paid for under sub. (1) and, subject to approval  
14 by the committee, any other direct general government service provided by  
15 municipalities to state facilities by municipalities and facilities of the University of  
16 Wisconsin Hospitals and Clinics Authority described in s. 70.11 (38).

17           **SECTION 3357.** 70.119 (4) of the statutes is amended to read:

18           70.119 (4) The department shall be responsible for negotiating with  
19 municipalities on payments for municipal services and may delegate certain  
20 responsibilities of negotiation to other state agencies or to the University of  
21 Wisconsin Hospitals and Clinics Authority. Prior to negotiating with municipalities  
22 the department shall submit guidelines for negotiation to the committee for  
23 approval.

24           **SECTION 3358.** 70.119 (5) of the statutes is amended to read:

1           70.119 (5) Upon approval of guidelines by the committee, the department shall  
2 proceed with negotiations. In no case may a municipality withhold services to the  
3 state or to the University of Wisconsin Hospitals and Clinics Authority during  
4 negotiations.

5           **SECTION 3359.** 70.119 (6) (a) of the statutes is amended to read:

6           70.119 (6) (a) No later than November 15 annually, the department shall report  
7 to the cochairpersons of the committee the results of its negotiations and the total  
8 payments proposed to be made in the subsequent calendar year. In computing the  
9 proposed payments to a municipality, the department shall base its calculations on  
10 the values of state facilities and facilities of the University of Wisconsin Hospitals  
11 and Clinics Authority described in s. 70.11 (38), as determined by the department for  
12 January 1 of the year preceding the year of the report, and the values of  
13 improvements to property in the municipality as determined under s. 70.57 (1) for  
14 January 1 of the year preceding the year of the report, and shall also base its  
15 calculations on revenues and expenditures of the municipality as reported under s.  
16 73.10 (2) for the year preceding the year of the report.

17           **SECTION 3360.** 70.119 (7) (a) of the statutes is amended to read:

18           70.119 (7) (a) The department shall make payment from the appropriation  
19 under s. 20.835 (5) (a) for municipal services provided by municipalities to state  
20 facilities. If the appropriation under s. 20.835 (5) (a) is insufficient to pay the full  
21 amount under sub. (6) in any one year, the department shall prorate payments  
22 among the municipalities entitled thereto. The University of Wisconsin Hospitals  
23 and Clinics Authority shall make payment for municipal services provided by  
24 municipalities to facilities of the authority described in s. 70.11 (38).

25           **SECTION 3361.** 70.27 (5) of the statutes is amended to read:

1           70.27 (5) SURVEYS, RECONCILIATIONS. The surveyor making the plat shall survey  
2 and lay out the boundaries of each parcel, street, alley, lane, roadway, or dedication  
3 to public or private use, according to the records of the register of deeds, and  
4 whatever evidence that may be available to show the intent of the buyer and seller,  
5 in the chronological order of their conveyance or dedication, and set temporary  
6 monuments to show the results of such survey which shall be made permanent upon  
7 recording of the plat as provided for in this section. The map shall be at a scale of  
8 not more than 100 feet per inch, unless waived in writing by the department of  
9 ~~agriculture, trade and consumer protection~~ development under s. 236.20 (2) (L). The  
10 owners of record of lands in the plat shall be notified by certified letter mailed to their  
11 last-known address, in order that they shall have opportunity to examine the map,  
12 view the temporary monuments, and make known any disagreement with the  
13 boundaries as shown by the temporary monuments. It is the duty of the surveyor  
14 making the plat to reconcile any discrepancies that may be revealed, so that the plat  
15 as certified to the governing body is in conformity with the records of the register of  
16 deeds as nearly as is practicable. When boundary lines between adjacent parcels, as  
17 evidenced on the ground, are mutually agreed to in writing by the owners of record,  
18 such lines shall be the true boundaries for all purposes thereafter, even though they  
19 may vary from the metes and bounds descriptions previously of record. Such written  
20 agreements shall be recorded in the office of the register of deeds. On every assessor's  
21 plat, as certified to the governing body, shall appear the volume, page and document  
22 number of the metes and bounds description of each parcel, as recorded in the office  
23 of the register of deeds, which shall be identified with the number by which such  
24 parcel is designated on the plat, except that lots which have been conveyed or  
25 otherwise acquired but upon which no deed is recorded in the office of register of

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1 deeds may be shown on an assessor's plat and when so shown shall contain a full  
2 metes and bounds description.

3 **SECTION 3362.** 70.27 (8) of the statutes is amended to read:

4 70.27 (8) PLAT FILED WITH GOVERNING BODY. Within 2 days after the assessor's  
5 plat is filed with the governing body, it shall be transmitted to the department of  
6 ~~agriculture, trade and consumer protection~~ development by the clerk of the  
7 governing body which ordered the plat. The department of ~~agriculture, trade and~~  
8 ~~consumer protection~~ development shall review the plat within 30 days of its receipt.  
9 No such plat may be given final approval by the local governing body until the  
10 department of ~~agriculture, trade and consumer protection~~ development has certified  
11 on the face of the original plat that it complies with the applicable provisions of ss.  
12 236.15 and 236.20. After the plat has been so certified the clerk shall promptly  
13 publish a class 3 notice thereof, under ch. 985. The plat shall remain on file in the  
14 clerk's office for 30 days after the first publication. At any time within the 30-day  
15 period any person or public body having an interest in any lands affected by the plat  
16 may bring a suit to have the plat corrected. If no suit is brought within the 30-day  
17 period, the plat may be approved by the governing body, and filed for record. If a suit  
18 is brought, approval shall be withheld until the suit is decided. The plat shall then  
19 be revised in accordance with the decision if necessary, and, without rereferral to the  
20 department of ~~agriculture, trade and consumer protection~~ development unless  
21 rereferral is ordered by the court. The plat may then be approved by the governing  
22 body and filed for record. When so filed the plat shall carry on its face the certificate  
23 of the clerk that all provisions of this section have been complied with. When  
24 recorded after approval by the governing body, the plat shall have the same effect for  
25 all purposes as if it were a land division plat made by the owners in full compliance

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1 with ch. 236. Before January 1 of each year, the register of deeds shall notify the town  
2 clerks of the recording of any assessors' plats made or amended during the preceding  
3 year, affecting lands in their towns.

4 **SECTION 3362b.** 70.32 (1r) of the statutes is repealed.

5 **SECTION 3362c.** 70.32 (2) (a) (intro.) of the statutes is amended to read:

6 70.32 (2) (a) (intro.) ~~In cities and villages, the~~ The assessor shall segregate into  
7 the following classes on the basis of use and set down separately in proper columns  
8 the values of the land, exclusive of improvements, and, except for subds. 5. and 6.,  
9 the improvements in each class:

10 **SECTION 3362d.** 70.32 (2) (a) 5. to 7. of the statutes are created to read:

11 70.32 (2) (a) 5. Swamp or waste.

12 6. Productive forest land.

13 7. Other.

14 **SECTION 3362e.** 70.32 (2) (b) of the statutes is repealed.

15 **SECTION 3362f.** 70.32 (2) (c) 1. of the statutes is repealed and recreated to read:

16 70.32 (2) (c) 1. "Agricultural land" means land, exclusive of buildings and  
17 improvements, that is devoted primarily to agricultural use, as defined by rule.

18 **SECTION 3362g.** 70.32 (2m) of the statutes is repealed.

19 **SECTION 3362h.** 70.32 (2r) of the statutes is created to read:

20 70.32 (2r) (a) For the assessment as of January 1, 1996, or until the farmland  
21 advisory council under s. 73.03 (49) makes its recommendation, but not to extend  
22 beyond January 1, 2008, the assessed value of each parcel of agricultural land is the  
23 assessed value of that parcel as of January 1, 1995.

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1 (b) For each year beginning with 1997 or upon completion of the farmland  
2 advisory council's recommendation and promulgation of rules and ending no later  
3 than December 31, 2007, the assessed value of the parcel shall be reduced as follows:

4 1. Subtract the value of the parcel as determined according to the income that  
5 is or could be generated from its rental for agricultural use, as determined by rule,  
6 from its assessed value as of January 1, 1995.

7 2. Multiply .1 by the number of years that the parcel has been assessed under  
8 this paragraph.

9 3. Multiply the amount under subd. 1. by the decimal under subd. 2.

10 4. Subtract the amount under subd. 3. from the parcel's assessed value as of  
11 January 1, 1995.

12 (c) For the assessment as of the January 1 after the valuation method under  
13 par. (b) no longer applies and for each assessment thereafter, agricultural land shall  
14 be assessed according to the income that is or could be generated from its rental for  
15 agricultural use.

16 **SECTION 3362m.** 70.337 (7) of the statutes is amended to read:

17 70.337 (7) This section does not apply to property that is exempt under s. 70.11  
18 (13), (13m), (15), (15m), (21) or (30), property that is exempt under s. 70.11 (18) if a  
19 payment in lieu of taxes is made for that property, lake beds owned by the state, state  
20 forests under s. 28.03 or 28.035, county forests under s. 28.10, property acquired by  
21 the department of transportation under s. 85.08 (2) (L) or 85.09 or highways, as  
22 defined in s. 340.01 (22).

23 **SECTION 3363.** 70.375 (1) (intro.) of the statutes is amended to read:

24 70.375 (1) DEFINITIONS. (intro.) In ss. 70.37 to ~~70.395~~ 70.3965:

25 **SECTION 3364.** 70.375 (4) (r) of the statutes is created to read:

1           70.375 (4) (r) Administrative fees under s. 70.3965.

2           **SECTION 3366.** 70.395 (2) (i) of the statutes is amended to read:

3           70.395 (2) (i) The board may require financial audits of all recipients of  
4 payments made under pars. (d) to (g). The board shall require that all funds received  
5 under pars. (d) to (g) be placed in a segregated account. The financial audit may be  
6 conducted as part of a municipality's or county's annual audit, if one is conducted.  
7 The cost of the audits shall be paid by the board from the appropriation under s.  
8 20.566 (7) ~~(a)~~ (g).

9           **SECTION 3367.** 70.3965 of the statutes is created to read:

10           **70.3965 Fund administrative fee.** There is imposed an investment and local  
11 impact fund administrative fee on each person that has gross proceeds. On or before  
12 July 31 the department shall calculate the fee imposed on each such person by  
13 dividing the person's gross proceeds for the previous year by the total gross proceeds  
14 of all persons for that year and by multiplying the resulting fraction by the amount  
15 expended under s. 20.566 (7) (g) for the previous fiscal year. Each person who is  
16 subject to a fee under this section shall pay that fee on or before August 15.

17           **SECTION 3367c.** 70.57 (3) of the statutes is repealed and recreated to read:

18           70.57 (3) In determining the value of agricultural land under sub. (1), the  
19 department shall fulfill the requirements under s. 70.32 (2r).

20           **SECTION 3367d.** 70.99 (12) of the statutes, as affected by 1995 Wisconsin Act  
21 .... (this act), is repealed.

22           **SECTION 3367g.** 70.99 (12) (a) of the statutes is amended to read:

23           70.99 (12) (a) Under Except as provided in par. (am), under a county assessor  
24 system, the state shall pay the lesser of 75% of the actual cost of the operation of the  
25 county assessment system or 75% of the sum of two-tenths of one mill multiplied by

1 the full value of a county and \$3.95 multiplied by the total number of all land parcels  
2 in the county as reported by the county assessor and reviewed by the department of  
3 revenue (but in either case not including any expense of any municipal civil service  
4 examination, any examination given by the division of merit recruitment and  
5 selection in the department of employment relations, any expense of the municipal  
6 board of review or any expense of developing basic computer programs available from  
7 the state free of charge).

8 **SECTION 3367r.** 70.99 (12) (am) of the statutes is created to read:

9 70.99 (12) (am) On July 1, 1996, the state shall pay for the operation of a county  
10 assessment system \$475,000.

11 **SECTION 3369.** 70.99 (13) (a) 1. of the statutes is amended to read:

12 70.99 (13) (a) 1. The department of revenue shall prescribe the due dates, the  
13 blanks and forms and the format of information transmitted by the county assessor  
14 to the department as to the assessment of property and such other information as  
15 may be needed in its work as well as the forms of assessment rolls, blanks, books and  
16 returns required for the assessment and collection of general property taxes by  
17 county. The county shall submit material on or before the due dates that the  
18 department prescribes and shall use all of the material that the department  
19 prescribes.

20 **SECTION 3370.** 70.99 (13) (a) 3. of the statutes is repealed.

21 **SECTION 3371.** 70.99 (13) (b) of the statutes is amended to read:

22 70.99 (13) (b) The department of revenue shall prescribe minimum  
23 specifications for assessment maps. Any county whose assessment maps do not meet  
24 the department's specifications at the time of converting to the county assessment  
25 system shall have 4 years from the first countywide January 1 assessment date to

**SECTION 3371**

1 bring its maps in conformance with the department's specifications. ~~If a county fails~~  
2 ~~to bring its maps in conformance with the department's specifications within the~~  
3 ~~4-year period, or fails to maintain them at that level thereafter, the county shall be~~  
4 ~~ineligible to receive any payment under sub. (12).~~

5 **SECTION 3372.** 70.99 (13) (c) 1. of the statutes is renumbered 70.99 (13) (c) and  
6 amended to read:

7 70.99 (13) (c) The department of revenue shall determine the minimum  
8 number of staff members required for each county assessor's office and the level of  
9 certification under sub. (3) required for each position.

10 **SECTION 3373.** 70.99 (13) (c) 2. of the statutes is repealed.

11 **SECTION 3373am.** 70.99 (14) of the statutes is amended to read:

12 70.99 (14) A county may discontinue a county assessor system by passage of  
13 a resolution or ordinance by an approving vote of ~~60%~~ a majority of the entire  
14 membership of the county board. The effective date of the resolution or ordinance  
15 shall be December 31. A county shall, on or before ~~December 1~~ October 31 of the year  
16 ~~preceding the year~~ when the resolution or ordinance is effective, notify all  
17 municipalities in the county of its intent to discontinue its county assessor system.  
18 As soon as practicable after the effective date of the resolution or ordinance, the  
19 county shall transfer to the proper municipality all assessment records, books, maps,  
20 aerial photographs, appraisal cards and other assessment data in its possession.

21 **SECTION 3373b.** 71.01 (6) (b) of the statutes is repealed.

22 **SECTION 3373h.** 71.01 (6) (h) of the statutes is amended to read:

23 71.01 (6) (h) For taxable years that begin after December 31, 1992, and before  
24 January 1, 1994, for natural persons and fiduciaries, except fiduciaries of nuclear  
25 decommissioning trust or reserve funds, "internal revenue code" means the federal

**SECTION 3373h**

1 internal revenue code as amended to December 31, 1992, excluding sections 103, 104  
2 and 110 of P.L. 102-227, and as amended by P.L. 103-66, excluding sections 13101  
3 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103-66, and P.L. 103-465  
4 and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73,  
5 P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90,  
6 P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L.  
7 102-486 and P.L. 103-66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171,  
8 13174 and 13203 of P.L. 103-66. The internal revenue code applies for Wisconsin  
9 purposes at the same time as for federal purposes. Amendments to the federal  
10 internal revenue code enacted after December 31, 1992, do not apply to this  
11 paragraph with respect to taxable years beginning after December 31, 1992, and  
12 before January 1, 1994, except that changes to the internal revenue code made by  
13 P.L. 103-66 and P.L. 103-465 and changes that indirectly affect the provisions  
14 applicable to this subchapter made by P.L. 103-66 and P.L. 103-465 apply for  
15 Wisconsin purposes at the same time as for federal purposes.

16 **SECTION 3373i.** 71.01 (6) (i) of the statutes is amended to read:

17 71.01 (6) (i) For taxable years that begin after December 31, 1993, and before  
18 January 1, 1995, for natural persons and fiduciaries, except fiduciaries of nuclear  
19 decommissioning trust or reserve funds, "internal revenue code" means the federal  
20 internal revenue code as amended to December 31, 1993, excluding sections 103, 104  
21 and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d)  
22 and 13215 of P.L. 103-66 and as amended by P.L. 103-296, P.L. 103-337 and P.L.  
23 103-465, and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.  
24 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L.  
25 102-90, P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L.

**SECTION 3373i**

1 102-318, P.L. 102-486 and, P.L. 103-66, excluding sections 13113, 13150 (d), 13171  
2 (d), 13174, 13203 (d) and 13215 of P.L. 103-66, P.L. 103-296, P.L. 103-337 and P.L.  
3 103-465. The internal revenue code applies for Wisconsin purposes at the same time  
4 as for federal purposes. Amendments to the federal internal revenue code enacted  
5 after December 31, 1993, do not apply to this paragraph with respect to taxable years  
6 beginning after December 31, 1993, and before January 1, 1995, except that changes  
7 to the internal revenue code made by P.L. 103-296, P.L. 103-337 and P.L. 103-465  
8 and changes that indirectly affect the provisions applicable to this subchapter made  
9 by P.L. 103-276, P.L. 103-337 and P.L. 103-465 apply for Wisconsin purposes at the  
10 same time as for federal purposes.

11 **SECTION 3373j.** 71.01 (6) (j) of the statutes is created to read:

12 71.01 (6) (j) For taxable years that begin after December 31, 1994, for natural  
13 persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or  
14 reserve funds, “internal revenue code” means the federal internal revenue code as  
15 amended to December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102-227  
16 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, and as  
17 indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.  
18 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280, P.L. 101-508, P.L. 102-90, P.L.  
19 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L.  
20 102-486 and P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and  
21 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337 and P.L. 103-465 and “internal  
22 revenue code” means amendments to section 162 of the federal internal revenue code  
23 made by P.L. 104-7. The internal revenue code applies for Wisconsin purposes at the  
24 same time as for federal purposes. Amendments to the federal internal revenue code  
25 enacted after December 31, 1994, except amendments to section 162 of the federal

1 internal revenue code made by P.L. 104-7, do not apply to this paragraph with  
2 respect to taxable years beginning after December 31, 1994.

3 **SECTION 3373k.** 71.01 (7r) of the statutes is amended to read:

4 71.01 (7r) Notwithstanding sub. (6), for purposes of computing amortization  
5 or depreciation, "internal revenue code" means either the federal internal revenue  
6 code as amended to December 31, ~~1993~~ 1994, or the federal internal revenue code in  
7 effect for the taxable year for which the return is filed, except that property that,  
8 under s. 71.02 (2) (d) 12., 1985 stats., is required to be depreciated for taxable year  
9 1986 under the internal revenue code as amended to December 31, 1980, shall  
10 continue to be depreciated under the internal revenue code as amended to December  
11 31, 1980.

12 **SECTION 3373n.** 71.02 (1) of the statutes is amended to read:

13 71.02 (1) For the purpose of raising revenue for the state and the counties,  
14 cities, villages and towns, there shall be assessed, levied, collected and paid a tax on  
15 all net incomes of individuals and fiduciaries, except fiduciaries of nuclear  
16 decommissioning trust or reserve funds subject to the tax under s. 71.23 (2), by every  
17 natural person residing within the state or by his or her personal representative in  
18 case of death, and trusts administered within the state; by every nonresident natural  
19 person and trust of this state, upon pension income to the extent that income is  
20 attributable to employment in this state and such income as is derived from property  
21 located or business transacted within the state including, but not limited by  
22 enumeration, income derived from a limited partner's distributive share of  
23 partnership income, income derived from a limited liability company member's  
24 distributive share of limited liability company income, the state lottery under ch.  
25 565, any multistate lottery under ch. 565 if the winning lottery ticket or lottery share

**SECTION 3373n**

1 was purchased from a retailer, as defined in s. 565.01 (6), located in this state or from  
2 the ~~gaming commission~~ department and pari-mutuel wager winnings or purses  
3 under ch. 562, and also by every nonresident natural person upon such income as is  
4 derived from the performance of personal services within the state, except as  
5 exempted under s. 71.05 (1) to (3). Every natural person domiciled in the state shall  
6 be deemed to be residing within the state for the purposes of determining liability  
7 for income taxes and surtaxes.

8 **SECTION 3373r.** 71.04 (1) (a) of the statutes is amended to read:

9 71.04 (1) (a) All income or loss of resident individuals and resident estates and  
10 trusts shall follow the residence of the individual, estate or trust. Income or loss of  
11 nonresident individuals and nonresident estates and trusts from business, not  
12 requiring apportionment under sub. (4), (10) or (11), shall follow the situs of the  
13 business from which derived. All items of income, loss and deductions of nonresident  
14 individuals and nonresident estates and trusts derived from a tax-option  
15 corporation not requiring apportionment under sub. (9) shall follow the situs of the  
16 business of the corporation from which derived. Income or loss of nonresident  
17 individuals and nonresident estates and trusts derived from rentals and royalties  
18 from real estate or tangible personal property, or from the operation of any farm,  
19 mine or quarry, or from the sale of real property or tangible personal property shall  
20 follow the situs of the property from which derived. Income from personal services  
21 of nonresident individuals, including income from professions, shall follow the situs  
22 of the services. A nonresident limited partner's distributive share of partnership  
23 income shall follow the situs of the business. A nonresident limited liability company  
24 member's distributive share of limited liability company income shall follow the situs  
25 of the business. Income of nonresident individuals, estates and trusts from the state

1 lottery under ch. 565 is taxable by this state. Income of nonresident individuals,  
2 estates and trusts from any multistate lottery under ch. 565 is taxable by this state,  
3 but only if the winning lottery ticket or lottery share was purchased from a retailer,  
4 as defined in s. 565.01 (6), located in this state or from the ~~gaming commission~~  
5 department. Income of nonresident individuals, nonresident trusts and nonresident  
6 estates from pari-mutuel winnings or purses under ch. 562 is taxable by this state.  
7 All other income or loss of nonresident individuals and nonresident estates and  
8 trusts, including income or loss derived from land contracts, mortgages, stocks,  
9 bonds and securities or from the sale of similar intangible personal property, shall  
10 follow the residence of such persons, except as provided in par. (b) and sub. (9).

11 **SECTION 3373rm.** 71.05 (1) (a) of the statutes is amended to read:

12 71.05 (1) (a) *Retirement systems.* All payments received from the U.S. civil  
13 service retirement system, the U.S. military employe retirement system, the  
14 employe's retirement system of the city of Milwaukee, Milwaukee county employes'  
15 retirement system, sheriff's annuity and benefit fund of Milwaukee county, police  
16 officer's annuity and benefit fund of Milwaukee, fire fighter's annuity and benefit  
17 fund of Milwaukee, or the public employe trust fund as successor to the Milwaukee  
18 public school teachers' annuity and retirement fund and to the Wisconsin state  
19 teachers retirement system, which are paid on the account of any person who was  
20 a member of the paying or predecessor system or fund as of December 31, 1963, or  
21 was retired from any of the systems or funds as of December 31, 1963, and who is a  
22 resident of this state but such exemption shall not exclude from gross income tax  
23 sheltered annuity benefits.

24 **SECTION 3373s.** 71.05 (3) of the statutes is amended to read:

**SECTION 3373s**

1           71.05 (3) MENOMINEE INDIAN TRIBE; DISTRIBUTION OF ASSETS. No distribution of  
2 assets from the United States to the members of the Menominee Indian tribe as  
3 defined in s. ~~49.085~~ 49.385 or their lawful distributees, or to any corporation, or  
4 organization, created by the tribe or at its direction pursuant to section 8, P.L.  
5 83-399, as amended, and no issuance of stocks, bonds, certificates of indebtedness,  
6 voting trust certificates or other securities by any such corporation or organization,  
7 or voting trust, to such members of the tribe or their lawful distributees shall be  
8 subject to income taxes under this chapter; provided, that so much of any cash  
9 distribution made under said P.L. 83-399 as consists of a share of any interest earned  
10 on funds deposited in the treasury of the United States pursuant to the supplemental  
11 appropriation act, 1952, (65 Stat. 736, 754) shall not by virtue of this subsection be  
12 exempt from the individual income tax of this state in the hands of the recipients for  
13 the year in which paid. For the purpose of ascertaining the gain or loss resulting from  
14 the sale or other disposition of such assets and stocks, bonds, certificates of  
15 indebtedness and other securities under this chapter, the fair market value of such  
16 property, on termination date as defined in s. 70.057 (1), 1967 stats., shall be the basis  
17 for determining the amount of such gain or loss.

18           **SECTION 3373t.** 71.05 (6) (a) 15. of the statutes is amended to read:

19           71.05 (6) (a) 15. The amount of the credits computed under s. 71.07 (2dd), (2de),  
20 (2di), (2dj), (2dL) and (2ds) and not passed through by a partnership, limited liability  
21 company or tax-option corporation that has added that amount to the partnership's,  
22 company's or tax-option corporation's income under s. 71.21 (4) or 71.34 (1) (g).

23           **SECTION 3373w.** 71.05 (6) (b) 21. of the statutes is created to read:

24           71.05 (6) (b) 21. The difference between the amount of social security benefits  
25 included in federal adjusted gross income for the current year and the amount

1 calculated under section 86 of the internal revenue code as that section existed on  
2 December 31, 1992.

3 **SECTION 3377m.** 71.07 (2dd) of the statutes is created to read:

4 **71.07 (2dd) DEVELOPMENT ZONES DAY CARE CREDIT.** (a) In this subsection:

5 1. "Day care center benefits" means benefits provided at a day care facility that  
6 is licensed under s. 48.65 or 48.69 and that for compensation provides care for at least  
7 6 children.

8 2. "Employment-related day care expenses" means amounts paid or incurred  
9 by a claimant for providing or making day care center benefits available to a  
10 qualifying individual in order to enable a member of a targeted group to be employed  
11 by the claimant.

12 4. "Member of a targeted group" means a person under sub. (2dj) (am) 1.

13 5. "Qualifying individual" means a dependent of a member of a targeted group  
14 who is employed by a claimant and with respect to whom the member is entitled to  
15 a deduction under section 151 (c) of the internal revenue code for federal income tax  
16 purposes, a dependent of a member of a targeted group who is employed by a  
17 claimant if the dependent is physically or mentally incapable of caring for himself  
18 or herself or the spouse of a member of a targeted group who is employed by the  
19 claimant if the spouse is physically or mentally incapable of caring for himself or  
20 herself.

21 (b) Except as provided in s. 73.03 (35), for any taxable year for which that  
22 person is certified under s. 560.765 (3) and begins business operations in a zone  
23 under s. 560.71 after the effective date of this paragraph .... [revisor inserts date], or  
24 certified under s. 560.797 (4) (a) for each zone for which the person is certified or

**SECTION 3377m**

1 entitled a person may credit against taxes otherwise due under this subchapter  
2 employment-related day care expenses, up to \$1,200 for each qualifying individual.

3 (c) Subsection (2di) (b), (c), (d) 1., (f) and (g), as it applies to the credit under sub.  
4 (2di), applies to the credit under this subsection.

5 (d) Section 71.28 (4) (g) and (h), as it applies to the credit under s. 71.28 (4),  
6 applies to the credit under this subsection.

7 (dm) No credit may be allowed under this subsection unless the claimant  
8 includes with the claimant's return a statement from the department of development  
9 verifying the amount of qualifying employment-related day care expenses.

10 (e) The credit under this subsection, as it applies to a person certified under s.  
11 560.765 (3), applies to a person who conducts economic activity in a zone under s.  
12 560.795 (1) and who is entitled to tax benefits under s. 560.795 (3), subject to the  
13 limits under s. 560.795 (2). A credit under this subsection may be credited using  
14 expenses incurred by a claimant on the effective date of this paragraph .... [revisor  
15 inserts date].

16 **SECTION 3377r.** 71.07 (2de) of the statutes is created to read:

17 71.07 (2de) DEVELOPMENT ZONES ENVIRONMENTAL REMEDIATION CREDIT. (a)  
18 Except as provided in s. 73.03 (35), for any taxable year for which a person is certified  
19 under s. 560.765 (3) and begins business operations in a zone under s. 560.71 after  
20 the effective date of this paragraph .... [revisor inserts date], or certified under s.  
21 560.797 (4) (a), for each zone for which the person is certified or entitled the person  
22 may claim as a credit against taxes otherwise due under this subchapter an amount  
23 equal to 7.5% of the amount that the person expends to remove or contain  
24 environmental pollution, as defined in s. 144.01 (3), in the zone or to restore soil or

1 groundwater that is affected by environmental pollution, as defined in s. 144.01 (3),  
2 in the zone if the person fulfills all of the following requirements:

3 1. Begins the work, other than planning and investigating, for which the credit  
4 is claimed after the area that includes the site where the work is done is designated  
5 a development zone under s. 560.71, a development opportunity zone under s.  
6 560.795 or an enterprise development zone under s. 560.797 and after the claimant  
7 is certified under s. 560.765 (3), entitled under s. 560.795 (3) (a) or certified under s.  
8 560.797 (4) (a).

9 (b) Subsection (2di) (b), (c), (d), (f) and (g), as it applies to the credit under sub.  
10 (2di), applies to the credit under this subsection.

11 (c) Section 71.28 (4) (g) and (h), as it applies to the credit under s. 71.28 (4),  
12 applies to the credit under this subsection.

13 (d) The credit under this subsection, as it applies to a person certified under s.  
14 560.765 (3), applies to a person who conducts economic activity in a zone under s.  
15 560.795 (1) and who is entitled to tax benefits under s. 560.795 (3), subject to the  
16 limits under s. 560.795 (2). A credit under this subsection may be credited using  
17 expenses incurred by a claimant on the effective date of this paragraph .... [revisor  
18 inserts date].

19 **SECTION 3378m.** 71.07 (2dj) (d) of the statutes is amended to read:

20 71.07 (2dj) (d) If the allowable amount of the credit under par. (am) exceeds the  
21 taxes otherwise due under this chapter on or measured by the claimant's income, the  
22 amount of the credit not used as an offset against those taxes shall be certified to the  
23 department of administration for payment to the claimant by check, share draft or  
24 other draft unless the claimant does not fulfill the requirements under sub. (2di) (b)  
25 2. and bases the claim on activity in a zone under s. 560.797.

**SECTION  
3380gm**

1           **SECTION 3380gm.** 71.07 (2dj) (h) of the statutes is created to read:

2           71.07 (**2dj**) (h) For claims based on activity in a zone under s. 560.797, the rules  
3 under sub. (2di) (b) and (c) as they apply to the credit under that subsection apply  
4 to the credit under this subsection.

5           **SECTION 3380r.** 71.07 (2ds) (c) of the statutes is amended to read:

6           71.07 (**2ds**) (c) If the allowable amount of the credit under par. (b) exceeds the  
7 taxes otherwise due under this chapter on or measured by the claimant's income, the  
8 amount of the credit not used as an offset against those taxes shall be certified to the  
9 department of administration for payment to the claimant by check, share draft or  
10 other draft unless the claimant does not fulfill the requirements under sub. (2di) (b)  
11 2. and bases the claim on activity in a zone under s. 560.797.

12           **SECTION 3381mm.** 71.07 (2ds) (h) of the statutes is created to read:

13           71.07 (**2ds**) (h) For claims based on activity in a zone under s. 560.797, the rules  
14 under sub. (2di) (b) and (c) as they apply to the credit under that subsection apply  
15 to the credit under this subsection.

16           **SECTION 3382m.** 71.07 (9e) (ac) of the statutes is created to read:

17           71.07 (**9e**) (ac) For taxable years beginning after December 31, 1994, and before  
18 January 1, 1996, any natural person may credit against the tax imposed under s.  
19 71.02 an amount equal to one of the following percentages of the federal basic earned  
20 income credit for which the person is eligible for the taxable year under section 32  
21 (b) (1) (A) to (C) of the internal revenue code:

22           1. If the person has one qualifying child who has the same principal place of  
23 abode as the person, 4%.

24           2. If the person has 2 qualifying children who have the same principal place of  
25 abode as the person, 16%.

1           3. If the person has 3 or more qualifying children who have the same principal  
2 place of abode as the person, 50%.

3           **SECTION 3383.** 71.07 (9e) (ad) (intro.) of the statutes is amended to read:

4           71.07 **(9e)** (ad) (intro.) For taxable years beginning ~~on or after January 1, 1994~~  
5 after December 31, 1993, and before January 1, 1995, a person who has one  
6 qualifying child who has the same principal place of abode as the person may credit  
7 against the tax imposed under s. 71.02 an amount equal to the amount calculated by  
8 one of the following methods, based on the person's earned income or federal adjusted  
9 gross income:

10          **SECTION 3383m.** 71.07 (9e) (af) of the statutes is created to read:

11          71.07 **(9e)** (af) For taxable years beginning after December 31, 1995, any  
12 natural person may credit against the tax imposed under s. 71.02 an amount equal  
13 to one of the following percentages of the federal basic earned income credit for which  
14 the person is eligible for the taxable year under section 32 (b) (1) (A) to (C) of the  
15 internal revenue code:

16           1. If the person has one qualifying child who has the same principal place of  
17 abode as the person, 4%.

18           2. If the person has 2 qualifying children who have the same principal place of  
19 abode as the person, 14%.

20           3. If the person has 3 or more qualifying children who have the same principal  
21 place of abode as the person, 43%.

22          **SECTION 3384.** 71.07 (9e) (ah) (intro.) of the statutes is amended to read:

23          71.07 **(9e)** (ah) (intro.) For taxable years beginning ~~on or after January 1, 1994~~  
24 after December 31, 1993, and before January 1, 1995, a person who has 2 qualifying  
25 children who have the same principal place of abode as the person may credit against

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1 the tax imposed under s. 71.02 an amount equal to the amount calculated by one of  
2 the following methods, based on the person's earned income or federal adjusted gross  
3 income:

4 **SECTION 3388.** 71.07 (9e) (ap) (intro.) of the statutes is amended to read:

5 71.07 **(9e)** (ap) (intro.) For taxable years beginning ~~on or after January 1, 1994~~  
6 after December 31, 1993, and before January 1, 1995, a person who has more than  
7 2 qualifying children who have the same principal place of abode as the person may  
8 credit against the tax imposed under s. 71.02 an amount equal to the amount  
9 calculated by one of the following methods, based on the person's earned income or  
10 federal adjusted gross income:

11 **SECTION 3391.** 71.07 (9e) (at) 1. (intro.) of the statutes is amended to read:

12 71.07 **(9e)** (at) 1. (intro.) For taxable years beginning ~~on or after January 1,~~  
13 ~~1994, and subject to subd. 2.~~ after December 31, 1993, and before January 1, 1995:

14 **SECTION 3392.** 71.07 (9e) (at) 2. of the statutes is repealed.

15 **SECTION 3393.** 71.07 (9e) (at) 3. (intro.) of the statutes is amended to read:

16 71.07 **(9e)** (at) 3. (intro.) For taxable years beginning ~~on or after January 1,~~  
17 ~~1994~~ after December 31, 1993, and before January 1, 1995, the maximum credit is  
18 one of the following amounts:

19 **SECTION 3393m.** 71.07 (9m) (a) of the statutes is amended to read:

20 71.07 **(9m)** (a) Any person may credit against taxes otherwise due under this  
21 chapter, up to the amount of those taxes, an amount equal to 5% of the costs of  
22 qualified rehabilitation expenditures, as defined in section ~~48 (g) (2)~~ 47 (c) (2) of the  
23 internal revenue code, for certified historic structures on property located in this  
24 state if the physical work of construction or destruction in preparation for

**SECTION 3393m**

1 construction begins after December 31, 1988, and the rehabilitated property is  
2 placed in service after June 30, 1989.

3 **SECTION 3393r.** 71.08 (1) (intro.) of the statutes is amended to read:

4 71.08 (1) IMPOSITION. (intro.) If the tax imposed on a natural person, married  
5 couple filing jointly, trust or estate under s. 71.02, not considering the credits under  
6 ss. 71.07 (1), (2dd), (2de), (2di), (2dj), (2dL), (2ds), (2fd), (3m), (6) and (9e), 71.28 (1dd),  
7 (1de), (1di), (1dj), (1dL), (1ds), (1fd) and (2m) and 71.47 (1dd), (1de), (1di), (1dj), (1dL),  
8 (1ds), (1fd) and (2m) and subchs. VIII and IX and payments to other states under s.  
9 71.07 (7), is less than the tax under this section, there is imposed on that natural  
10 person, married couple filing jointly, trust or estate, instead of the tax under s. 71.02,  
11 an alternative minimum tax computed as follows:

12 **SECTION 3393w.** 71.10 (3) of the statutes, as affected by 1995 Wisconsin Act ....  
13 (this act), is repealed.

14 **SECTION 3394mm.** 71.10 (4) (gd), (ge), (gs) and (gt) of the statutes are created  
15 to read:

16 71.10 (4) (gd) Development zones jobs credit under s. 71.07 (2dj) if the credit  
17 is based on activity in a zone under s. 560.797.

18 (ge) Development zones sales tax credit under s. 71.07 (2ds) if the credit is  
19 based on activity in a zone under s. 560.797.

20 (gs) Development zones day care credit under s. 71.07 (2dd).

21 (gt) Development zones environmental remediation credit under s. 71.07 (2de).

22 **SECTION 3394mp.** 71.10 (4) (i) of the statutes is amended to read:

23 71.10 (4) (i) The total of claim of right credit under s. 71.07 (1), farmland  
24 preservation credit under subch. IX, homestead credit under subch. VIII, farmland  
25 tax relief credit under s. 71.07 (3m), farmers' drought property tax credit under s.

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1 71.07 (2fd), development zones sales tax credit under s. 71.07 (2ds) unless the credit  
2 is based on activity in a zone under s. 560.797, development zones jobs credit under  
3 s. 71.07 (2dj) unless the credit is based on activity in a zone under s. 560.797, earned  
4 income tax credit under s. 71.07 (9e), estimated tax payments under s. 71.09, and  
5 taxes withheld under subch. X.

6 **“SECTION 3394n.** 71.10 (5) (a) 2. of the statutes is amended to read:

7 71.10 (5) (a) 2. “Endangered resources program” means purchasing or  
8 improving land or habitats for any native Wisconsin endangered or threatened  
9 species as defined in s. 29.415 (2) (a) (am) or (b) or for any nongame species as defined  
10 in s. 29.01 (10), conducting wildlife and resource research and surveys and providing  
11 wildlife management services, providing for wildlife damage control or the payment  
12 of claims for damage associated with endangered or threatened species, repaying the  
13 general fund for amounts expended under s. 20.370 (1) (fb) in fiscal year 1983–84 and  
14 the payment of administrative expenses related to the administration of this  
15 subsection.

16 **SECTION 3395c.** 71.10 (5e) of the statutes is created to read:

17 71.10 (5e) WISCONSIN ELECTION CAMPAIGN FUND. (a) *Voluntary payments.* 1.  
18 ‘Designation on return.’ Any individual filing an income tax return may designate  
19 on the return any amount of additional payment or any amount of a refund due that  
20 individual for the Wisconsin election campaign fund.

21 2. ‘Designation added to tax owed.’ If the individual owes any tax, the  
22 individual shall remit in full the tax due and the amount designated on the return  
23 for the Wisconsin election campaign fund when the individual files a tax return.

24 3. ‘Designation deducted from refund.’ Except as provided under par. (c) if the  
25 individual is owed a refund for that year after crediting under ss. 71.75 (9) and 71.80

1 (3), the department of revenue shall deduct the amount designated on the return for  
2 the Wisconsin election campaign fund from the amount of the refund.

3 (b) *Errors; failure to remit correct amount.* If an individual who owes taxes fails  
4 to remit an amount equal to or in excess of the total of the actual tax due, after error  
5 corrections, and the amount designated on the return for the Wisconsin election  
6 campaign fund:

7 1. The department shall reduce the designation for the Wisconsin election  
8 campaign fund program to reflect the amount remitted in excess of the actual tax  
9 due, after error corrections, if the individual remitted an amount in excess of the  
10 actual tax due, after error corrections, but less than the total of the actual tax due,  
11 after error corrections, and the amount originally designated on the return for the  
12 Wisconsin election campaign fund.

13 2. The designation for the Wisconsin election campaign fund is void if the  
14 individual remitted an amount equal to or less than the actual tax due, after error  
15 corrections.

16 (c) *Errors; insufficient refund.* If an individual who is owed a refund which does  
17 not equal or exceed the amount designated on the return for the Wisconsin election  
18 campaign fund, after crediting under ss. 71.75 (9) and 71.80 (3) and after error  
19 corrections, the department shall reduce the designation for the Wisconsin election  
20 campaign fund to reflect the actual amount of the refund the individual is otherwise  
21 owed, after crediting under ss. 71.75 (9) and 71.80 (3) and after error corrections.

22 (d) *Conditions.* If an individual places any conditions on a designation for the  
23 Wisconsin election campaign fund, the designation is void.

1           (e) *Void designation.* If a designation for the Wisconsin election campaign fund  
2 is void, the department of revenue shall disregard the designation and determine  
3 amounts due, owed, refunded and received without regard to the void designation.

4           (f) *Tax return.* The secretary of revenue shall provide a place for the  
5 designations under this subsection on the individual income tax return and the  
6 secretary shall highlight that place on the return by a symbol chosen by the  
7 department of revenue that relates to elections. The names of persons making  
8 designations under this subsection shall be strictly confidential.

9           (g) *Certification of amounts.* Annually, on or before August 15, the secretary  
10 of revenue shall certify to the elections board and the secretary of administration the  
11 total amount received from all designations for the Wisconsin election campaign  
12 fund made by taxpayers during the previous fiscal year. Amounts designated for the  
13 Wisconsin election campaign fund under this subsection are not subject to refund to  
14 the taxpayer unless the taxpayer submits information to the satisfaction of the  
15 department within 18 months after the date taxes are due or the date the return is  
16 filed, whichever is later, that the amount designated is clearly in error. Any refund  
17 granted by the department of revenue under this subdivision shall be deducted from  
18 the moneys received under this subsection in the fiscal year that the refund is  
19 certified.

20           **SECTION 3395e.** 71.10 (5m) of the statutes is created to read:

21           71.10 (5m) DOMESTIC ABUSE AWARENESS AND PREVENTION. (a) *Definitions.* In this  
22 subsection, “domestic abuse program” means the program described under s. 46.95  
23 (4).

1 (b) *Voluntary payments.* 1. 'Designation on return'. Any individual filing an  
2 income tax return may designate on the return any amount of additional payment  
3 or any amount of a refund due that individual for the domestic abuse program.

4 2. 'Designation added to tax owed'. If the individual owes any tax, the  
5 individual shall remit in full the tax due and the amount designated on the return  
6 for the domestic abuse program when the individual files a tax return.

7 3. 'Designation deducted from refund'. Except as provided under par. (d) if the  
8 individual is owed a refund for that year after crediting under ss. 71.75 (9) and 71.80  
9 (3), the department of revenue shall deduct the amount designated on the return for  
10 the domestic abuse program from the amount of the refund.

11 (c) *Errors; failure to remit correct amount.* If an individual who owes taxes fails  
12 to remit an amount equal to or in excess of the total of the actual tax due, after error  
13 corrections, and the amount designated on the return for the domestic abuse  
14 program:

15 1. The department shall reduce the designation for the domestic abuse program  
16 to reflect the amount remitted in excess of the actual tax due, after error corrections,  
17 if the individual remitted an amount in excess of the actual tax due, after error  
18 corrections, but less than the total of the actual tax due, after error corrections, and  
19 the amount originally designated on the return for the domestic abuse program.

20 2. The designation for the domestic abuse program is void if the individual  
21 remitted an amount equal to or less than the actual tax due, after error corrections.

22 (d) *Errors; insufficient refund.* If an individual who is owed a refund which does  
23 not equal or exceed the amount designated on the return for the domestic abuse  
24 program, after crediting under ss. 71.75 (9) and 71.80 (3) and after error corrections,  
25 the department shall reduce the designation for the domestic abuse program to

1 reflect the actual amount of the refund the individual is otherwise owed, after  
2 crediting under ss. 71.75 (9) and 71.80 (3) and after error corrections.

3 (e) *Conditions.* If an individual places any conditions on a designation for the  
4 domestic abuse program, the designation is void.

5 (f) *Void designation.* If a designation for the domestic abuse program is void,  
6 the department of revenue shall disregard the designation and determine amounts  
7 due, owed, refunded and received without regard to the void designation.

8 (g) *Tax return.* The secretary of revenue shall provide a place for the  
9 designations under this subsection on the individual income tax return and the  
10 secretary shall highlight that place on the return by a symbol chosen by the  
11 department of revenue that relates to domestic abuse prevention and awareness.

12 (h) *Certification of amounts.* Annually, on or before September 15, the  
13 secretary of revenue shall certify to the department of health and social services and  
14 the secretary of administration, and on or before September 15, 1995, the secretary  
15 of revenue shall also certify to the state treasurer:

16 1. The total amount of the administrative costs, including data processing  
17 costs, incurred by the department of revenue in administering this subsection during  
18 the previous fiscal year.

19 2. The total amount received from all designations for the domestic abuse  
20 program made by taxpayers during the previous fiscal year.

21 3. The net amount remaining after the administrative costs, including data  
22 processing costs, under subd. 1. are subtracted from the total received under subd.

23 2.

24 4. From the moneys received from designations for the domestic abuse  
25 program, an amount equal to the sum of administrative expenses, including data

1 processing costs, certified under subd. 1. shall be deposited in the general fund and  
2 credited to the appropriation under s. 20.566 (1) (hp), and the net amount remaining  
3 certified under subd. 3. shall be credited to the appropriation under s. 20.435 (1) (hk).

4 5. Amounts designated for the domestic abuse program under this subsection  
5 are not subject to refund to the taxpayer unless the taxpayer submits information to  
6 the satisfaction of the department within 18 months after the date taxes are due or  
7 the date the return is filed, whichever is later, that the amount designated is clearly  
8 in error. Any refund granted by the department of revenue under this subdivision  
9 shall be deducted from the moneys received under this subsection in the fiscal year  
10 that the refund is certified.

11 **SECTION 3395m.** 71.21 (4) of the statutes is amended to read:

12 71.21 (4) Credits computed by a partnership under s. 71.07 (2dd), (2de), (2di),  
13 (2dj), (2dL) and (2ds) and passed through to partners or members shall be added to  
14 the partnership's or limited liability company's income.

15 **SECTION 3396b.** 71.22 (4) (b) of the statutes is repealed.

16 **SECTION 3396h.** 71.22 (4) (h) of the statutes is amended to read:

17 71.22 (4) (h) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34  
18 (1g) and 71.42 (2), "internal revenue code", for taxable years that begin after  
19 December 31, 1992, and before January 1, 1994, means the federal internal revenue  
20 code as amended to December 31, 1992, excluding sections 103, 104 and 110 of P.L.  
21 102-227, and as amended by P.L. 103-66, excluding sections 13101 (a) and (c) 1,  
22 13113, 13150, 13171, 13174 and 13203 of P.L. 103-66, and P.L. 103-465 and as  
23 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.  
24 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821  
25 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L.

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1 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
2 excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486 and,  
3 P.L. 103-66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and  
4 13203 of P.L. 103-66 and P.L. 103-465. The internal revenue code applies for  
5 Wisconsin purposes at the same time as for federal purposes. Amendments to the  
6 federal internal revenue code enacted after December 31, 1992, do not apply to this  
7 paragraph with respect to taxable years beginning after December 31, 1992, and  
8 before January 1, 1994, except that changes to the internal revenue code made by  
9 P.L. 103-66 and P.L. 103-465 and changes that indirectly affect the provisions  
10 applicable to this subchapter made by P.L. 103-66 and P.L. 103-465 apply for  
11 Wisconsin purposes at the same time as for federal purposes.

12 **SECTION 3396i.** 71.22 (4) (i) of the statutes is amended to read:

13 71.22 (4) (i) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34  
14 (1g) and 71.42 (2), “internal revenue code”, for taxable years that begin after  
15 December 31, 1993, and before January 1, 1995, means the federal internal revenue  
16 code as amended to December 31, 1993, excluding sections 103, 104 and 110 of P.L.  
17 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L.  
18 103-66, and as amended by P.L. 103-296, P.L. 103-337 and P.L. 103-465 and as  
19 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.  
20 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821  
21 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L.  
22 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
23 excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486 and,  
24 P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and  
25 13215 of P.L. 103-66 and P.L. 103-296, P.L. 103-337 and P.L. 103-465. The internal

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1 revenue code applies for Wisconsin purposes at the same time as for federal purposes.  
2 Amendments to the federal internal revenue code enacted after December 31, 1993,  
3 do not apply to this paragraph with respect to taxable years beginning after  
4 December 31, 1993, and before January 1, 1995, except that changes to the internal  
5 revenue code made by P.L. 103-296, P.L. 103-337 and P.L. 103-465 and changes that  
6 indirectly affect the provisions applicable to this subchapter made by P.L. 103-296,  
7 P.L. 103-337 and P.L. 103-465 apply for Wisconsin purposes at the same time as for  
8 federal purposes.

9 **SECTION 3396j.** 71.22 (4) (j) of the statutes is created to read:

10 71.22 (4) (j) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34  
11 (1g) and 71.42 (2), “internal revenue code”, for taxable years that begin after  
12 December 31, 1994, means the federal internal revenue code as amended to  
13 December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102-227 and sections  
14 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, and as indirectly  
15 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,  
16 P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and  
17 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L.  
18 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections  
19 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding  
20 sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66 and P.L.  
21 103-296, P.L. 103-337 and P.L. 103-465. The internal revenue code applies for  
22 Wisconsin purposes at the same time as for federal purposes. Amendments to the  
23 federal internal revenue code enacted after December 31, 1994, do not apply to this  
24 paragraph with respect to taxable years beginning after December 31, 1994.

25 **SECTION 3396p.** 71.22 (4m) (f) of the statutes is amended to read:

1           71.22 (4m) (f) For taxable years that begin after December 31, 1992, and before  
2           January 1, 1994, “internal revenue code”, for corporations that are subject to a tax  
3           on unrelated business income under s. 71.26 (1) (a), means the federal internal  
4           revenue code as amended to December 31, 1992, excluding sections 103, 104 and 110  
5           of P.L. 102-227, and as amended by P.L. 103-66, excluding sections 13101 (a) and (c)  
6           1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103-66, and P.L. 103-465 and as  
7           indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.  
8           100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.  
9           101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L.  
10          102-318, P.L. 102-486 and, P.L. 103-66, excluding sections 13101 (a) and (c) 1,  
11          13113, 13150, 13171, 13174 and 13203 of P.L. 103-66 and P.L. 103-465. The internal  
12          revenue code applies for Wisconsin purposes at the same time as for federal purposes.  
13          Amendments to the internal revenue code enacted after December 31, 1992, do not  
14          apply to this paragraph with respect to taxable years beginning after December 31,  
15          1992, and before January 1, 1994, except that changes to the internal revenue code  
16          made by P.L. 103-66 and P.L. 103-465 and changes that indirectly affect the  
17          provisions applicable to this subchapter made by P.L. 103-66 and P.L. 103-465 apply  
18          for Wisconsin purposes at the same time as for federal purposes.

19           **SECTION 3396q.** 71.22 (4m) (g) of the statutes is amended to read:

20           71.22 (4m) (g) For taxable years that begin after December 31, 1993, and before  
21           January 1, 1995, “internal revenue code”, for corporations that are subject to a tax  
22           on unrelated business income under s. 71.26 (1) (a), means the federal internal  
23           revenue code as amended to December 31, 1993, excluding sections 103, 104 and 110  
24           of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215  
25           of P.L. 103-66, and as amended by P.L. 103-296, P.L. 103-337 and P.L. 103-465 and

1 as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514,  
2 P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239,  
3 P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L.  
4 102-318, P.L. 102-486 and, P.L. 103-66, excluding sections 13113, 13150 (d), 13171  
5 (d), 13174, 13203 (d) and 13215 of P.L. 103-66, P.L. 103-296, P.L. 103-337 and P.L.  
6 103-465. The internal revenue code applies for Wisconsin purposes at the same time  
7 as for federal purposes. Amendments to the internal revenue code enacted after  
8 December 31, 1993, do not apply to this paragraph with respect to taxable years  
9 beginning after December 31, 1993, and before January 1, 1995, except that changes  
10 to the internal revenue code made by P.L. 103-296, P.L. 103-337 and P.L. 103-465  
11 and changes that indirectly affect the provisions applicable to this subchapter made  
12 by P.L. 103-296, P.L. 103-337 and P.L. 103-465 apply for Wisconsin purposes at the  
13 same time as for federal purposes.

14 **SECTION 3396r.** 71.22 (4m) (h) of the statutes is created to read:

15 71.22 (4m) (h) For taxable years that begin after December 31, 1994, "internal  
16 revenue code", for corporations that are subject to a tax on unrelated business income  
17 under s. 71.26 (1) (a), means the federal internal revenue code as amended to  
18 December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102-227 and sections  
19 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, and as indirectly  
20 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,  
21 P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508,  
22 P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L.  
23 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and  
24 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337 and P.L. 103-465. The internal  
25 revenue code applies for Wisconsin purposes at the same time as for federal purposes.

1 Amendments to the internal revenue code enacted after December 31, 1994, do not  
2 apply to this paragraph with respect to taxable years beginning after December 31,  
3 1994.

4 **SECTION 3397.** 71.26 (1) (a) of the statutes is amended to read:

5 71.26 (1) (a) *Certain corporations.* Income of corporations organized under ch.  
6 185, except income of a cooperative sickness care association organized under s.  
7 185.981, or of a service insurance corporation organized under ch. 613, that is derived  
8 from a health maintenance organization as defined in s. 609.01 (2) or a limited  
9 service health organization as defined in s. 609.01 (3), or operating under subch. I  
10 of ch. 616 which are bona fide cooperatives operated without pecuniary profit to any  
11 shareholder or member, or operated on a cooperative plan pursuant to which they  
12 determine and distribute their proceeds in substantial compliance with s. 185.45,  
13 and the income, except the unrelated business taxable income as defined in section  
14 512 of the internal revenue code and except income that is derived from a health  
15 maintenance organization as defined in s. 609.01 (2) or a limited service health  
16 organization as defined in s. 609.01 (3), of all religious, scientific, educational,  
17 benevolent or other corporations or associations of individuals not organized or  
18 conducted for pecuniary profit. This paragraph does not apply to the income of  
19 savings banks, mutual loan corporations or savings and loan associations. This  
20 paragraph applies to the income of credit unions except to the income of any credit  
21 union that is derived from public deposits for any taxable year in which the credit  
22 union is approved as a public depository under ch. 34 and acts as a depository of state  
23 or local funds under s. 186.113 (20). For purposes of this paragraph, the income of  
24 a credit union that is derived from public deposits is the product of the credit union's  
25 gross annual income for the taxable year multiplied by a fraction, the numerator of

1 which is the average monthly balance of public deposits in the credit union during  
2 the taxable year, and the denominator of which is the average monthly balance of all  
3 deposits in the credit union during the taxable year.

4 **SECTION 3398.** 71.26 (1) (be) of the statutes is created to read:

5 71.26 (1) (be) *Certain authorities.* Income of the University of Wisconsin  
6 Hospitals and Clinics Authority.

7 **SECTION 3399.** 71.26 (1) (d) of the statutes is amended to read:

8 71.26 (1) (d) *Bank in liquidation.* Income of any bank placed in the hands of  
9 the ~~commissioner~~ division of banking for liquidation under s. 220.08, if the tax levied,  
10 assessed or collected under this chapter on account of such bank diminishes the  
11 assets thereof so that full payment of all depositors cannot be made. Whenever the  
12 ~~commissioner~~ division of banking certifies to the department of revenue that the tax  
13 or any part thereof levied and assessed under this chapter against any such bank will  
14 so diminish the assets thereof that full payment of all depositors cannot be made, the  
15 department of revenue shall cancel and abate such tax or part thereof, together with  
16 any penalty thereon. This paragraph shall apply to unpaid taxes which were levied  
17 and assessed subsequent to the time the bank was taken over by the ~~commissioner~~  
18 division of banking.

19 **SECTION 3399e.** 71.26 (1) (e) of the statutes is amended to read:

20 71.26 (1) (e) *Menominee Indian tribe; distribution of assets.* No distribution of  
21 assets from the United States to the members of the Menominee Indian tribe as  
22 defined in s. ~~49.085~~ 49.385 or their lawful distributees, or to any corporation, or  
23 organization, created by the tribe or at its direction pursuant to section 8 of P.L.  
24 83-399, as amended, and no issuance of stocks, bonds, certificates of indebtedness,  
25 voting trust certificates or other securities by any such corporation or organization,

**SECTION 3399e**

1 or voting trust, to such members of the tribe or their lawful distributees shall be  
2 subject to income or franchise taxes under this chapter; provided that so much of any  
3 cash distribution made under said P.L. 83-399 as consists of a share of any interest  
4 earned on funds deposited in the treasury of the United States pursuant to the  
5 supplemental appropriation act, 1952, (65 Stat. 736, 754) shall not by virtue of this  
6 paragraph be exempt from the individual income tax of this state in the hands of the  
7 recipients for the year in which paid. For the purpose of ascertaining the gain or loss  
8 resulting from the sale or other disposition of such assets and stocks, bonds,  
9 certificates of indebtedness and other securities under this chapter, the fair market  
10 value of such property, on termination date as defined in s. 70.057 (1), 1967 stats.,  
11 shall be the basis for determining the amount of such gain or loss.

12 **SECTION 3399em.** 71.26 (1) (g) and (h) of the statutes are repealed.

13 **SECTION 3399f.** 71.26 (2) (a) of the statutes is amended to read:

14 71.26 (2) (a) *Corporations in general.* The “net income” of a corporation means  
15 the gross income as computed under the internal revenue code as modified under  
16 sub. (3) minus the amount of recapture under s. 71.28 (1di) plus the amount of credit  
17 computed under s. 71.28 (1) and (3) to (5) plus the amount of the credit computed  
18 under s. 71.28 (~~1dd~~), (~~1de~~), (1di), (1dj), (1dL) and (1ds) and not passed through by a  
19 partnership, limited liability company or tax-option corporation that has added that  
20 amount to the partnership’s, limited liability company’s or tax-option corporation’s  
21 income under s. 71.21 (4) or 71.34 (1) (g) plus the amount of losses from the sale or  
22 other disposition of assets the gain from which would be wholly exempt income, as  
23 defined in sub. (3) (L), if the assets were sold or otherwise disposed of at a gain and  
24 minus deductions, as computed under the internal revenue code as modified under  
25 sub. (3), plus or minus, as appropriate, an amount equal to the difference between

1 the federal basis and Wisconsin basis of any asset sold, exchanged, abandoned or  
2 otherwise disposed of in a taxable transaction during the taxable year, except as  
3 provided in par. (b) and s. 71.45 (2) and (5).

4 **SECTION 3399g.** 71.26 (2) (b) 2. of the statutes is repealed.

5 **SECTION 3399h.** 71.26 (2) (b) 8. of the statutes is amended to read:

6 71.26 (2) (b) 8. For taxable years that begin after December 31, 1992, and before  
7 January 1, 1994, for a corporation, conduit or common law trust which qualifies as  
8 a regulated investment company, real estate mortgage investment conduit or real  
9 estate investment trust under the internal revenue code as amended to December  
10 31, 1992, excluding sections 103, 104 and 110 of P.L. 102-227, and as amended by P.L.  
11 103-66, excluding sections 13101 (a) and (c) 1., 13113, 13150, 13171, 13174 and  
12 13203 of P.L. 103-66, and P.L. 103-465 and as indirectly affected in the provisions  
13 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.  
14 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
15 excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486 and,  
16 P.L. 103-66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and  
17 13203 of P.L. 103-66, and P.L. 103-465 “net income” means the federal regulated  
18 investment company taxable income, federal real estate mortgage investment  
19 conduit taxable income or federal real estate investment trust taxable income of the  
20 corporation, conduit or trust as determined under the internal revenue code as  
21 amended to December 31, 1992, excluding sections 103, 104 and 110 of P.L. 102-227,  
22 and as amended by P.L. 103-66, and P.L. 103-465 excluding sections 13101 (a) and  
23 (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103-66, and as indirectly affected  
24 in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L.  
25 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.

1 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L.  
2 102-486 and P.L. 103-66, excluding sections 13101 (a) and (c) 1., 13113, 13150,  
3 13171, 13174 and 13203 of P.L. 103-66, and P.L. 103-465 except that property that,  
4 under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable  
5 years 1983 to 1986 under the internal revenue code as amended to December 31,  
6 1980, shall continue to be depreciated under the internal revenue code as amended  
7 to December 31, 1980, and except that the appropriate amount shall be added or  
8 subtracted to reflect differences between the depreciation or adjusted basis for  
9 federal income tax purposes and the depreciation or adjusted basis under this  
10 chapter of any property disposed of during the taxable year. The internal revenue  
11 code as amended to December 31, 1992, excluding sections 103, 104 and 110 of P.L.  
12 102-227, and as amended by P.L. 103-66, excluding sections 13101 (a) and (c) 1,  
13 13113, 13150, 13171, 13174 and 13203 of P.L. 103-66, and P.L. 103-465 and as  
14 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.  
15 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.  
16 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L.  
17 102-318, P.L. 102-486 and, P.L. 103-66, excluding sections 13101 (a) and (c) 1,  
18 13113, 13150, 13171, 13174 and 13203 of P.L. 103-66, and P.L. 103-465 applies for  
19 Wisconsin purposes at the same time as for federal purposes. Amendments to the  
20 internal revenue code enacted after December 31, 1992, do not apply to this  
21 subdivision with respect to taxable years that begin after December 31, 1992, and  
22 before January 1, 1994, except that changes to the internal revenue code made by  
23 P.L. 103-66 and P.L. 103-465 and changes that indirectly affect the provisions  
24 applicable to this subchapter made by P.L. 103-66 and P.L. 103-465 apply for  
25 Wisconsin purposes at the same time as for federal purposes.

1           **SECTION 3399i.** 71.26 (2) (b) 9. of the statutes is amended to read:

2           71.26 (2) (b) 9. For taxable years that begin after December 31, 1993, and before  
3 January 1, 1995, for a corporation, conduit or common law trust which qualifies as  
4 a regulated investment company, real estate mortgage investment conduit or real  
5 estate investment trust under the internal revenue code as amended to December  
6 31, 1993, excluding sections 103, 104 and 110 of P.L. 102-227 and sections 13113,  
7 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103-66, and as amended by  
8 P.L. 103-296, P.L. 103-337 and P.L. 103-465 and as indirectly affected in the  
9 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647,  
10 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
11 excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486 and,  
12 P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and  
13 13215 of P.L. 103-66, P.L. 103-296, P.L. 103-337 and P.L. 103-465 “net income”  
14 means the federal regulated investment company taxable income, federal real estate  
15 mortgage investment conduit taxable income or federal real estate investment trust  
16 taxable income of the corporation, conduit or trust as determined under the internal  
17 revenue code as amended to December 31, 1993, excluding sections 103, 104 and 110  
18 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215  
19 of P.L. 103-66, and as amended by P.L. 103-296, P.L. 103-337 and P.L. 103-465 and  
20 as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514,  
21 P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239,  
22 P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L.  
23 102-318, P.L. 102-486 and, P.L. 103-66, P.L. 103-296, P.L. 103-337 and P.L.  
24 103-465 excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215  
25 of P.L. 103-66, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats.,

1 is required to be depreciated for taxable years 1983 to 1986 under the internal  
2 revenue code as amended to December 31, 1980, shall continue to be depreciated  
3 under the internal revenue code as amended to December 31, 1980, and except that  
4 the appropriate amount shall be added or subtracted to reflect differences between  
5 the depreciation or adjusted basis for federal income tax purposes and the  
6 depreciation or adjusted basis under this chapter of any property disposed of during  
7 the taxable year. The internal revenue code as amended to December 31, 1993,  
8 excluding sections 103, 104 and 110 of P.L. 102-227 and sections 13113, 13150 (d),  
9 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103-66, and as amended by P.L.  
10 103-296, P.L. 103-337 and P.L. 103-465 and as indirectly affected in the provisions  
11 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.  
12 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
13 excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486 and,  
14 P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and  
15 13215 of P.L. 103-66, P.L. 103-296, P.L. 103-337 and P.L. 103-465 applies for  
16 Wisconsin purposes at the same time as for federal purposes. Amendments to the  
17 internal revenue code enacted after December 31, 1993, do not apply to this  
18 subdivision with respect to taxable years that begin after December 31, 1993, and  
19 before January 1, 1995, except that changes to the internal revenue code made by  
20 P.L. 103-296, P.L. 103-337 and P.L. 103-465 and changes that indirectly affect the  
21 provisions applicable to this subchapter made by P.L. 103-296, P.L. 103-337 and P.L.  
22 103-465 apply for Wisconsin purposes at the same time as for federal purposes.

23 **SECTION 3399j.** 71.26 (2) (b) 10. of the statutes is created to read:

24 71.26 (2) (b) 10. For taxable years that begin after December 31, 1994, for a  
25 corporation, conduit or common law trust which qualifies as a regulated investment

1 company, real estate mortgage investment conduit or real estate investment trust  
2 under the internal revenue code as amended to December 31, 1994, excluding  
3 sections 103, 104 and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d),  
4 13174 and 13203 (d) of P.L. 103-66, and as indirectly affected in the provisions  
5 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.  
6 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
7 excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486 and  
8 P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of  
9 P.L. 103-66, P.L. 103-296, P.L. 103-337 and P.L. 103-465 “net income” means the  
10 federal regulated investment company taxable income, federal real estate mortgage  
11 investment conduit taxable income or federal real estate investment trust taxable  
12 income of the corporation, conduit or trust as determined under the internal revenue  
13 code as amended to December 31, 1994, excluding sections 103, 104 and 110 of P.L.  
14 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L.  
15 103-66, and as indirectly affected in the provisions applicable to this subchapter by  
16 P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,  
17 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L.  
18 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, P.L. 103-296, P.L. 103-337 and  
19 P.L. 103-465 excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of  
20 P.L. 103-66, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is  
21 required to be depreciated for taxable years 1983 to 1986 under the internal revenue  
22 code as amended to December 31, 1980, shall continue to be depreciated under the  
23 internal revenue code as amended to December 31, 1980, and except that the  
24 appropriate amount shall be added or subtracted to reflect differences between the  
25 depreciation or adjusted basis for federal income tax purposes and the depreciation

1 or adjusted basis under this chapter of any property disposed of during the taxable  
2 year. The internal revenue code as amended to December 31, 1994, excluding  
3 sections 103, 104 and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d),  
4 13174, 13203 (d) and 13215 of P.L. 103-66, and as indirectly affected in the provisions  
5 applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L.  
6 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
7 excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
8 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215  
9 of P.L. 103-66, P.L. 103-296, P.L. 103-337 and P.L. 103-465 applies for Wisconsin  
10 purposes at the same time as for federal purposes. Amendments to the internal  
11 revenue code enacted after December 31, 1994, do not apply to this subdivision with  
12 respect to taxable years that begin after December 31, 1994.

13 **SECTION 3399k.** 71.26 (3) (y) of the statutes is amended to read:

14 71.26 (3) (y) A corporation may compute amortization and depreciation under  
15 either the federal internal revenue code as amended to December 31, ~~1993~~ 1994, or  
16 the federal internal revenue code in effect for the taxable year for which the return  
17 is filed, except that property first placed in service by the taxpayer on or after  
18 January 1, 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and (br),  
19 1985 stats., is required to be depreciated under the internal revenue code as  
20 amended to December 31, 1980, and property first placed in service in taxable year  
21 1981 or thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985  
22 stats., is required to be depreciated under the internal revenue code as amended to  
23 December 31, 1980, shall continue to be depreciated under the internal revenue code  
24 as amended to December 31, 1980.

25 **SECTION 3399r.** 71.28 (1dd) of the statutes is created to read:

1           71.28 (1dd) DEVELOPMENT ZONES DAY CARE CREDIT. (a) In this subsection:

2           1. "Day care center benefits" means benefits provided at a day care facility that  
3 is licensed under s. 48.65 or 48.69 and that for compensation provides care for at least  
4 6 children.

5           2. "Employment-related day care expenses" means amounts paid or incurred  
6 by a claimant for providing or making day care center benefits available to a  
7 qualifying individual in order to enable a member of a targeted group to be employed  
8 by the claimant.

9           4. "Member of a targeted group" means a person under sub. (1dj) (am) 1.

10          5. "Qualifying individual" means a dependent of a member of a targeted group  
11 who is employed by a claimant and with respect to whom the member is entitled to  
12 a deduction under section 151 (c) of the internal revenue code for federal income tax  
13 purposes, a dependent of a member of a targeted group who is employed by a  
14 claimant if the dependent is physically or mentally incapable of caring for himself  
15 or herself or the spouse of a member of a targeted group who is employed by the  
16 claimant if the spouse is physically or mentally incapable of caring for himself or  
17 herself.

18          (b) Except as provided in s. 73.03 (35), for any taxable year for which that  
19 person is certified under s. 560.765 (3) and begins business operations in a zone  
20 under s. 560.71 after the effective date of this paragraph .... [revisor inserts date],  
21 entitled under s. 560.795 (3) (a) and begins business operations in a zone under s.  
22 560.795 after the effective date of this paragraph .... [revisor inserts date], or certified  
23 under s. 560.797 (4) (a), for each zone for which the person is certified or entitled a  
24 person may credit against taxes otherwise due under this subchapter  
25 employment-related day care expenses, up to \$1,200 for each qualifying individual.

1 (c) Subsection (1di) (b), (c), (d) 1., (f) and (g), as it applies to the credit under sub.  
2 (1di), applies to the credit under this subsection.

3 (d) Subsection (4) (g) and (h), as it applies to the credit under sub. (4), applies  
4 to the credit under this subsection.

5 (dm) No credit may be allowed under this subsection unless the claimant  
6 includes with the claimant's return a statement from the department of development  
7 verifying the amount of qualifying employment-related day care expenses.

8 (e) The credit under this subsection, as it applies to a person certified under s.  
9 560.765 (3), applies to a corporation that conducts economic activity in a zone under  
10 s. 560.795 (1) and that is entitled to tax benefits under s. 560.795 (3), subject to the  
11 limits under s. 560.795 (2). A credit under this subsection may be credited using  
12 expenses incurred by a claimant on the effective date of this paragraph .... [revisor  
13 inserts date].

14 **SECTION 3399t.** 71.28 (1de) of the statutes is created to read:

15 71.28 (1de) DEVELOPMENT ZONES ENVIRONMENTAL REMEDIATION CREDIT. (a)  
16 Except as provided in s. 73.03 (35), for any taxable year for which a person is certified  
17 under s. 560.765 (3) and begins business operations in a zone under s. 560.71 after  
18 the effective date of this paragraph .... [revisor inserts date], entitled under s.  
19 560.795 (3) (a) and begins business operations in a zone under s. 560.795 after the  
20 effective date of this paragraph .... [revisor inserts date], or certified under s. 560.797  
21 (4) (a), for each zone for which the person is certified or entitled the person may claim  
22 as a credit against taxes otherwise due under this subchapter an amount equal to  
23 7.5% of the amount that the person expends to remove or contain environmental  
24 pollution, as defined in s. 144.01 (3), in the zone or to restore soil or groundwater that

1 is affected by environmental pollution, as defined in s. 144.01 (3), in the zone if the  
2 person fulfills all of the following requirements:

3 1. Begins the work, other than planning and investigating, for which the credit  
4 is claimed after the area that includes the site where the work is done is designated  
5 a development zone under s. 560.71, a development opportunity zone under s.  
6 560.795 or an enterprise development zone under s. 560.797 and after the claimant  
7 is certified under s. 560.765 (3), entitled under s. 560.795 (3) (a) or certified under s.  
8 560.797 (4) (a).

9 (b) Subsection (1di) (b), (c), (d), (f) and (g), as it applies to the credit under sub.  
10 (1di), applies to the credit under this subsection.

11 (c) Subsection (4) (g) and (h), as it applies to the credit under sub. (4), applies  
12 to the credit under this subsection.

13 (d) The credit under this subsection, as it applies to a person certified under s.  
14 560.765 (3), applies to a corporation that conducts economic activity in a zone under  
15 s. 560.795 (1) and that is entitled to tax benefits under s. 560.795 (3), subject to the  
16 limits under s. 560.795 (2). A credit under this subsection may be credited using  
17 expenses incurred by a claimant on the effective date of this paragraph .... [revisor  
18 inserts date].

19 **SECTION 3400g.** 71.28 (1dj) (d) of the statutes is amended to read:

20 71.28 (1dj) (d) If the allowable amount of the credit under par. (am) exceeds the  
21 taxes otherwise due under this chapter on or measured by the claimant's income, the  
22 amount of the credit not used as an offset against those taxes shall be certified to the  
23 department of administration for payment to the claimant by check, share draft or  
24 other draft unless the claimant does not fulfill the requirements under sub. (1di) (b)  
25 2. and bases the claim on activity in a zone under s. 560.797.

**SECTION  
3402mm**

1           **SECTION 3402mm.** 71.28 (1dj) (h) of the statutes is created to read:

2           71.28 (1dj) (h) For claims based on activity in a zone under s. 560.797, the rules  
3 under sub. (1di) (b) and (c) as they apply to the credit under that subsection apply  
4 to the credit under this subsection.

5           **SECTION 3402r.** 71.28 (1ds) (c) of the statutes is amended to read:

6           71.28 (1ds) (c) If the allowable amount of the credit under par. (b) exceeds the  
7 taxes otherwise due under this chapter on or measured by the claimant's income, the  
8 amount of the credit not used as an offset against those taxes shall be certified to the  
9 department of administration for payment to the claimant by check, share draft or  
10 other draft unless the claimant does not fulfill the requirements under sub. (1di) (b)  
11 2. and bases the claim on activity in a zone under s. 560.797.

12           **SECTION 3403mm.** 71.28 (1ds) (h) of the statutes is created to read:

13           71.28 (1ds) (h) For claims based on activity in a zone under s. 560.797, the rules  
14 under sub. (1di) (b) and (c) as they apply to the credit under that subsection apply  
15 to the credit under this subsection.

16           **SECTION 3404c.** 71.28 (6) (a) of the statutes is amended to read:

17           71.28 (6) (a) Any person may credit against taxes otherwise due under this  
18 chapter, up to the amount of those taxes, an amount equal to 5% of the costs of  
19 qualified rehabilitation expenditures, as defined in section 48 ~~(g) (2)~~ 47 (c) (2) of the  
20 internal revenue code, for certified historic structures on property located in this  
21 state if the physical work of construction or destruction in preparation for  
22 construction begins after December 31, 1988, and the rehabilitated property is  
23 placed in service after June 30, 1989.

24           **SECTION 3404cgm.** 71.30 (3) (eb), (ec), (en) and (eo) of the statutes are created  
25 to read:

1           71.30 (3) (eb) Development zones jobs credit under s. 71.28 (1dj) if the credit  
2 is based on activity in a zone under s. 560.797.

3           (ec) Development zones sales tax credit under s. 71.28 (1ds) if the credit is based  
4 on activity in a zone under s. 560.797.

5           (en) Development zones day care credit under s. 71.28 (1dd).

6           (eo) Development zones environmental remediation credit under s. 71.28 (1de).

7           **SECTION 3404cgp.** 71.30 (3) (f) of the statutes is amended to read:

8           71.30 (3) (f) The total of farmers' drought property tax credit under s. 71.28  
9 (1fd), farmland preservation credit under subch. IX, farmland tax relief credit under  
10 s. 71.28 (2m), the development zones sales tax credit under s. 71.28 (1ds) unless the  
11 credit is based on activity in a zone under s. 560.797, the development zones job credit  
12 under s. 71.28 (1dj) unless the credit is based on activity in a zone under s. 560.797  
13 and estimated tax payments under s. 71.29.

14           **SECTION 3404cm.** 71.34 (1) (g) of the statutes is amended to read:

15           71.34 (1) (g) An addition shall be made for credits computed by a tax-option  
16 corporation under s. 71.28 (~~1dd~~), (~~1de~~), (1di), (1dj), (1dL) and (1ds) and passed  
17 through to shareholders.

18           **SECTION 3404e.** 71.34 (1g) (b) of the statutes is repealed.

19           **SECTION 3404h.** 71.34 (1g) (h) of the statutes is amended to read:

20           71.34 (1g) (h) "Internal revenue code" for tax-option corporations, for taxable  
21 years that begin after December 31, 1992, and before January 1, 1994, means the  
22 federal internal revenue code as amended to December 31, 1992, excluding sections  
23 103, 104 and 110 of P.L. 102-227, and as amended by P.L. 103-66, excluding sections  
24 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103-66, and P.L.  
25 103-465 and as indirectly affected in the provisions applicable to this subchapter by

**SECTION 3404h**

1 P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2),  
2 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L.  
3 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.  
4 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L.  
5 102-486 and, P.L. 103-66, excluding sections 13101 (a) and (c) 1, 13113, 13150,  
6 13171, 13174 and 13203 of P.L. 103-66, and P.L. 103-465 except that section 1366  
7 (f) (relating to pass-through of items to shareholders) is modified by substituting the  
8 tax under s. 71.35 for the taxes under sections 1374 and 1375. The internal revenue  
9 code applies for Wisconsin purposes at the same time as for federal purposes.  
10 Amendments to the federal internal revenue code enacted after December 31, 1992,  
11 do not apply to this paragraph with respect to taxable years beginning after  
12 December 31, 1992, and before January 1, 1994, except that changes to the internal  
13 revenue code made by P.L. 103-66 and P.L. 103-465 and changes that indirectly  
14 affect the provisions applicable to this subchapter made by P.L. 103-66 and P.L.  
15 103-465 apply for Wisconsin purposes at the same time as for federal purposes.

16 **SECTION 3404i.** 71.34 (1g) (i) of the statutes is amended to read:

17 71.34 (1g) (i) "Internal revenue code" for tax-option corporations, for taxable  
18 years that begin after December 31, 1993, and before January 1, 1995, means the  
19 federal internal revenue code as amended to December 31, 1993, excluding sections  
20 103, 104 and 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174,  
21 13203 (d) and 13215 of P.L. 103-66, and as amended by P.L. 103-296, P.L. 103-337  
22 and P.L. 103-465 and as indirectly affected in the provisions applicable to this  
23 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2)  
24 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008  
25 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.

**SECTION 3404i**

1 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L.  
2 102-318, P.L. 102-486 and, P.L. 103-66, excluding sections 13113, 13150 (d), 13171  
3 (d), 13174, 13203 (d) and 13215 of P.L. 103-66, P.L. 103-296, P.L. 103-337 and P.L.  
4 103-465 except that section 1366 (f) (relating to pass-through of items to  
5 shareholders) is modified by substituting the tax under s. 71.35 for the taxes under  
6 sections 1374 and 1375. The internal revenue code applies for Wisconsin purposes  
7 at the same time as for federal purposes. Amendments to the federal internal  
8 revenue code enacted after December 31, 1993, do not apply to this paragraph with  
9 respect to taxable years beginning after December 31, 1993, and before January 1,  
10 1995, except that changes to the internal revenue code made by P.L. 103-296, P.L.  
11 103-337 and P.L. 103-465 and changes that indirectly affect the provisions  
12 applicable to this subchapter made by P.L. 103-296, P.L. 103-337 and P.L. 103-465  
13 apply for Wisconsin purposes at the same time as for federal purposes.

14 **SECTION 3404j.** 71.34 (1g) (j) of the statutes is created to read:

15 71.34 (1g) (j) "Internal revenue code" for tax-option corporations, for taxable  
16 years that begin after December 31, 1994, means the federal internal revenue code  
17 as amended to December 31, 1994, excluding sections 103, 104 and 110 of P.L.  
18 102-227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66,  
19 and as indirectly affected in the provisions applicable to this subchapter by P.L.  
20 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812  
21 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647,  
22 P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,  
23 excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.  
24 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L.  
25 103-66, P.L. 103-296, P.L. 103-337 and P.L. 103-465, except that section 1366 (f)

1 (relating to pass-through of items to shareholders) is modified by substituting the  
2 tax under s. 71.35 for the taxes under sections 1374 and 1375. The internal revenue  
3 code applies for Wisconsin purposes at the same time as for federal purposes.  
4 Amendments to the federal internal revenue code enacted after December 31, 1994,  
5 do not apply to this paragraph with respect to taxable years beginning after  
6 December 31, 1994.

7 **SECTION 3404k.** 71.365 (1m) of the statutes is amended to read:

8 71.365 (1m) TAX-OPTION CORPORATIONS; DEPRECIATION. A tax-option corporation  
9 may compute amortization and depreciation under either the federal internal  
10 revenue code as amended to December 31, ~~1993~~ 1994, or the federal internal revenue  
11 code in effect for the taxable year for which the return is filed, except that property  
12 first placed in service by the taxpayer on or after January 1, 1983, but before January  
13 1, 1987, that, under s. 71.04 (15) (b) and (br), 1985 stats., is required to be depreciated  
14 under the internal revenue code as amended to December 31, 1980, and property first  
15 placed in service in taxable year 1981 or thereafter but before January 1, 1987, that,  
16 under s. 71.04 (15) (bm), 1985 stats., is required to be depreciated under the internal  
17 revenue code as amended to December 31, 1980, shall continue to be depreciated  
18 under the internal revenue code as amended to December 31, 1980. Any difference  
19 between the adjusted basis for federal income tax purposes and the adjusted basis  
20 under this chapter shall be taken into account in determining net income or loss in  
21 the year or years for which the gain or loss is reportable under this chapter. If that  
22 property was placed in service by the taxpayer during taxable year 1986 and  
23 thereafter but before the property is used in the production of income subject to  
24 taxation under this chapter, the property's adjusted basis and the depreciation or  
25 other deduction schedule are not required to be changed from the amount allowable

1 on the owner's federal income tax returns for any year because the property is used  
2 in the production of income subject to taxation under this chapter. If that property  
3 was acquired in a transaction in taxable year 1986 or thereafter in which the  
4 adjusted basis of the property in the hands of the transferee is the same as the  
5 adjusted basis of the property in the hands of the transferor, the Wisconsin adjusted  
6 basis of that property on the date of transfer is the adjusted basis allowable under  
7 the internal revenue code as defined for Wisconsin purposes for the property in the  
8 hands of the transferor.

9 **SECTION 3404q.** 71.42 (2) (g) of the statutes is amended to read:

10 71.42 (2) (g) For taxable years that begin after December 31, 1992, and before  
11 January 1, 1994, "internal revenue code" means the federal internal revenue code as  
12 amended to December 31, 1992, excluding sections 103, 104 and 110 of P.L. 102-227,  
13 and as amended by P.L. 103-66, excluding sections 13101 (a) and (c) 1, 13113, 13150,  
14 13171, 13174 and 13203 of P.L. 103-66, and P.L. 103-465 and as indirectly affected  
15 by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,  
16 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L.  
17 102-227, P.L. 102-318, P.L. 102-486 and, P.L. 103-66, excluding sections 13101 (a)  
18 and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103-66, and P.L. 103-465  
19 except that "internal revenue code" does not include section 847 of the federal  
20 internal revenue code. The internal revenue code applies for Wisconsin purposes at  
21 the same time as for federal purposes. Amendments to the federal internal revenue  
22 code enacted after December 31, 1992, do not apply to this paragraph with respect  
23 to taxable years beginning after December 31, 1992, and before January 1, 1994,  
24 except that changes to the internal revenue code made by P.L. 103-66 and P.L.  
25 103-465 and changes that indirectly affect the federal internal revenue code made

**SECTION 3404q**

1 by P.L. 103-66 and P.L. 103-465 apply for Wisconsin purposes at the same time as  
2 for federal purposes.

3 **SECTION 3404r.** 71.42 (2) (h) of the statutes is amended to read:

4 71.42 (2) (h) For taxable years that begin after December 31, 1993, and before  
5 January 1, 1995, “internal revenue code” means the federal internal revenue code as  
6 amended to December 31, 1993 excluding sections 103, 104 and 110 of P.L. 102-227  
7 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103-66,  
8 and as amended by P.L. 103-296, P.L. 103-337 and P.L. 103-465 and as indirectly  
9 affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L.  
10 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and  
11 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486 and P.L. 103-66, excluding sections  
12 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103-66, P.L. 103-296,  
13 P.L. 103-337 and P.L. 103-465 except that “internal revenue code” does not include  
14 section 847 of the federal internal revenue code. The internal revenue code applies  
15 for Wisconsin purposes at the same time as for federal purposes. Amendments to the  
16 federal internal revenue code enacted after December 31, 1993, do not apply to this  
17 paragraph with respect to taxable years beginning after December 31, 1993, and  
18 before January 1, 1995, except that changes to the internal revenue code made by  
19 P.L. 103-296, P.L. 103-337 and P.L. 103-465 and changes that indirectly affect the  
20 provisions applicable to this subchapter made by P.L. 103-296, P.L. 103-337 and P.L.  
21 103-465 apply for Wisconsin purposes at the same time as for federal purposes.

22 **SECTION 3404s.** 71.42 (2) (i) of the statutes is created to read:

23 71.42 (2) (i) For taxable years that begin after December 31, 1994, “internal  
24 revenue code” means the federal internal revenue code as amended to December 31,  
25 1994, excluding sections 103, 104 and 110 of P.L. 102-227 and sections 13113, 13150

**SECTION 3404s**

1 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, and as indirectly affected by P.L.  
2 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.  
3 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L.  
4 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150  
5 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337 and  
6 P.L. 103-465 except that "internal revenue code" does not include section 847 of the  
7 federal internal revenue code. The internal revenue code applies for Wisconsin  
8 purposes at the same time as for federal purposes. Amendments to the federal  
9 internal revenue code enacted after December 31, 1994, do not apply to this  
10 paragraph with respect to taxable years beginning after December 31, 1994.

11 **SECTION 3405.** 71.45 (1) of the statutes is amended to read:

12 71.45 (1) EXEMPT AND EXCLUDABLE INCOME. There shall be exempt from taxation  
13 under this subchapter income of insurers exempt from federal income taxation  
14 pursuant to section 501 (c) (15) of the internal revenue code, town mutuals organized  
15 under or subject to ch. 612, foreign insurers, and domestic insurers engaged  
16 exclusively in life insurance business, domestic insurers insuring against financial  
17 loss by reason of nonpayment of principal, interest and other sums agreed to be paid  
18 under the terms of any note or bond or other evidence of indebtedness secured by a  
19 mortgage, deed of trust or other instrument constituting a lien or charge on real  
20 estate and corporations organized under ch. 185, but not including income of  
21 cooperative sickness care associations organized under s. 185.981, or of a service  
22 insurance corporation organized under ch. 613, that is derived from a health  
23 maintenance organization as defined in s. 609.01 (2) or a limited service health  
24 organization as defined in s. 609.01 (3), or operating under subch. I of ch. 616 which  
25 are bona fide cooperatives operated without pecuniary profit to any shareholder or

1 member, or operated on a cooperative plan pursuant to which they determine and  
2 distribute their proceeds in substantial compliance with s. 185.45.

3 **SECTION 3406.** 71.45 (2) (a) (intro.) of the statutes is amended to read:

4 71.45 (2) (a) (intro.) Insurers subject to taxation under this chapter shall pay  
5 a tax according to or measured by net income. Such tax is payable under s. 71.44 (1).  
6 ~~“Net~~ Except as provided in sub. (5), “net income” of an insurer subject to taxation  
7 under this chapter means federal taxable income as determined in accordance with  
8 the provisions of the internal revenue code adjusted as follows:

9 **SECTION 3406r.** 71.45 (2) (a) 10. of the statutes is amended to read:

10 71.45 (2) (a) 10. By adding to federal taxable income the amount of credit  
11 computed under s. 71.47 ~~(1di)~~ (1dd) to (1ds) and not passed through by a partnership,  
12 limited liability company or tax-option corporation that has added that amount to  
13 the partnership’s, limited liability company’s or tax-option corporation’s income  
14 under s. 71.21 (4) or 71.34 (1) (g) and the amount of credit computed under s. 71.47  
15 (1), (3), (4) and (5).

16 **SECTION 3406v.** 71.45 (2) (a) 13. of the statutes is amended to read:

17 71.45 (2) (a) 13. By adding or subtracting, as appropriate, the difference  
18 between the depreciation deduction under the federal internal revenue code as  
19 amended to December 31, ~~1993~~ 1994, and the depreciation deduction under the  
20 federal internal revenue code in effect for the taxable year for which the return is  
21 filed, so as to reflect the fact that the insurer may choose between these 2 deductions,  
22 except that property first placed in service by the taxpayer on or after January 1,  
23 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and (br), 1985 stats.,  
24 is required to be depreciated under the internal revenue code as amended to  
25 December 31, 1980, and property first placed in service in taxable year 1981 or

1 thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985 stats., is  
2 required to be depreciated under the internal revenue code as amended to December  
3 31, 1980, shall continue to be depreciated under the internal revenue code as  
4 amended to December 31, 1980.

5 **SECTION 3407.** 71.45 (5) of the statutes is created to read:

6 71.45 (5) EXCEPTIONS. The net income of a cooperative sickness care association  
7 organized under s. 185.981, or of a service insurance corporation organized under ch.  
8 613, that is derived from a health maintenance organization, as defined in s. 609.01  
9 (2), or a limited service health organization, as defined in s. 609.01 (3), is the net  
10 income that would be determined if the cooperative sickness care association or  
11 service insurance corporation were subject to federal income taxation and as if that  
12 income were that of an insurance company.

13 **SECTION 3407m.** 71.47 (1dd) of the statutes is created to read:

14 71.47 (1dd) DEVELOPMENT ZONES DAY CARE CREDIT. (a) In this subsection:

15 1. "Day care center benefits" means benefits provided at a day care facility that  
16 is licensed under s. 48.65 or 48.69 and that for compensation provides care for at least  
17 6 children.

18 2. "Employment-related day care expenses" means amounts paid or incurred  
19 by a claimant for providing or making day care center benefits available to a  
20 qualifying individual in order to enable a member of a targeted group to be employed  
21 by the claimant.

22 4. "Member of a targeted group" means a person under sub. (1dj) (am) 1.

23 5. "Qualifying individual" means a dependent of a member of a targeted group  
24 who is employed by a claimant and with respect to whom the member is entitled to  
25 a deduction under section 151 (c) of the internal revenue code for federal income tax

1 purposes, a dependent of a member of a targeted group who is employed by a  
2 claimant if the dependent is physically or mentally incapable of caring for himself  
3 or herself or the spouse of a member of a targeted group who is employed by the  
4 claimant if the spouse is physically or mentally incapable of caring for himself or  
5 herself.”.

6 (b) Except as provided in s. 73.03 (35), for any taxable year for which that  
7 person is certified under s. 560.765 (3) and begins business operations in a zone  
8 under s. 560.71 after the effective date of this paragraph .... [revisor inserts date], or  
9 certified under s. 560.797 (4) (a), for each zone for which the person is certified or  
10 entitled a person may credit against taxes otherwise due under this subchapter  
11 employment-related day care expenses, up to \$1,200 for each qualifying individual.

12 (c) Subsection (1di) (b), (c), (d) 1., (f) and (g), as it applies to the credit under sub.  
13 (1di), applies to the credit under this subsection.

14 (d) Section 71.28 (4) (g) and (h), as it applies to the credit under s. 71.28 (4),  
15 applies to the credit under this subsection.

16 (dm) No credit may be allowed under this subsection unless the claimant  
17 includes with the claimant’s return a statement from the department of development  
18 verifying the amount of qualifying employment-related day care expenses.

19 (e) The credit under this subsection, as it applies to a person certified under s.  
20 560.765 (3), applies to a person who conducts economic activity in a zone under s.  
21 560.795 (1) and who is entitled to tax benefits under s. 560.795 (3), subject to the  
22 limits under s. 560.795 (2). A credit under this subsection may be credited using  
23 expenses incurred by a claimant on the effective date of this paragraph .... [revisor  
24 inserts date].

25 **SECTION 3407r.** 71.47 (1de) of the statutes is created to read:

1           71.47 **(1de)** DEVELOPMENT ZONES ENVIRONMENTAL REMEDIATION CREDIT. (a)

2       Except as provided in s. 73.03 (35), for any taxable year for which a person is certified  
3       under s. 560.765 (3) and begins business operations in a zone under s. 560.71 after  
4       the effective date of this paragraph .... [revisor inserts date], or certified under s.  
5       560.797 (4) (a), for each zone for which the person is certified or entitled the person  
6       may claim as a credit against taxes otherwise due under this subchapter an amount  
7       equal to 7.5% of the amount that the person expends to remove or contain  
8       environmental pollution, as defined in s. 144.01 (3), in the zone or to restore soil or  
9       groundwater that is affected by environmental pollution, as defined in s. 144.01 (3),  
10      in the zone if the person fulfills all of the following requirements:

11           1. Begins the work, other than planning and investigating, for which the credit  
12      is claimed after the area that includes the site where the work is done is designated  
13      a development zone under s. 560.71, a development opportunity zone under s.  
14      560.795 or an enterprise development zone under s. 560.797 and after the claimant  
15      is certified under s. 560.765 (3), entitled under s. 560.795 (3) (a) or certified under s.  
16      560.797 (4) (a).

17           (b) Subsection (1di) (b), (c), (d), (f) and (g), as it applies to the credit under s.  
18      71.07 (2di), applies to the credit under this subsection.

19           (c) Section 71.28 (4) (g) and (h), as it applies to the credit under s. 71.28 (4),  
20      applies to the credit under this subsection.

21           (d) The credit under this subsection, as it applies to a person certified under s.  
22      560.765 (3), applies to a person who conducts economic activity in a zone under s.  
23      560.795 (1) and who is entitled to tax benefits under s. 560.795 (3), subject to the  
24      limits under s. 560.795 (2). A credit under this subsection may be credited using

1 expenses incurred by a claimant on the effective date of this paragraph .... [revisor  
2 inserts date].

3 **SECTION 3408g.** 71.47 (1dj) (d) of the statutes is amended to read:

4 71.47 (1dj) (d) If the allowable amount of the credit under par. (am) exceeds the  
5 taxes otherwise due under this chapter on or measured by the claimant's income, the  
6 amount of the credit not used as an offset against those taxes shall be certified to the  
7 department of administration for payment to the claimant by check, share draft or  
8 other draft unless the claimant does not fulfill the requirements under sub. (1di) (b)  
9 2. and bases the claim on activity in a zone under s. 560.797.

10 **SECTION 3410mm.** 71.47 (1dj) (h) of the statutes is created to read:

11 71.47 (1dj) (h) For claims based on activity in a zone under s. 560.797, the rules  
12 under sub. (1di) (b) and (c) as they apply to the credit under that subsection apply  
13 to the credit under this subsection.

14 **SECTION 3410r.** 71.47 (1ds) (c) of the statutes is amended to read:

15 71.47 (1ds) (c) If the allowable amount of the credit under par. (b) exceeds the  
16 taxes otherwise due under this chapter on or measured by the claimant's income, the  
17 amount of the credit not used as an offset against those taxes shall be certified to the  
18 department of administration for payment to the claimant by check, share draft or  
19 other draft unless the claimant does not fulfill the requirements under sub. (1di) (b)  
20 2. and bases the claim on activity in a zone under s. 560.797.

21 **SECTION 3411mm.** 71.47 (1ds) (h) of the statutes is created to read:

22 71.47 (1ds) (h) For claims based on activity in a zone under s. 560.797, the rules  
23 under sub. (1di) (b) and (c) as they apply to the credit under that subsection apply  
24 to the credit under this subsection.

25 **SECTION 3412m.** 71.47 (6) (a) of the statutes is amended to read:

**SECTION 3412m**

1           71.47 (6) (a) Any person may credit against taxes otherwise due under this  
2 chapter, up to the amount of those taxes, an amount equal to 5% of the costs of  
3 qualified rehabilitation expenditures, as defined in section ~~48 (g) (2)~~ 47 (c) (2) of the  
4 internal revenue code, for certified historic structures on property located in this  
5 state if the physical work of construction or destruction in preparation for  
6 construction begins after December 31, 1988, and the rehabilitated property is  
7 placed in service after June 30, 1989.

8           **SECTION 3412rg.** 71.49 (1) (eb), (ec), (en) and (eo) of the statutes are created to  
9 read:

10           71.49 (1) (eb) Development zones jobs credit under s. 71.47 (1dj) if the credit  
11 is based on activity in a zone under s. 560.797.

12           (ec) Development zones sales tax credit under s. 72.47 (1ds) if the credit is based  
13 on activity in a zone under s. 560.797.

14           (en) Development zones day care credit under s. 71.28 (1dd).

15           (eo) Development zones environmental remediation credit under s. 71.28 (1de).

16           **SECTION 3412rr.** 71.49 (1) (f) of the statutes is amended to read:

17           71.49 (1) (f) The total of farmers' drought property tax credit under s. 71.47  
18 (1fd), farmland preservation credit under subch. IX, farmland tax relief credit under  
19 s. 71.47 (2m), development zones sales tax credit under s. 71.47 (1ds) unless the  
20 credit is based on activity in a zone under s. 560.797, development zones jobs credit  
21 under s. 71.47 (1dj) unless the credit is based on activity in a zone under s. 560.797  
22 and estimated tax payments under s. 71.48.

23           **SECTION 3413.** 71.52 (6) of the statutes is amended to read:

24           71.52 (6) "Income" means the sum of Wisconsin adjusted gross income and the  
25 following amounts, to the extent not included in Wisconsin adjusted gross income:

**SECTION 3413**

1 maintenance payments (except foster care maintenance and supplementary  
2 payments excludable under section 131 of the internal revenue code), support money,  
3 cash public assistance and ~~general relief~~ (not including credit granted under this  
4 subchapter and amounts under s. 46.27), cash benefits paid by counties under s.  
5 59.07 (154), the gross amount of any pension or annuity (including railroad  
6 retirement benefits, all payments received under the federal social security act and  
7 veterans disability pensions), nontaxable interest received from the federal  
8 government or any of its instrumentalities, nontaxable interest received on state or  
9 municipal bonds, worker's compensation, unemployment compensation, the gross  
10 amount of "loss of time" insurance, compensation and other cash benefits received  
11 from the United States for past or present service in the armed forces, scholarship  
12 and fellowship gifts or income, capital gains, gain on the sale of a personal residence  
13 excluded under section 121 of the internal revenue code, dividends, income of a  
14 nonresident or part-year resident who is married to a full-year resident, housing  
15 allowances provided to members of the clergy, the amount by which a resident  
16 manager's rent is reduced, nontaxable income of an American Indian, nontaxable  
17 income from sources outside this state and nontaxable deferred compensation.  
18 Intangible drilling costs, depletion allowances and depreciation, including first-year  
19 depreciation allowances under section 179 of the internal revenue code,  
20 amortization, contributions to individual retirement accounts under section 219 of  
21 the internal revenue code, contributions to Keogh plans, net operating loss  
22 carry-forwards and capital loss carry-forwards deducted in determining Wisconsin  
23 adjusted gross income shall be added to "income". "Income" does not include gifts  
24 from natural persons, cash reimbursement payments made under title XX of the  
25 federal social security act, surplus food or other relief in kind supplied by a

1 governmental agency, the gain on the sale of a personal residence deferred under  
2 section 1034 of the internal revenue code or nonrecognized gain from involuntary  
3 conversions under section 1033 of the internal revenue code. Amounts not included  
4 in adjusted gross income but added to "income" under this subsection in a previous  
5 year and repaid may be subtracted from income for the year during which they are  
6 repaid. A marital property agreement or unilateral statement under ch. 766 has no  
7 effect in computing "income" for a person whose homestead is not the same as the  
8 homestead of that person's spouse.

9 **SECTION 3414.** 71.54 (2) (a) (intro.) of the statutes is amended to read:

10 71.54 (2) (a) (intro.) Property taxes accrued or rent constituting property taxes  
11 accrued shall be reduced by one-twelfth for each month or portion of a month for  
12 which the claimant received general relief from any municipality or county under s.  
13 59.07 (154) equal to or in excess of \$400, or received assistance under s. 49.19, except  
14 assistance received:

15 **SECTION 3414m.** 71.55 (1) of the statutes is amended to read:

16 71.55 (1) APPLICATION OF CREDIT AGAINST ANY LIABILITY. The amount of any claim  
17 otherwise payable under this subchapter may be applied by the department of  
18 revenue against any amount certified to the department under s. 71.93 or 71.935 or  
19 may be credited under s. 71.80 (3) or (3m).

20 **SECTION 3415r.** 71.61 (1) of the statutes is amended to read:

21 71.61 (1) DEPARTMENT MAY APPLY CREDIT AGAINST ANY TAX LIABILITY. The amount  
22 of any claim otherwise payable under this subchapter may be applied by the  
23 department against any amount certified to the department under s. 71.93 or 71.935  
24 or may be credited under s. 71.80 (3) or (3m).

25 **SECTION 3417m.** 71.67 (4) (a) of the statutes is amended to read:

**SECTION 3417m**

1           71.67 (4) (a) The administrator of the lottery division in the ~~gaming commission~~  
2 department under ch. 565 shall withhold from any lottery prize of \$2,000 or more an  
3 amount determined by multiplying the amount of the prize by the highest rate  
4 applicable to individuals under s. 71.06 (1). The administrator shall deposit the  
5 amounts withheld, on a monthly basis, as would an employer depositing under s.  
6 71.65 (3) (a).

7           **SECTION 3419.** 71.67 (6) of the statutes is created to read:

8           71.67 (6) WITHHOLDING REGISTRATION; FEE. Each employer who is required to  
9 withhold under this chapter shall obtain a valid certificate under s. 73.03 (50).

10          **SECTION 3419m.** 71.75 (1) of the statutes is amended to read:

11          71.75 (1) Except as provided in ss. 46.255, 71.77 (5) and (7) (b) ~~and 71.93~~ and  
12 71.935, the provisions for refunds and credits provided in this section shall be the  
13 only method for the filing and review of claims for refund of income and surtaxes, and  
14 no person may bring any action or proceeding for the recovery of such taxes other  
15 than as provided in this section.

16          **SECTION 3419p.** 71.75 (1) of the statutes, as affected by 1995 Wisconsin Act ....  
17 (this act), is amended to read:

18          71.75 (1) Except as provided in ss. ~~46.255~~, 71.77 (5) and (7) (b) ~~and~~, 71.935, and  
19 73.255 the provisions for refunds and credits provided in this section shall be the only  
20 method for the filing and review of claims for refund of income and surtaxes, and no  
21 person may bring any action or proceeding for the recovery of such taxes other than  
22 as provided in this section.

23          **SECTION 3420m.** 71.75 (9) of the statutes is amended to read:

24          71.75 (9) All refunds under this chapter are subject to attachment under ss.  
25 ~~46.255 and~~, 71.93 and 71.935.

**SECTION 3420p**

1           **SECTION 3420p.** 71.75 (9) of the statutes, as affected by 1995 Wisconsin Act ...  
2 (this act), is amended to read:

3           71.75 (9) All refunds under this chapter are subject to attachment under ss.  
4 ~~46.255, 71.93 and, 71.935~~ and 73.255.

5           **SECTION 3420v.** 71.78 (4) (g) of the statutes is amended to read:

6           71.78 (4) (g) Employees of this state, to the extent that the department of  
7 revenue deems the examination necessary for the employees to perform their duties  
8 under contracts or agreements between the department and any other department,  
9 division, bureau, board or commission of this state relating to the administration of  
10 tax laws or child and spousal support enforcement under s. ~~46.25~~ 73.25.

11           **SECTION 3420x.** 71.78 (4) (L) of the statutes is amended to read:

12           71.78 (4) (L) The administrator of the lottery division in the gaming  
13 ~~commission~~ department for the purpose of withholding lottery winnings under s.  
14 565.30 (5).

15           **SECTION 3422.** 71.78 (4) (n) of the statutes is created to read:

16           71.78 (4) (n) The state public defender for the purpose of seeking payment for  
17 legal representation by the state public defender.

18           **SECTION 3422m.** 71.78 (4) (o) of the statutes is created to read:

19           71.78 (4) (o) The department of regulation and licensing or an examining board  
20 or affiliated credentialing board attached to the department of regulation and  
21 licensing for the purpose of determining under s. 440.08 (2r) whether an applicant  
22 for renewal of a credential is liable for any delinquent taxes owed to this state.

23           **SECTION 3423.** 71.78 (5) of the statutes is amended to read:

24           71.78 (5) AGREEMENT WITH DEPARTMENT. Copies of returns and claims specified  
25 in sub. (1) and related schedules, exhibits, writings or audit reports shall not be

1 furnished to the persons listed under sub. (4), except persons under sub. (4) (e) and,  
2 (k) , (n) and (o) or under an agreement between the department of revenue and  
3 another agency of government.

4 **SECTION 3423g.** 71.78 (9) of the statutes is amended to read:

5 71.78 (9) (title) ~~DISCLOSURE OF DEBTOR ADDRESS TO STATE AGENCY.~~ The  
6 department of revenue may supply the address of a debtor to an agency certifying a  
7 debt of that debtor under s. 71.93 or to a municipality or county certifying a debt of  
8 a debtor under s. 71.935.

9 **SECTION 3423mn.** 71.80 (3) of the statutes is amended to read:

10 71.80 (3) CREDITING OF OVERPAYMENTS ON INDIVIDUAL OR SEPARATE RETURNS. In  
11 the case of any overpayment, refundable credit or refund on an individual or separate  
12 return, the department of revenue, within the applicable period of limitations, may  
13 credit the amount of overpayment, refundable credit or refund including any interest  
14 allowed, against any liability in respect to any tax collected by the department, a debt  
15 under s. 71.93 or 71.935 or a certification under s. 46.255 on the part of the person  
16 who made the overpayment or received the refundable credit or the refund and shall  
17 refund any balance to the person. The department shall presume that the  
18 overpayment, refundable credit or refund is nonmarital property of the filer. Within  
19 2 years after the crediting, the spouse or former spouse of the person filing the return  
20 may file a claim for a refund of amounts credited by the department if the spouse or  
21 former spouse shows by clear and convincing evidence that all or part of the state tax  
22 overpayment, refundable credit or refund was nonmarital property of the  
23 nonobligated spouse.

24 **SECTION 3423mp.** 71.80 (3) of the statutes, as affected by 1995 Wisconsin Act

25 .... (this act), is amended to read:

1           71.80 (3) CREDITING OF OVERPAYMENTS ON INDIVIDUAL OR SEPARATE RETURNS. In  
2 the case of any overpayment, refundable credit or refund on an individual or separate  
3 return, the department of revenue, within the applicable period of limitations, may  
4 credit the amount of overpayment, refundable credit or refund including any interest  
5 allowed, against any liability in respect to any tax collected by the department, a debt  
6 under s. 71.93 or 71.935 or a certification under s. ~~46.255~~ 73.255 on the part of the  
7 person who made the overpayment or received the refundable credit or the refund  
8 and shall refund any balance to the person. The department shall presume that the  
9 overpayment, refundable credit or refund is nonmarital property of the filer. Within  
10 2 years after the crediting, the spouse or former spouse of the person filing the return  
11 may file a claim for a refund of amounts credited by the department if the spouse or  
12 former spouse shows by clear and convincing evidence that all or part of the state tax  
13 overpayment, refundable credit or refund was nonmarital property of the  
14 nonobligated spouse.

15           **SECTION 3423s.** 71.80 (3m) (a) of the statutes is amended to read:

16           71.80 (3m) (a) Against any liability of either spouse or both spouses in respect  
17 to an amount owed the department, a certification under s. 46.255 that is subject to  
18 s. 766.55 (2) (b) or a debt under s. 71.93 or 71.935 that is subject to s. 766.55 (2) (b)  
19 and that was incurred during marriage by a spouse after December 31, 1985, or after  
20 both spouses are domiciled in this state, whichever is later, except as provided in s.  
21 71.10 (6) (a) and (b) and (6m).

22           **SECTION 3423sc.** 71.80 (3m) (a) of the statutes, as affected by 1995 Wisconsin  
23 Act .... (this act), is amended to read:

24           71.80 (3m) (a) Against any liability of either spouse or both spouses in respect  
25 to an amount owed the department, a certification under s. ~~46.255~~ 73.255 that is

**SECTION 3423sc**

1 subject to s. 766.55 (2) (b) or a debt under s. 71.93 or 71.935 that is subject to s. 766.55  
2 (2) (b) and that was incurred during marriage by a spouse after December 31, 1985,  
3 or after both spouses are domiciled in this state, whichever is later, except as  
4 provided in s. 71.10 (6) (a) and (b) and (6m).

5 **SECTION 3423t.** 71.80 (3m) (b) 2. of the statutes is amended to read:

6 71.80 (3m) (b) 2. In respect to a debt under s. 71.93 or 71.935 or a certification  
7 under s. 46.255 if that debt or certification is not subject to s. 766.55 (2) (b).

8 **SECTION 3423tm.** 71.80 (3m) (b) 2. of the statutes, as affected by 1995  
9 Wisconsin Act .... (this act), is amended to read:

10 71.80 (3m) (b) 2. In respect to a debt under s. 71.93 or 71.935 or a certification  
11 under s. ~~46.255~~ 73.255 if that debt or certification is not subject to s. 766.55 (2) (b).

12 **SECTION 3424b.** 71.80 (12) of the statutes is amended to read:

13 71.80 (12) (title) ~~SECRETARY OF STATE~~ DEPARTMENT DEEMED LAWFUL ATTORNEY FOR  
14 NONRESIDENT. (a) The transaction of business or the performance of personal services  
15 in this state or the derivation of income from property the income from which has a  
16 taxable situs in this state by any nonresident person, except where the nonresident  
17 is a foreign corporation that has been licensed pursuant to ch. 180, shall be deemed  
18 an irrevocable appointment by such person, binding upon that person, that person's  
19 executor, administrator or personal representative, of the ~~secretary of state~~  
20 department of financial institutions to be that person's lawful attorney upon whom  
21 may be served any notice, order, pleading or process (including without limitation by  
22 enumeration any notice of assessment, denial of application for abatement or denial  
23 of claim for refund) by any administrative agency or in any proceeding by or before  
24 any administrative agency, or in any proceeding or action in any court, to enforce or  
25 effect full compliance with or involving the provisions of this chapter. The

1 transaction of business, the performance of personal services or derivation of income  
2 from such property in this state shall be a signification of that person's agreement  
3 that any such notice, order, pleading or process which is so served shall be of the same  
4 legal force and validity as if served on that person personally, or upon that person's  
5 executor, administrator or personal representative.

6 (b) The transaction of business in this state or the derivation of income which  
7 has a situs in this state under the provisions of this chapter by any person while a  
8 resident of this state shall be deemed an irrevocable appointment by such person,  
9 binding upon that person, that person's executor, administrator or personal  
10 representative, effective upon such person becoming a nonresident of this state, of  
11 the ~~secretary of state~~ department of financial institutions to be that person's true and  
12 lawful attorney upon whom may be served any notice, order, pleading or process  
13 (including without limitation by enumeration any notice of assessment, denial of  
14 application for abatement or denial of claim for refund) by any administrative agency  
15 or in any proceeding by or before an administrative agency, or in any proceeding or  
16 action in any court, to enforce or effect full compliance with or involving the  
17 provisions of this chapter. And the transaction of such business or the derivation of  
18 such income shall be a signification of that person's agreement that any such notice,  
19 order, pleading or process which is so served shall be of the same legal force and  
20 validity as if served on that person personally, or upon that person's executor,  
21 administrator or personal representative.

22 (c) Service under par. (a) or (b) shall be made by serving a copy upon the  
23 ~~secretary of state~~ department of financial institutions or by filing such copy ~~in the~~  
24 ~~secretary of state's office~~ with the department of financial institutions, and such  
25 service shall be sufficient service upon such person, or that person's executor,

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1 administrator or personal representative if notice of such service and a copy of the  
2 notice, order, pleading or process are within 10 days thereafter sent by mail by the  
3 state department, officer or agency making such service to such person, or that  
4 person's executor, administrator or personal representative, at that person's  
5 last-known address, and that an affidavit of compliance herewith is filed with the  
6 ~~secretary of state~~ department of financial institutions. The ~~secretary of state~~  
7 department of financial institutions shall keep a record of all such notices, orders,  
8 pleadings, processes and affidavits and shall note in such record the day and hour  
9 of service upon the ~~secretary~~ department.

10 **SECTION 3424dm.** 71.88 (1) (a) of the statutes is amended to read:

11 71.88 (1) (a) *Contested assessments and claims for refund.* Except for refunds  
12 set off under s. 71.93 in respect to which appeal is to the agency to which the debt is  
13 owed, except for refunds set off under s. 71.935 in respect to which an appeal is held  
14 under procedures that the department of revenue establishes and except for refunds  
15 set off under s. 46.255 in respect to which a hearing is held before the circuit court,  
16 any person feeling aggrieved by a notice of additional assessment, refund, or notice  
17 of denial of refund may, within 60 days after receipt of the notice, petition the  
18 department of revenue for redetermination. A petition or an appeal by one spouse  
19 is a petition or an appeal by both spouses. The department shall make a  
20 redetermination on the petition within 6 months after it is filed.

21 **SECTION 3424ds.** 71.88 (1) (a) of the statutes, as affected by 1995 Wisconsin Act  
22 .... (this act), is amended to read:

23 71.88 (1) (a) *Contested assessments and claims for refund.* Except for refunds  
24 set off under s. 71.93 in respect to which appeal is to the agency to which the debt is  
25 owed, except for refunds set off under s. 71.935 in respect to which an appeal is held

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1 under procedures that the department of revenue establishes and except for refunds  
2 set off under s. ~~46.255~~ 73.255 in respect to which a hearing is held before the circuit  
3 court, any person feeling aggrieved by a notice of additional assessment, refund, or  
4 notice of denial of refund may, within 60 days after receipt of the notice, petition the  
5 department of revenue for redetermination. A petition or an appeal by one spouse  
6 is a petition or an appeal by both spouses. The department shall make a  
7 redetermination on the petition within 6 months after it is filed.

8 **SECTION 3424g.** 71.91 (5) (a) of the statutes is renumbered 71.91 (5) (ar) and  
9 amended to read:

10 71.91 (5) (ar) If any income or franchise tax is not paid when due, the  
11 department of revenue shall issue file a warrant with the clerk of circuit court and  
12 may issue a copy of the warrant to the sheriff of any county of the state commanding  
13 the sheriff to levy upon and sell enough of the taxpayer's real and personal property  
14 found within the county to pay the tax with the penalties, interest and costs, and to  
15 proceed upon the property in the same manner as upon an execution against  
16 property issued out of a court of record, and to return the warrant to the department  
17 and pay to it the money collected, or the part of it that is necessary to pay the tax,  
18 penalties, interest and costs within 60 days after the receipt of the warrant, and  
19 deliver the balance, if any, after deduction of lawful charges, to the taxpayer.

20 **SECTION 3424m.** 71.91 (5) (ag) of the statutes is created to read:

21 71.91 (5) (ag) In this subsection:

22 1. "File" means mail, deliver or submit electronically.

23 **SECTION 3424r.** 71.91 (5) (b) of the7 statutes is amended to read:

24 71.91 (5) (b) ~~The sheriff shall, within 5 days after the receipt of the warrant,~~  
25 ~~file with the clerk of the circuit court of his or her county a copy of the warrant, unless~~

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1 the taxpayer makes satisfactory arrangements for payment with the department, in  
2 which case, the sheriff shall, at the direction of the department, return the warrant  
3 to it. The clerk shall docket the warrant under par. (ar) as required by s. 806.11, and  
4 upon docketing the amount of the warrant, together with interest required by s.  
5 71.82 (2), shall be considered in all respects as a final judgment. The clerk of circuit  
6 court shall accept, file and docket the warrant without prepayment of any fee, but  
7 the clerk shall submit a statement of the proper fee semiannually to the department  
8 covering the periods from January 1 to June 30 and July 1 to December 31. The fees  
9 shall then be paid by the state as provided by par. (h), but the fees provided by s.  
10 814.61 (5) for filing and docketing the warrants shall be added to the amount of the  
11 warrant and collected from the taxpayer when satisfaction or release is presented for  
12 entry. The sheriff shall be entitled to the same fees for executing upon such warrant  
13 as upon an execution against property issued out of a court of record, to be collected  
14 in the same manner. Upon the sale of any real estate the sheriff shall execute a deed  
15 of the same, and the taxpayer shall have the right to redeem the real estate as from  
16 a sale under an execution against property upon a judgment of a court of record.

17 **SECTION 3425w.** 71.93 (1) (a) 2. of the statutes is amended to read:

18 71.93 (1) (a) 2. A delinquent child support or spousal support obligation that  
19 has been reduced to a judgment and has been submitted by an agency of another  
20 state to the department of ~~health and social services~~ for certification under this  
21 section.

22 **SECTION 3427.** 71.93 (1) (a) 3. of the statutes is amended to read:

23 71.93 (1) (a) 3. An amount that the department of health and social services  
24 may recover under s. ~~49.083~~, 49.125, 49.195 (3) or 49.497, if the department of health  
25 and social services has certified the amount under s. 46.254.

1           **SECTION 3428.** 71.93 (1) (a) 3. of the statutes, as affected by 1995 Wisconsin Act  
2 .... (this act), is amended to read:

3           71.93 (1) (a) 3. An amount that the department of health and social services  
4 may recover under s. ~~49.125, 49.195 (3)~~ or 49.497, if the department of health and  
5 social services has certified the amount under s. ~~46.254~~ 49.85.

6           **SECTION 3429.** 71.93 (1) (a) 4. of the statutes is created to read:

7           71.93 (1) (a) 4. An amount that the department of industry, labor and human  
8 relations may recover under s. 49.125 or 49.195 (3), if the department of industry,  
9 labor and human relations has certified the amount under s. 49.85.

10          **SECTION 3429m.** 71.935 of the statutes is created to read:

11          **71.935 Setoffs for municipalities and counties. (1)** In this section:

12          (a) "Debt" means an unpaid fine, fee, restitution or forfeiture of at least \$20.

13          (b) "Debtor" means a person who owes a debt to a municipality or county.

14          (c) "Department" means the department of revenue.

15          (d) "Refund" has the meaning given under s. 71.93 (1) (d).

16          **(2)** A municipality or county may certify to the department any debt owed to  
17 it. Not later than 5 days after certification, the municipality or county shall notify  
18 the debtor in writing of its certification of the debt to the department, of the basis of  
19 the certification and of the debtor's right to appeal. The department shall establish  
20 an appeals process. At the time of certification, the municipality or county shall  
21 furnish to the department the name and social security number of each individual  
22 debtor and the name and federal employer identification number of each other  
23 debtor.

24          **(3)** If the debt remains uncollected and the debtor does not appeal or loses the  
25 appeal, the department shall set off the debt against any refund that is owed to the

1 debtor after the setoff under s. 71.93. Any legal action contesting a setoff shall be  
2 brought against the municipality or county.

3 (4) Within 30 days after the end of each calendar quarter, the department shall  
4 settle with each municipality and county for the amounts that the department setoff  
5 for the municipality or county during that calendar quarter.

6 (5) At the time of each settlement, each municipality and county shall be  
7 charged for administration expenses, and the amounts charged shall be credited to  
8 the appropriation account under s. 20.566 (1) (h). Annually on or before November  
9 1, the department shall review its costs incurred during the previous fiscal year in  
10 administering setoffs under this section and shall adjust its subsequent charges to  
11 each municipality and county to reflect that experience.

12 **SECTION 3430.** 72.22 (1) and (3) of the statutes are amended to read:

13 72.22 (1) WHEN PAYABLE. The Except as provided in s. 72.225, the tax imposed  
14 by this chapter is due and payable on the date 9 months after the decedent's death.

15 (3) PAYMENT. Payments must be made to the department. Full Except as  
16 provided in s. 72.225, full payment shall accompany the estate tax return. If a  
17 prepayment was made, any additional tax shown owing on the return, as filed, shall  
18 accompany the return.

19 **SECTION 3431.** 72.225 of the statutes is created to read:

20 **72.225 Instalment payments; closely held businesses.** (1) If a percentage  
21 of the federal tax on an estate may be paid in instalments under section 6166 of the  
22 internal revenue code, the same percentage of the taxes under this chapter may be  
23 paid under the same instalment schedule if written notice of the election to pay in  
24 instalments is given to the department within 9 months after the decedent's death.  
25 The provisions on acceleration under section 6166 (g) of the internal revenue code

**SECTION 3431**

1 apply to payments under this section. The interest rate on payments is 12% and is  
2 calculated from the date of death.

3 (2) Upon the filing of a notice under sub. (1), distributees of real estate shall  
4 provide the department a certified copy of a lien for unpaid taxes and interest on the  
5 property to secure payment, and shall record the lien in the office of the register of  
6 deeds of the county in which the property is located. Distributees of personal  
7 property, upon the filing of a notice under sub. (1), shall either provide a lien or  
8 provide the department a financial guarantee bond equal to the estimated tax and  
9 interest elected to be paid under sub. (1) to secure payment if the tax has not been  
10 determined. Upon determination of the tax, distributees of personal property shall  
11 provide a lien or provide a financial guarantee bond sufficient to secure payment of  
12 the tax and interest or pay the department the excess over the amount of tax and  
13 interest secured by the bond. The department may accept a lien affecting only part  
14 of the property if there is sufficient security to secure payment of the tax. Any  
15 distributee who fails to provide the security required under this subsection or who  
16 disposes of one-third or more of the property on which the tax is secured under this  
17 subsection, shall pay the tax in full.

18 **SECTION 3432.** 72.23 of the statutes is amended to read:

19 **72.23** (title) **Interest Acceleration and interest.** If the tax imposed by this  
20 chapter is not paid with 9 months of the decedent's date of death when it is due under  
21 s. 72.22, interest is due and payable at the rate of 12% per year from date of death.  
22 In computing time under this section, the day of death is excluded. If any payment  
23 of tax or interest under s. 72.225 is not paid when due, the unpaid portion of the tax  
24 and interest shall be paid upon notice by the department.

25 **SECTION 3434g.** 73.03 (2a) of the statutes is amended to read:

1           73.03 (2a) To prepare, have published and distribute to each county having a  
2 county assessor system under s. 70.99 and to each town, city and village in the state  
3 for the use of assessors, assessment personnel and the public detailed assessment  
4 manuals, except that if an assessor is hired by more than one county, town, city or  
5 village the department shall provide that assessor with only one cost component of  
6 the manual rather than providing the cost component of the manual to each county,  
7 town, city or village that hires that assessor. The manual shall discuss and illustrate  
8 accepted assessment methods, techniques and practices with a view to more nearly  
9 uniform and more consistent assessments of property at the local level. The manual  
10 shall be amended by the department from time to time to reflect advances in the  
11 science of assessment, court decisions concerning assessment practices, costs, and  
12 statistical and other information deemed valuable to local assessors by the  
13 department. The manual shall incorporate standards for the assessment of all types  
14 of renewable energy resource systems used in this state as soon as such systems are  
15 used in sufficient numbers and sufficient data exists to allow the formulation of valid  
16 guidelines. The manual shall incorporate standards, which the department of  
17 revenue and the state historical society of Wisconsin shall develop, for the  
18 assessment of nonhistoric property in historic districts and for the assessment of  
19 historic property, including but not limited to property that is being preserved or  
20 restored; property that is subject to a protective easement, covenant or other  
21 restriction for historic preservation purposes; property that is listed in the national  
22 register of historic places in Wisconsin or in this state's register of historic places and  
23 property that is designated as a historic landmark and is subject to restrictions  
24 imposed by a municipality or by a landmarks commission. The manual shall  
25 incorporate general guidelines about ways to determine whether property is taxable

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1 in part under s. 70.11 (8) and examples of the ways that s. 70.11 (8) applies in specific  
2 situations. The manual shall state that assessors are required to comply with s.  
3 70.32 (1g) and shall suggest procedures for doing so. The manual or a supplement  
4 to it shall specify per acre value guidelines for each municipality for various  
5 categories of agricultural land based on the income that could be generated from its  
6 actual or estimated rental for agricultural use, as defined by rule, and capitalization  
7 rates established by rule. The manual shall include guidelines for classifying land  
8 as agricultural land, as defined in s. 70.32 (2) (c) 1. and guidelines for distinguishing  
9 between land and improvements to land. The cost of the development, preparation,  
10 publication and distribution of the manual and of revisions and amendments to it  
11 shall be borne by the assessment districts and requesters at an individual volume  
12 cost or a subscription cost as determined by the department. All receipts shall be  
13 credited to the appropriation under s. 20.566 (2) (hi). The department shall, on the  
14 4th Monday in August, certify past-due accounts and include them in the next  
15 apportionment of state special charges to counties and municipalities under s. 70.60.  
16 If the department provides an assessment manual to an assessor who is hired by  
17 more than one unit of government, those units of government shall each pay an equal  
18 share of the cost of that manual. The department may provide free assessment  
19 manuals to other state agencies or exchange them at no cost with agencies of other  
20 states or of the federal government for similar information or publications.

21 **SECTION 3437.** 73.03 (28m) of the statutes is created to read:

22 73.03 (28m) To enter into contracts for database and data processing services  
23 for audits of occasional sales of motor vehicles.

24 **SECTION 3437m.** 73.03 (29m) of the statutes is created to read:

**SECTION 3437m**

1           73.03 **(29m)** To provide on an appropriate tax form, as determined by the  
2 secretary of revenue, a place for taxpayers to certify that they had at least \$6,000 in  
3 gross farm profits, as defined in s. 71.58 (4), for the applicable taxable year.

4           **SECTION 3438.** 73.03 (33m) of the statutes is amended to read:

5           73.03 **(33m)** To collect, as taxes under ch. 71 are collected, from each person  
6 who owes to the department of revenue delinquent taxes, fees, interest or penalties,  
7 a fee for each delinquent account equal to ~~\$25 or 4.5%~~ \$35 or 6.5% of the taxes, fees,  
8 interest and penalties owed; as of the due date specified in the assessment, notice of  
9 amount due or notice of redetermination; on that account, whichever is greater.

10          **SECTION 3438m.** 73.03 (35) of the statutes is amended to read:

11          73.03 **(35)** To deny a portion of a credit claimed under s. 71.07 (2dd), (2de), (2di),  
12 (2dj), (2dL) or (2ds), 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds) or (4) (am) or 71.47  
13 (1dd), (1de), (1di), (1dj), (1dL), (1ds) or (4) (am) if granting the full amount claimed  
14 would violate the requirement under s. 560.75 (9) or 560.797 (4) (e) or would bring  
15 the total of the credits granted to that claimant under that subsection s. 560.75 (9)  
16 or 560.797 (4) (e), or the total of the credits granted to that claimant under all of those  
17 subsections, over the limit for that claimant under s. 560.768, 560.795 (2) (b) or  
18 560.797 (5) (b).

19          **SECTION 3439.** 73.03 (46) of the statutes is amended to read:

20          73.03 **(46)** In each school year, to determine—and certify to the state  
21 superintendent of public instruction the rate for determining the ~~primary~~ secondary  
22 ceiling cost per member under s. 121.07 (6) (b); ~~and in the 1994–95 school year and~~  
23 ~~annually thereafter to determine and certify to the state superintendent of public~~  
24 ~~instruction the rate for determining minimum aid payments under s. 121.10 (6) (d).~~  
25 The rate for any school year is the average percentage change in the consumer price

1 index for all urban consumers, U.S. city average, for the calendar year ending on the  
2 2nd preceding December 31, as computed by the federal department of labor.

3 **SECTION 3439m.** 73.03 (49) of the statutes is created to read:

4 73.03 (49) To appoint a farmland advisory council that shall remain in  
5 existence until December 31, 2007, and that shall do the following:

6 (a) Advise the department of revenue on the supplement to the assessment  
7 manual's guidelines for assessing agricultural land, and on rules to implement  
8 use-value assessment of agricultural land and to reduce expansion of urban sprawl.

9 (b) Recommend to the legislature an appropriate penalty for converting  
10 agricultural land to another use to discourage urban sprawl.

11 (bm) Create a review process for objections to use-value assessment.

12 (c) Annually report to the legislature on the usefulness of use-value  
13 assessment as a way to preserve farmland and to reduce the conversion of farmland  
14 to other uses.

15 (d) Recommend a method to adjust the shared revenue formula and other  
16 formulas one factor of which is equalized value to compensate counties,  
17 municipalities and school districts that are adversely affected by use-value  
18 assessment.

19 (dg) Calculate the federal land bank's 5-year average capitalization rate and  
20 per-acre values based on actual or estimated income generated from rental for  
21 agricultural use.

22 (dm) Carry out its duties in cooperation with the strategic growth task force of  
23 the governor's land use council.

24 (e) Include the following members, who shall serve until January 1, 2008, or  
25 until resignation:

**SECTION 3439m**

- 1           1. The secretary of revenue, who shall serve as a nonvoting chairperson.
- 2           2. An agribusiness person.
- 3           3. A person knowledgeable about agricultural lending practices.
- 4           4. An agricultural economist employed by the University of Wisconsin System.
- 5           5. A mayor of a city that has a population of more than 40,000.
- 6           6. An expert in the environment.
- 7           7. A nonagricultural business person.
- 8           8. A professor of urban studies.
- 9           9. A farmer.

10           **SECTION 3440m.** 73.03 (50) of the statutes is created to read:

11           73.03 (50) With the approval of the joint committee on finance, to establish fees  
12           for obtaining a business tax registration certificate, which is valid for 2 years, and  
13           for renewing that certificate and shall issue and renew those certificates if the person  
14           who wishes to obtain or renew a certificate applies on a form that the department  
15           prescribes; sets forth the name under which the applicant intends to operate, the  
16           location of the applicant's place of operations and the other information that the  
17           department requires; and, in the case of a sole proprietor, signs the form or, in the  
18           case of other persons, has an individual who is authorized to act on behalf of the  
19           person sign the form.

20           **SECTION 3440p.** 73.03 (51) and (52) of the statutes are created to read:

21           73.03 (51) To administer the child support and paternity establishment  
22           programs under this chapter, as well as perform other functions related to child  
23           support that are specified in this chapter and ch. 49.

24           (52) To maintain a file containing records of declarations of paternal interest  
25           under s. 48.025 and of statements acknowledging paternity under s. 69.15 (3) (b).

**SECTION 3440p**

1 The department of revenue may release these records only upon an order of the court  
2 except that records relating to declarations of paternal interest and statements  
3 acknowledging paternity may be used without a court order upon the request of the  
4 department of revenue or its designee under s. 59.07 (97) pursuant to the program  
5 responsibilities under s. 73.25 or by any other person with a direct and tangible  
6 interest in the record.

7 **SECTION 3441.** 73.0305 of the statutes is amended to read:

8 **73.0305 Revenue limits calculations.** The department of revenue shall  
9 annually determine and certify to the ~~state superintendent~~ department of public  
10 ~~instruction~~ education, no later than the 4th Monday in June, the allowable rate of  
11 increase for the limit imposed under subch. VII of ch. 121. For that limit, the  
12 allowable rate of increase is the percentage change in the consumer price index for  
13 all urban consumers, U.S. city average, between the preceding ~~May~~ March 31 and  
14 the 2nd preceding ~~May~~ March 31, as computed by the federal department of labor.

15 **SECTION 3443p.** 73.25 (1) of the statutes is created to read:

16 73.25 (1) In this section and ss. 73.255 and 73.258, "department" means the  
17 department of revenue.

18 **SECTION 3443q.** 73.253 of the statutes is created to read:

19 **73.253 Limitation on giving information.** No person may use or disclose  
20 information concerning applicants or recipients of child and spousal support and  
21 establishment of paternity services under s. 73.25 for any purpose not connected  
22 with the administration of the program. Any person violating this section may be  
23 fined not less than \$25 nor more than \$500 or imprisoned in the county jail not less  
24 than 10 days nor more than one year or both.

25 **SECTION 3446g.** 74.09 (1) of the statutes is repealed and recreated to read:

1           74.09 (1) DEFINITION. In this section, “taxable value” means a property’s  
2 assessed value divided by the assessment ratio of all of the taxable property in the  
3 taxation district where the property is located.

4           **SECTION 3446r.** 74.09 (3) (b) of the statutes is repealed and recreated to read:

5           74.09 (3) (b) Except as provided in sub. (3m), show all of the following:

6           1. For real property, the taxable value of the land and the taxable value of the  
7 improvements.

8           2. For all property, the total taxable value.

9           3. The tax levied on the property by the school district where the property is  
10 located minus the credit under s. 79.10 (4) allocable to the property, for the previous  
11 year and the current year, and the percentage change in that net tax between those  
12 years.

13           4. The tax levied on the property by each taxing jurisdiction where the property  
14 is located, other than the school district, for the previous year and the current year,  
15 and the percentage change in each of those taxes between those years.

16           5. The sum of the taxes levied under subds. 3. and 4. for the previous year and  
17 the current year, and the percentage change in that sum between those years.

18           6. The amount of the credit under s. 79.10 (5) allocable to the property for the  
19 previous year and the current year, and the percentage change between those years.

20           7. The amount obtained by subtracting the amount under subd. 6. from the  
21 amount under subd. 5., for the previous year and the current year, and the  
22 percentage change in that amount between those years.

23           8. The net tax rate for the property, calculated by dividing the amount under  
24 subd. 7. for the current year by the amount under subd. 2.

25           **SECTION 3446s.** 74.09 (3) (c) of the statutes is repealed.

1           **SECTION 3446t.** 74.09 (3) (e) of the statutes is repealed.

2           **SECTION 3446u.** 74.09 (3) (i) of the statutes is repealed.

3           **SECTION 3446v.** 74.09 (3m) of the statutes is created to read:

4           **74.09 (3m) INFORMATION EXCEPTION.** If the property has a different parcel  
5 identification number for the current year than it had for the previous year or if the  
6 property is not substantially the same in those years, the property tax bill need not  
7 indicate any tax allocable to the property for the previous year or the percentage  
8 change in any tax allocable to the property between the previous year and the current  
9 year.

10          **SECTION 3446w.** 74.09 (4) of the statutes is repealed.

11          **SECTION 3446x.** 74.09 (4m) of the statutes is created to read:

12          **74.09 (4m) REQUIRED BILL, WAIVER.** Each taxation district shall use a property  
13 tax bill that the department of revenue prescribes unless that department permits  
14 the district to use another bill that provides the information under sub. (3).

15          **SECTION 3446y.** 74.48 of the statutes is created to read:

16          **74.48 Penalty for transfer of ownership. (1)** If land that has been valued  
17 under s. 70.32 (2r) (b) is sold by a person who has owned it for less than 5 years and  
18 who has benefited from a value lower than that established by s. 70.32 (2r) (a), there  
19 is imposed on that person a penalty equal to 5% of the difference between the sale  
20 price of the agricultural land and the value that would be established for it under s.  
21 70.32 (2r) (c) during the last year of the person's ownership.

22          **(2)** Any amount due under sub. (1) shall be paid to the department of revenue.

23          **(3)** The department of revenue shall administer the penalty under this section.

24          **SECTION 3451.** 76.02 (11) of the statutes is amended to read:

**SECTION 3451**

1           76.02 (11) 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), is located entirely  
3 within a single town, village or city, it shall be subject to local assessment and  
4 taxation.

5           **SECTION 3459m.** 76.125 (1) of the statutes is amended to read:

6           76.125 (1) Using the statement of assessments under s. 70.53 and the  
7 statement of taxes under s. 69.61, the department shall determine the net rate of  
8 taxation of commercial property under s. 70.32 (2) (a) 2. ~~and (b) 2.~~, of manufacturing  
9 property under s. 70.32 (2) (a) 3. ~~and (b) 3.~~ and of personal property under s. 70.30  
10 as provided in subs. (2) to (6). The department shall enter that rate on the records  
11 of the department.

12           76.24 (1) All taxes collected from companies defined in s. 76.02 under this  
13 subchapter shall be transmitted by the department to the ~~state treasurer~~ secretary  
14 of administration and become a part of the general fund for the use of the state,  
15 except that taxes paid into the state treasury by any air carrier or railroad company  
16 shall be deposited in the transportation fund.

17           **SECTION 3461.** 76.28 (1) (d) of the statutes is amended to read:

18           76.28 (1) (d) "Gross revenues" for a light, heat and power company other than  
19 a qualified wholesale electric company means total operating revenues as reported  
20 to the public service commission except revenues for interdepartmental sales and for  
21 interdepartmental rents as reported to the public service commission and deductions  
22 from the sales and use tax under s. 77.61 (4), except that the company may subtract  
23 from revenues either the actual cost of power purchased for resale, as reported to the  
24 public service commission, by a light, heat and power company, except a municipal  
25 light, heat and power company, that purchases under federal or state approved

**SECTION 3461**

1 wholesale rates more than 50% of its electric power from a person other than an  
2 affiliated interest, as defined in s. 196.52 (1), if the revenue from that purchased  
3 electric power is included in the seller's gross revenues or the following percentages  
4 of the actual cost of power purchased for resale, as reported to the public service  
5 commission, by a light, heat and power company, except a municipal light, heat and  
6 power company, that purchases more than 90% of its power and that has less than  
7 \$50,000,000 of gross revenues: 10% for the fee assessed on May 1, 1988, 30% for the  
8 fee assessed on May 1, 1989, and 50% for the fee assessed on May 1, 1990, and  
9 thereafter. For a qualified wholesale electric company, "gross revenues" means total  
10 business revenues from those businesses included under par. (e) 1. to 4.

11 **SECTION 3462.** 76.28 (1) (e) (intro.) of the statutes is amended to read:

12 76.28 (1) (e) (intro.) "Light, heat and power companies" means any person,  
13 association, company or corporation, including corporations described in s. 66.069 (2)  
14 and including qualified wholesale electric companies and except only business  
15 enterprises carried on exclusively either for the private use of the person,  
16 association, company or corporation engaged in them, or for the private use of a  
17 person, association, company or corporation owning a majority of all outstanding  
18 capital stock or who control the operation of business enterprises and except electric  
19 cooperatives taxed under s. 76.48 that engage in any of the following businesses:

20 **SECTION 3463.** 76.28 (1) (em) of the statutes is created to read:

21 76.28 (1) (em) "Net production of electricity" means the total of electricity  
22 generated minus the power used to operate the generating plant.

23 **SECTION 3464.** 76.28 (1) (gm) of the statutes is created to read:

24 76.28 (1) (gm) "Qualified wholesale electric company" means any person that  
25 owns or operates facilities for the generation and sale of electricity to a public utility,

1 as defined in s. 196.01 (5), or to any other entity that sells electricity directly to the  
2 public, except that “qualified wholesale electric company” does not include any  
3 person that sells less than 95% of its net production of electricity or that does not own,  
4 operate or control electric generating facilities that have a total power production  
5 capacity of at least 50 megawatts.

6 **SECTION 3475.** 77.05 of the statutes is amended to read:

7 **77.05 State contribution.** The department of natural resources shall pay  
8 before June 30 annually to the town treasurer, from the appropriation under s.  
9 20.370 (4) ~~(ar)~~ (5) (bv), 20 cents for each acre of land in the town that is described as  
10 forest croplands under this subchapter.

11 **SECTION 3475m.** 77.22 (2) (intro.) of the statutes is amended to read:

12 77.22 (2) (intro.) The secretary of revenue shall prescribe the form required  
13 under sub. (1). The form shall include an application for a credit under s. 79.10 (5)  
14 and shall provide for the submission of the following:

15 **SECTION 3476.** 77.22 (2) (d) of the statutes is amended to read:

16 77.22 (2) (d) If the real estate transferred is not subject to certification under  
17 s. 101.122 (4) (a), waiver under s. 101.122 (4) (b) or stipulation under s. 101.122 (4)  
18 (c), the reason why it is not so subject or the form prescribed by the department of  
19 ~~industry, labor and human relations~~ development under s. 101.122 (6).

20 **SECTION 3476m.** 77.23 of the statutes is amended to read:

21 **77.23 Disposition of fees and returns.** On or before the 15th day of each  
22 month the register shall submit to the county treasurer transfer fees collected  
23 together with the returns filed in the office during the preceding month for the  
24 treasurer’s transmission to the department of revenue under s. 77.24 and shall  
25 submit to the county treasurer, or to the city treasurer if the property is located in

**SECTION 3476m**

1 a city that collects taxes under s. 74.87, all applications for credits under s. 79.10 (5)  
2 that the county register of deeds receives during the preceding month.

3 **SECTION 3479.** 77.265 (4) of the statutes is amended to read:

4 77.265 (4) The department of industry, labor and human relations may use the  
5 returns under s. ~~101.22~~ 106.04.

6 **SECTION 3481g.** 77.52 (7) of the statutes is repealed.

7 **SECTION 3481m.** 77.52 (8) of the statutes is repealed.

8 **SECTION 3481r.** 77.52 (9) of the statutes is repealed and recreated to read:

9 77.52 (9) The department shall issue a permit for each place of operation in this  
10 state to any person who requests one and who holds a valid certificate under s. 73.03  
11 (50). Permits under this subsection are not assignable and are valid only for the  
12 person who originally obtains them and only at the place of operation designated on  
13 them. Holders of permits shall display them prominently at the place for which they  
14 are valid.

15 **SECTION 3481t.** 77.52 (10) of the statutes is repealed.

16 **SECTION 3481u.** 77.52 (11) (a) of the statutes is renumbered 77.52 (11) and  
17 amended to read:

18 77.52 (11) If any person fails to comply with any provision of this subchapter  
19 relating to the sales tax or any rule of the department relating to the sales tax  
20 adopted under this subchapter, is delinquent in respect to any tax imposed by the  
21 department or fails timely to file any return or report in respect to any tax under ch.  
22 71, 72, 76, 77, 78 or 139 after having been requested to file that return or report, the  
23 department upon hearing, after giving the person 10 days' notice in writing  
24 specifying the time and place of hearing and requiring the person to show cause why  
25 the permit should not be revoked or suspended, may revoke or suspend any one or

**SECTION 3481u**

1 more of the permits held by the person. The department shall give to the person  
2 written notice of the suspension or revocation of any of the permits. The notices  
3 required in this ~~paragraph~~ subsection may be served personally or by mail in the  
4 manner prescribed for service of notice of a deficiency determination. If the  
5 department suspends or revokes a permanent permit under this ~~paragraph~~  
6 subsection, it may grant a temporary permit that is valid for one month and may then  
7 grant additional temporary permits if the person pays all amounts owed under this  
8 chapter for the month for which the previous temporary permit was issued. Persons  
9 who receive a temporary permit waive the notice requirement under s. 77.61 (2). The  
10 department shall not issue a new permanent permit after the revocation of a permit  
11 unless it is satisfied that the former holder of the permit will comply with the  
12 provisions of this subchapter, the rules of the department relating to the sales tax  
13 and the provisions relating to other taxes administered by the department.

14 **SECTION 3481v.** 77.52 (11) (b) of the statutes is repealed.

15 **SECTION 3481w.** 77.52 (12) of the statutes is amended to read:

16 77.52 (12) A person who operates as a seller in this state without a permit or  
17 after a permit has been suspended, revoked or has expired, ~~unless the person has a~~  
18 ~~temporary permit under sub. (11) (a),~~ and each officer of any corporation, partnership  
19 member, limited liability company member or other person authorized to act on  
20 behalf of a seller who so operates, is guilty of a misdemeanor. Permits shall be held  
21 only by persons actively operating as sellers of tangible personal property or taxable  
22 services. Any person not so operating shall forthwith surrender that person's permit  
23 to the department for cancellation. The department may revoke the permit of a  
24 person found not to be actively operating as a seller of tangible personal property or  
25 taxable services.

1           **SECTION 3484.** 77.52 (17m) (a) of the statutes is amended to read:

2           77.52 **(17m)** (a) A person who holds a valid certificate issued under s. 73.03 (50)  
3 may apply for a direct pay permit by submitting to the department \$5 and a  
4 completed form that the department prescribes.

5           **SECTION 3484e.** 77.52 (17m) (b) 7. of the statutes is amended to read:

6           77.52 **(17m)** (b) 7. The applicant holds a ~~permit under s. 77.52 (7) or is~~  
7 ~~registered under s. 77.53 (9)~~ valid certificate under s. 73.03 (50).

8           **SECTION 3484m.** 77.53 (1) of the statutes is amended to read:

9           77.53 **(1)** ~~An~~ Except as provided in sub. (1m), an excise tax is levied and imposed  
10 on the use or consumption in this state of taxable services under s. 77.52 purchased  
11 from any retailer, at the rate of 5% of the sales price of those services; on the storage,  
12 use or other consumption in this state of tangible personal property purchased from  
13 any retailer, at the rate of 5% of the sales price of that property; and on the storage,  
14 use or other consumption of tangible personal property manufactured, processed or  
15 otherwise altered, in or outside this state, by the person who stores, uses or consumes  
16 it, from material purchased from any retailer, at the rate of 5% of the sales price of  
17 that material.

18           **SECTION 3484r.** 77.53 (1m) of the statutes is created to read:

19           77.53 **(1m)** For motor vehicles that are used for retention, demonstration or  
20 display while held for sale in the regular course of business by a dealer who is  
21 licensed under s. 218.01, the base for the tax imposed under sub. (1) is the following:

22           (a) If the motor vehicle is also used by an employe of the dealer, \$96 per month,  
23 except that beginning in 1997 the department shall annually, as of January 1, adjust  
24 the dollar amount under this paragraph to reflect the annual percentage change in  
25 the U.S. consumer price index for all urban consumers, U.S. city average, as

1 determined by the U.S. department of labor, for the 12 months ending on June 30 of  
2 the year before the change.

3 (b) If the motor vehicle is not also used by an employe of the dealer, the lease  
4 value as shown in the lease value tables that the internal revenue service prepares  
5 to interpret section 61 of the internal revenue code.

6 **SECTION 3484rm.** 77.53 (9) of the statutes is amended to read:

7 77.53 (9) Every retailer selling tangible personal property or taxable services  
8 for storage, use or other consumption in this state shall ~~register with the department~~  
9 obtain a certificate under s. 73.03 (50) and give the name and address of all agents  
10 operating in this state, the location of all distribution or sales houses or offices or  
11 other places of business in this state, and such other information as the department  
12 requires.

13 **SECTION 3484rr.** 77.53 (9m) of the statutes is amended to read:

14 77.53 (9m) Any person who is not otherwise required to collect any tax imposed  
15 by this subchapter and who makes sales to persons within this state of tangible  
16 personal property or taxable services the use of which is subject to tax under this  
17 subchapter ~~may, if the person so elects, register with the department, under such~~  
18 ~~terms and conditions as the department imposes, shall obtain a valid certificate~~  
19 under s. 73.03 (50) and thereby be authorized and required to collect, report and  
20 remit to the department the use tax imposed by this subchapter.

21 **SECTION 3484s.** 77.54 (9a) (a) of the statutes is amended to read:

22 77.54 (9a) (a) This state or any agency thereof and the University of Wisconsin  
23 Hospitals and Clinics Authority.

24 **SECTION 3485.** 77.54 (24) of the statutes is repealed.

25 **SECTION 3485c.** 77.58 (5) of the statutes is amended to read:

1           77.58 (5) The department, if it deems it necessary to ensure payment to or  
2 facilitate the collection by the state of the amount of taxes, may require returns and  
3 payments of the amount of taxes for other than quarterly periods. The department  
4 may, if satisfied that the revenues will be adequately safeguarded, permit returns  
5 and payments of the amount of taxes for other than quarterly periods. Such returns  
6 or payments shall be due or payable by the last day of the month next succeeding the  
7 end of the reporting or paying period, except that the department may require by  
8 written notice to the taxpayer that the returns or payments shall be due or payable  
9 by the 20th day of the month next succeeding the end of the reporting or paying  
10 period. Any person who discontinues business or ~~whose permit has not been renewed~~  
11 ~~under s. 77.52 (10) or (11) (b) who does not hold a valid permit under s. 77.52 (9) prior~~  
12 to the end of a reporting period shall, within 30 days of after such discontinuance  
13 or ~~nonrenewal~~ after the date on which the person ceases to hold a valid permit, file  
14 a return and ~~make payment of pay~~ the taxes due from the beginning of such reporting  
15 period. If a business is discontinued and a final report thereon has been made  
16 covering all payments due or refunds claimed as provided in this section, the account  
17 shall be closed, the seller's permit terminated and, notwithstanding any other  
18 provisions of this section, no further reports may be required.

19           **SECTION 3485f.** 77.59 (5) of the statutes is amended to read:

20           77.59 (5) The department may offset the amount of any refund for a period,  
21 together with interest on the refund, against deficiencies for another period, and  
22 against penalties and interest on the deficiencies, or against any amount of whatever  
23 kind, due and owing on the books of the department from the person claiming the  
24 refund. If the refund is to be paid to a buyer, the department may also set off amounts  
25 in the manner in which it sets off income tax and franchise tax refunds under s. 71.93

1 and may set off amounts for child support or maintenance or both in the manner in  
2 which it sets off income taxes under ss. ~~46.255~~ and 71.93 (3), (6) and (7) and 73.255.

3 **SECTION 3485L.** 77.60 (2) (intro.) of the statutes is amended to read:

4 77.60 (2) (intro.) Delinquent sales and use tax returns shall be subject to a \$10  
5 late filing fee unless the return was not timely filed because of the death of the person  
6 required to file. The fee shall not apply if the department has failed to issue a seller's  
7 permit or a use tax registration within 30 days of the receipt of an application for a  
8 seller's permit or use tax registration accompanied by the ~~permit fee required~~  
9 established under s. ~~77.52 (8)~~ 73.03 (50), if the person does not hold a valid certificate  
10 under s. 73.03 (50), and either the security required under s. 77.61 (2) ~~or evidence of~~  
11 ~~compliance with s. 77.52 (10) (e)~~. Delinquent sales and use taxes shall bear interest  
12 at the rate of 1.5% per month until paid. The taxes imposed by this subchapter shall  
13 become delinquent if not paid:

14 **SECTION 3485o.** 77.61 (5) (b) 9. of the statutes is amended to read:

15 77.61 (5) (b) 9. The administrator of the lottery division in the gaming  
16 ~~commission~~ department for the purpose of withholding of lottery winnings under s.  
17 565.30 (5).

18 **SECTION 3485s.** 77.71 (2) of the statutes is amended to read:

19 77.71 (2) An excise tax is imposed at the rate of 0.5% of the sales price upon  
20 every person storing, using or otherwise consuming in the county tangible personal  
21 property or services if the property or service is subject to the state use tax under s.  
22 77.53, except that a receipt indicating that the tax under sub. (1), (3) or (4) has been  
23 paid relieves the buyer of liability for the tax under this subsection and except that  
24 if the buyer has paid a similar local tax in another state on a purchase of the same  
25 property or services that tax shall be credited against the tax under this subsection

1 and except that for motor vehicles that are used for retention, demonstration or  
2 display while held for sale in the regular course of business by a dealer the tax under  
3 this subsection is imposed not on the sales price but on the amount under s. 77.53  
4 (1m).

5 **SECTION 3485v.** 77.76 (3) of the statutes is amended to read:

6 77.76 (3) From the appropriation under s. 20.835 (4) (g) the department shall  
7 distribute ~~98.5%~~ 98.7% of the county taxes reported for each enacting county, minus  
8 the county portion of the retailers' discounts, to the county and shall indicate the  
9 taxes reported by each taxpayer, no later than the end of the 3rd month following the  
10 end of the calendar quarter in which such amounts were reported. In this subsection,  
11 the "county portion of the retailers' discount" is the amount determined by  
12 multiplying the total retailers' discount by a fraction the numerator of which is the  
13 gross county sales and use taxes payable and the denominator of which is the sum  
14 of the gross state and county sales and use taxes payable. The county taxes  
15 distributed shall be increased or decreased to reflect subsequent refunds, audit  
16 adjustments and all other adjustments of the county taxes previously distributed.  
17 Interest paid on refunds of county sales and use taxes shall be paid from the  
18 appropriation under s. 20.835 (4) (g) at the rate paid by this state under s. 77.60 (1)  
19 (a). The county may retain the amount it receives or it may distribute all or a portion  
20 of the amount it receives to the towns, villages, cities and school districts in the  
21 county. Any county receiving a report under this subsection is subject to the duties  
22 of confidentiality to which the department of revenue is subject under s. 77.61 (5).

23 **SECTION 3485x.** 77.76 (4) of the statutes is amended to read:

24 77.76 (4) There shall be retained by the state ~~1.5%~~ 1.3% of the taxes collected  
25 under this subchapter to cover costs incurred by the state in administering, enforcing

1 and collecting the tax. All interest and penalties collected shall be deposited and  
2 retained by this state in the general fund.

3 **SECTION 3486.** 77.82 (2) (intro.) of the statutes is amended to read:

4 77.82 (2) PETITION. (intro.) Any owner of land may petition the department to  
5 designate any eligible parcel of land as managed forest land. A petition may include  
6 any number of eligible parcels under the same ownership in a single municipality.  
7 Each petition shall be submitted on a form provided by the department and shall be  
8 accompanied by a nonrefundable \$10 application fee unless a different amount of the  
9 fee is established by the department by rule at an amount equal to the average  
10 expense to the department of recording an order issued under this subchapter,  
11 ~~which. The fee shall be credited to~~ deposited in the conservation fund and credited  
12 to the appropriation under s. 20.370 (1) (cr). Each petition shall include all of the  
13 following:

14 **SECTION 3487.** 77.82 (4) of the statutes is amended to read:

15 77.82 (4) ADDITIONS TO MANAGED FOREST LAND. An owner may petition the  
16 department to designate as managed forest land an additional parcel of land in the  
17 same municipality if the additional parcel is at least 3 acres in size and is contiguous  
18 to any of the owner's designated land. The petition shall be accompanied by a  
19 nonrefundable \$10 application fee unless a different amount of the fee is established  
20 in the same manner as the fee under sub. (2), ~~which. The fee shall be credited to~~  
21 deposited in the conservation fund and credited to the appropriation under s. 20.370  
22 (1) (cr). The petition shall be submitted on a department form and shall contain any  
23 additional information required by the department.

24 **SECTION 3488.** 77.82 (4m) (bn) of the statutes is amended to read:

1           77.82 **(4m)** (bn) A petition under this subsection shall be accompanied by a  
2 nonrefundable \$100 application fee which shall be ~~credited to~~ deposited in the  
3 conservation fund and credited to the appropriation under s. 20.370 (1) (cr).

4           **SECTION 3488m.** 77.84 (2) (c) of the statutes is amended to read:

5           77.84 **(2)** (c) In 1992 and each 5th year thereafter, the department of revenue  
6 shall adjust the amounts under pars. (a) and (b) by multiplying the amount specified  
7 by a ratio using as the denominator the department of revenue's estimate of the  
8 average statewide tax per acre of property classes under s. 70.32 (2) (b) 4., 1993 stats.,  
9 s. 70.32 (2) (b) 5., 1993 stats., and s. 70.32 (2) (b) 6., 1993 stats., for 1986 and, as the  
10 numerator, the department of revenue's estimate of the average tax per acre for the  
11 same classes of property for the year in which the adjustment is made.

12           **SECTION 3489.** 77.85 of the statutes is amended to read:

13           **77.85 State contribution.** The department shall pay before June 30 annually  
14 the municipal treasurer, from the appropriation under s. 20.370 ~~(4) (ar)~~ (5) (bv), 20  
15 cents for each acre of land in the municipality that is designated as managed forest  
16 land under this subchapter.

17           **SECTION 3490.** 77.88 (2) (d) of the statutes is amended to read:

18           77.88 **(2)** (d) Within 10 days after a transfer of ownership, the former owner  
19 shall, on a form provided by the department, file with the department a report of the  
20 transfer signed by the former owner and the transferee. The report shall be  
21 accompanied by a \$20 fee which shall be ~~credited to~~ deposited in the conservation  
22 fund and credited to the appropriation under s. 20.370 (1) (cr). The department shall  
23 immediately notify each person entitled to notice under s. 77.82 (8).

24           **SECTION 3491.** 77.89 (1) of the statutes is amended to read:

1           77.89 (1) PAYMENT TO MUNICIPALITIES. By June 30 of each year, the department,  
2 from the appropriation under s. 20.370 (4) ~~(ar)~~ (5) (bv), shall pay 50% of each payment  
3 received under s. 77.84 (3) (b), 77.87 (3) or 77.88 (7) to the treasurer of the  
4 municipality in which is located the land to which the payment applies.

5           **SECTION 3492.** 77.91 (4) of the statutes is amended to read:

6           77.91 (4) EXPENSES. The Except as provided in sub. (5), the department's  
7 expenses for the administration of this subchapter shall be paid from the  
8 appropriation under s. 20.370 (1) (mu).

9           **SECTION 3493.** 77.91 (5) of the statutes is amended to read:

10          77.91 (5) RECORDING. Each register of deeds who receives notice of an order  
11 under this subchapter shall record the action as provided under s. 59.51. The  
12 department shall pay the register of deeds the fee specified under s. 59.57 (1) (a) from  
13 the appropriation under s. 20.370 (1) ~~(mu)~~ (cr). If the amount in the appropriation  
14 under s. 20.370 (1) (cr) in any fiscal year is insufficient to pay the full amount  
15 required under this subsection in that fiscal year, the department shall pay the  
16 balance from the appropriation under s. 20.370 (1) (mu).

17          **SECTION 3493m.** 77.92 (4) of the statutes is amended to read:

18          77.92 (4) "Net business income", with respect to a partnership or limited  
19 liability company, means taxable income as calculated under section 703 of the  
20 internal revenue code; plus the items of income and gain under section 702 of the  
21 internal revenue code; minus the items of loss and deduction under section 702 of the  
22 internal revenue code; plus payments treated as not made to partners under section  
23 707 (a) of the internal revenue code; plus the credits claimed under s. 71.07 (2dd),  
24 (2de), (2di), (2dj), (2dL) and (2ds); but excluding income, gain, loss and deductions  
25 from farming. "Net business income", with respect to a natural person, estate or

1 trust, means profit from a trade or business for federal income tax purposes and  
2 includes net income derived as an employe as defined in section 3121 (d) (3) of the  
3 internal revenue code.

4 **SECTION 3494.** 77.92 (4r) of the statutes is created to read:

5 77.92 (4r) "Total receipts from all activities" means gross receipts, gross sales,  
6 gross dividends, gross interest income, gross rents, gross royalties, the gross sales  
7 price from the disposition of capital assets and business assets and all other receipts  
8 that are included in gross income under ch. 71.

9 **SECTION 3495.** 77.93 (1) of the statutes is amended to read:

10 77.93 (1) All corporations required to file a return under subch. IV or V of ch.  
11 71 that have at least \$4,000 in total receipts from all activities for the taxable year  
12 except corporations that are exempt from taxation under s. 71.26 (1) and that have  
13 no unrelated business income reportable under s. 71.24 (1m). The surcharge is  
14 imposed on the tax-option corporation, not on its shareholders, except that if a  
15 tax-option corporation's surcharge is delinquent, its shareholders are jointly and  
16 severally liable for it.

17 **SECTION 3496.** 77.93 (4) of the statutes is amended to read:

18 77.93 (4) All insurers that are required to file a return under subch. VII of ch.  
19 71 and that have at least \$4,000 in total receipts from all activities for the taxable  
20 year.

21 **"SECTION 3496b.** 78.005 (13g) of the statutes is created to read:

22 78.005 (13g) "Recreational motorboat" means a motorboat used predominately  
23 for entertainment, amusement or recreation by the owner of the motorboat, whether  
24 or not it is used incidentally in a trade or business.

25 **SECTION 3496d.** 78.01 (1) of the statutes is amended to read:

**SECTION 3496d**

1           78.01 (1) IMPOSITION OF TAX AND BY WHOM PAID. An excise tax at the rate  
2 determined under s. 78.015, as adjusted under s. 78.017, is imposed on all motor  
3 vehicle fuel received by a supplier for sale in this state, for sale for export to this state  
4 or for export to this state except as otherwise provided in this chapter. The motor  
5 vehicle fuel tax is to be computed and paid as provided in this chapter. Except as  
6 otherwise provided in this chapter, a person who receives motor vehicle fuel under  
7 s. 78.07 shall collect from the purchaser of the motor vehicle fuel that is received, and  
8 the purchaser shall pay to the person who receives the motor vehicle fuel under s.  
9 78.07, the tax imposed by this section on each sale of motor vehicle fuel at the time  
10 of the sale, irrespective of whether the sale is for cash or on credit. In each  
11 subsequent sale or distribution of motor vehicle fuel on which the tax has been  
12 collected as provided in this subsection, the tax collected shall be added to the selling  
13 price so that the tax is paid ultimately by the user of the motor vehicle fuel.

14           **SECTION 3496g.** 78.01 (2) (e) of the statutes is amended to read:

15           78.01 (2) (e) Gasoline sold for nonhighway use other than use in a snowmobile,  
16 an all-terrain vehicle that is not registered for private use under s. 23.33 (2) (d) or  
17 a recreational motorboat or in mobile machinery and equipment and delivered  
18 directly into the consumer's storage tank in an amount of not less than 100 gallons.

19           **SECTION 3496j.** 78.01 (2m) (f) of the statutes is amended to read:

20           78.01 (2m) (f) It is sold for off-highway use other than use in a snowmobile, an  
21 all-terrain vehicle that is not registered for private use under s. 23.33 (2) (d) or a  
22 recreational motorboat if no claim for a refund for the tax on the diesel fuel may be  
23 made under s. 78.75 (1m) (a) 3.

24           **SECTION 3496m.** 78.015 (1) of the statutes is amended to read:

**SECTION 3496m**

1           78.015 (1) Before April 1 the department shall recompute and publish the rate  
2 for the tax imposed under s. 78.01 (1). The new rate per gallon shall be calculated  
3 by multiplying the rate in effect at the time of the calculation without regard to  
4 adjustments under s. 78.017 by ~~an~~ the amount obtained by ~~multiplying the amount~~  
5 under sub. (2) ~~by the amount under sub. (3)~~.

6           **SECTION 3496p.** 78.015 (3) of the statutes is repealed.

7           **SECTION 3496r.** 78.017 of the statutes is created to read:

8           **78.017 Temporary federal revenue decrease adjustment. (1)**

9           DEFINITIONS. In this section:

10           (a) "Federal revenue" means the amount available to this state under Title 1  
11 of the federal intermodal surface transportation efficiency act of 1991, as amended.

12           (b) "Federal revenue shortage" means the amount by which federal revenue is  
13 less than \$351,000,000.

14           (2) CERTIFICATION. (a) If, on November 1, 1995, or November 1, 1996, or both,  
15 the secretary of transportation determines that there will be a federal revenue  
16 shortage for the period beginning on the previous October 1 and ending on the  
17 succeeding September 30, the secretary shall certify the amount of that shortage to  
18 the secretary of revenue.

19           (b) If the secretary of revenue receives a certification under par. (a), the  
20 secretary shall estimate the adjustment in the rate for the tax that is imposed under  
21 s. 78.01 (1) that, with the same adjustment in the rate of the tax imposed under s.  
22 78.40 (1), will, during the period beginning on the December 1 after the certification  
23 under par. (a) and ending on the November 30 of the year after that certification,  
24 offset the certified federal revenue shortage. The secretary shall adjust the rate for  
25 the tax that is imposed under s. 78.01 (1) by the amount that the secretary has

1 estimated, rounded to the nearest 0.1 cent, but not to exceed 2 cents. That  
2 adjustment is effective on December 1 and continues until November 30 of the next  
3 year.

4 **SECTION 3497.** 78.09 (2) of the statutes is amended to read:

5 78.09 (2) To procure a license, a supplier who holds a valid certificate issued  
6 under s. 73.03 (50) shall file with the department an application prescribed and  
7 furnished by the department and verified by the owner of the business if the owner  
8 is an individual, partnership or unincorporated association or by the president and  
9 secretary if the owner is a corporation.

10 **SECTION 3498.** 78.09 (5) of the statutes is amended to read:

11 78.09 (5) To procure an export license, an exporter who holds a valid certificate  
12 issued under s. 73.03 (50) shall file with the department an application prescribed  
13 and furnished by the department and verified by the owner of the business if the  
14 owner is an individual, partnership or unincorporated association or by the  
15 president and secretary if the owner is a corporation.

16 **SECTION 3500b.** 78.10 (1) of the statutes is repealed and recreated to read:

17 78.10 (1) ISSUANCE. The department shall issue licenses to receive motor  
18 vehicle fuel under s. 78.07 to persons who hold a valid certificate under s. 73.03 (50).

19 **SECTION 3500c.** 78.10 (2) to (5) of the statutes are repealed.

20 **SECTION 3500cd.** 78.12 (2) (intro.) of the statutes is amended to read:

21 78.12 (2) REPORTS OF LICENSEES. (intro.) Each licensee shall, not later than the  
22 last 20th day of each month, file with the department, or, if the department so  
23 requires, file electronically with any state agency that the department specifies, on  
24 forms prescribed and furnished by the department, a report that indicates for the  
25 month before the month during which the report is due the following:

**SECTION 3500cg**

1           **SECTION 3500cg.** 78.12 (4) (a) 4. of the statutes is amended to read:

2           78.12 (4) (a) 4. Multiply the number of gallons under subd. 3. by the rate under  
3 s. 78.015, as adjusted under s. 78.017.

4           **SECTION 3500cj.** 78.12 (4) (b) 2. of the statutes is amended to read:

5           78.12 (4) (b) 2. Multiply the number of gallons under subd. 1. by the rate under  
6 s. 78.015, as adjusted under s. 78.017.

7           **SECTION 3500cm.** 78.12 (5) (a) of the statutes is amended to read:

8           78.12 (5) (a) Licensed suppliers shall pay taxes on motor vehicle fuel no later  
9 than the ~~15th~~ 20th day of the month for motor vehicle fuel sold during the previous  
10 month. At the option of a wholesaler distributor, a licensed supplier shall allow the  
11 wholesaler distributor to delay paying the tax to the licensed supplier until the date  
12 that the tax is due to this state. A wholesaler distributor who makes delayed  
13 payments shall make the payments by electronic funds transfer. If a wholesaler  
14 distributor fails to make timely payments, the licensed supplier may terminate the  
15 right of the wholesaler distributor to make delayed payments. Each licensed  
16 supplier shall notify the department of each wholesaler distributor who makes  
17 delayed payments of the tax. The department may require any wholesaler  
18 distributor who makes delayed payments of the tax to file with the department a  
19 surety bond payable to this state in an amount not to exceed 3 times the highest  
20 estimated monthly tax owed by the wholesaler distributor. Whenever the  
21 wholesaler distributor pays the licensed supplier, the licensed supplier shall credit  
22 the wholesaler distributor's account for the amount of tax reduction that results from  
23 the calculation under s. 78.12 (4) (a) 2.

24           **SECTION 3500cp.** 78.40 (1) of the statutes is amended to read:

**SECTION 3500cp**

1           78.40 (1) IMPOSITION OF TAX AND BY WHOM PAID. An excise tax at the rate  
2           determined under s. 78.405, as adjusted under s. 78.407, is imposed on the use of  
3           alternate fuels. The tax, with respect to all alternate fuel delivered by an alternate  
4           fuel dealer into supply tanks of motor vehicles in this state, attaches at the time of  
5           delivery and shall be collected by the dealer from the alternate fuels user and shall  
6           be paid to the department. The tax, with respect to alternate fuels acquired by any  
7           alternate fuels user other than by delivery by an alternate fuel dealer into a fuel  
8           supply tank of a motor vehicle, or of a snowmobile, an all-terrain vehicle that is not  
9           registered for private use under s. 23.33 (2) (d) or a recreational motorboat, attaches  
10          at the time of the use of the fuel and shall be paid to the department by the user. The  
11          department may permit any supplier of alternate fuels to report and pay to the  
12          department the tax on alternate fuels delivered into the storage facility of an  
13          alternate fuels user or retailer which will be consumed for alternate fuels tax  
14          purposes or sold at retail.

15           **SECTION 3500cr.** 78.407 of the statutes is created to read:

16           **78.407 Temporary federal revenue decrease adjustment.** If the rate for  
17          the tax that is imposed under s. 78.01 (1) is adjusted under s. 78.017, the rate for the  
18          tax that is imposed under s. 78.40 (1) is adjusted by the same amount on the same  
19          day.

20           **SECTION 3500d.** 78.48 (1) of the statutes is repealed and recreated to read:

21           78.48 (1) ISSUANCE. The department shall issue alternate fuel licenses to  
22          persons who hold a valid certificate under s. 73.03 (50).

23           **SECTION 3500e.** 78.48 (2) to (5) of the statutes are repealed.

24           **SECTION 3500eg.** 78.49 (1) (a) of the statutes is amended to read:

**SECTION 3500eg**

1           78.49 (1) (a) For the purpose of determining the amount of liability to the state  
2 for the tax under this subchapter, except as provided in par. (b), each alternate fuels  
3 licensee shall, not later than the last 20th day of each month, file a monthly report  
4 for the next preceding month with the department on forms furnished and prescribed  
5 by it. Such report shall contain a declaration by the licensee that the statements  
6 contained therein are accurate and are a true return of the amount of the alternate  
7 fuels tax due and shall be subscribed by the licensee or the licensee's duly authorized  
8 agent. The report shall show, with reference to each location at which an alternate  
9 fuel is delivered or placed by such licensee into a fuel supply tank of any motor  
10 vehicle, the information that the department reasonably requires for the proper  
11 administration and enforcement of the tax under this subchapter. The department  
12 shall give due consideration to the varying types of operations and transactions in  
13 specifying the information required.

14           **SECTION 3500em.** 78.49 (1) (b) of the statutes is amended to read:

15           78.49 (1) (b) The department may allow alternate fuels licensees whose tax  
16 liability is less than \$500 per quarter to file on a quarterly basis. Quarterly reports  
17 shall be mailed on or before the last 20th day of the next month following the end of  
18 each calendar quarter. The report shall contain the declaration, subscription and  
19 information specified in par. (a).

20           **SECTION 3500f.** 78.57 (1) of the statutes is repealed and recreated to read:

21           78.57 (1) ISSUANCE. The department shall issue general aviation fuel licenses  
22 to persons who hold a valid certificate under s. 73.03 (50).

23           **SECTION 3500g.** 78.57 (2) to (5) of the statutes are repealed.

24           **"SECTION 3503g.** 78.75 (1m) (a) 2. of the statutes is amended to read:

1           78.75 (1m) (a) 2. A person who uses motor vehicle fuel or an alternate fuel upon  
2           which has been paid the tax required under this chapter for the purpose of operating  
3           a snowmobile, as defined under s. 340.01 (58a), an aircraft, as defined under s. 78.55  
4           (2), or a motorboat, as defined under s. 30.50 (6), unless the motorboat is exempt from  
5           registration as a motor vehicle under s. 341.05 (20) not a recreational motorboat, may  
6           not be reimbursed or repaid the amount of tax paid.

7           **SECTION 3503j.** 78.75 (1m) (a) 3. of the statutes is amended to read:

8           78.75 (1m) (a) 3. Claims under subd. 1 shall be made and filed upon forms  
9           prescribed and furnished by the department. The forms shall indicate that refunds  
10          are not available for motor vehicle fuel or alternate fuels used for motorboats, except  
11          motorboats exempt from registration as motor vehicles under s. 341.05 (20) and  
12          recreational motorboats, or motor vehicle fuel or alternate fuels used for  
13          snowmobiles and that the estimated snowmobile motor vehicle fuel or alternate fuels  
14          tax payments are used for snowmobile trails and areas. The forms shall indicate that  
15          refunds are not available for motor vehicle fuel or alternate fuels used for all-terrain  
16          vehicles unless the all-terrain vehicle is registered for private use under s. 23.33 (2)  
17          (d) and shall indicate that estimated all-terrain vehicle motor vehicle fuel or  
18          alternate fuels tax payments are used for all-terrain vehicle trails and areas. The  
19          forms shall also indicate that refunds are not available for the tax on less than 100  
20          gallons. The department shall distribute forms in sufficient quantities to each  
21          county clerk.

22          **SECTION 3505.** 79.03 (3c) (c) (intro.) of the statutes is amended to read:

23          79.03 (3c) (c) *Payment.* (intro.) Subject to the total distribution amount limits  
24          in par. (f), the minimum payment under par. (d) and the maximum payment under  
25          par. (e), each eligible municipality is entitled to shared revenue from the

1 appropriation under s. 20.835 (1) (b), in addition to its shared revenue entitlements  
2 under sub. (1), calculated as follows:

3 **SECTION 3506.** 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 in 1994  
8 and \$14,000,000 in 1995 1996 and thereafter.

9 **SECTION 3507.** 79.04 (1) (a) of the statutes is amended to read:

10 79.04 (1) (a) An amount from the shared revenue account determined by  
11 multiplying by 3 mills in the case of a town, and 6 mills in the case of a city or village,  
12 the first \$125,000,000 of the amount shown in the account, plus leased property, of  
13 each public utility except qualified wholesale electric companies, as defined in s.  
14 76.28 (1) (gm), on December 31 of the preceding year for either “production plant,  
15 exclusive of land” and “general structures”, or “work in progress” for production  
16 plants and general structures under construction, in the case of light, heat and power  
17 companies, electric cooperatives or municipal electric companies, for all property  
18 within a municipality in accordance with the system of accounts established by the  
19 public service commission or rural electrification administration, less depreciation  
20 thereon as determined by the department of revenue and less the value of treatment  
21 plant and pollution abatement equipment, as defined under s. 70.11 (21) (a), as  
22 determined by the department of revenue plus an amount from the shared revenue  
23 account determined by multiplying by 3 mills in the case of a town, and 6 mills in the  
24 case of a city or village, of the first \$125,000,000 of the total original cost of production  
25 plant, general structures and work-in-progress less depreciation, land and

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1 approved waste treatment facilities of each qualified wholesale electric company, as  
2 defined in s. 76.28 (1) (gm), as reported to the department of revenue of all property  
3 within the municipality. The total of amounts, as depreciated, from the accounts of  
4 all public utilities for the same production plant is also limited to not more than  
5 \$125,000,000. The amount distributable to a municipality in any year shall not  
6 exceed \$300 times the population of the municipality.

7 **SECTION 3508.** 79.04 (1) (c) 2. of the statutes is amended to read:

8 79.04 (1) (c) 2. If a production plant is located in more than one municipality,  
9 the total payment under subd. 1. shall be apportioned according to the amounts  
10 shown on the preceding December 31 for the production plant in the account  
11 described in par. (a) for “production plant exclusive of land” within each municipality  
12 for all public utilities except qualified wholesale electric companies, as defined in s.  
13 76.28 (1) (gm), or according to the value as reported to the department of revenue  
14 under par. (a) of the production plant within each municipality for each qualified  
15 wholesale electric company. The payment to each municipality under this  
16 subdivision shall be no less than \$15,000 annually.

17 **SECTION 3509.** 79.04 (2) (a) of the statutes is amended to read:

18 79.04 (2) (a) Annually, the department of administration, upon certification by  
19 the department of revenue, shall distribute from the shared revenue account to any  
20 county having within its boundaries a production plant or a general structure,  
21 including production plants and general structures under construction, used by a  
22 light, heat or power company assessed under s. 76.28 (2), except property described  
23 in s. 66.069 (2) unless the production plant is owned or operated by a local  
24 governmental unit that is located outside of the municipality in which the production  
25 plant is located, or by an electric cooperative assessed under ss. 76.07 and 76.48,

**SECTION 3509**

1 respectively, or by a municipal electric company under s. 66.073 an amount  
2 determined by multiplying by 6 mills in the case of property in a town and by 3 mills  
3 in the case of property in a city or village the first \$125,000,000 of the amount shown  
4 in the account, plus leased property, of each public utility except qualified wholesale  
5 electric companies, as defined in s. 76.28 (1) (gm), on December 31 of the preceding  
6 year for either “production plant, exclusive of land” and “general structures”, or  
7 “work in progress” for production plants and general structures under construction,  
8 in the case of light, heat and power companies, electric cooperatives or municipal  
9 electric companies, for all property within a town the municipality in accordance  
10 with the system of accounts established by the public service commission or rural  
11 electrification administration, less depreciation thereon as determined by the  
12 department of revenue and less the value of treatment plant and pollution  
13 abatement equipment, as defined under s. 70.11 (21) (a), as determined by the  
14 department of revenue and by multiplying by 3 mills the first \$125,000,000 of the  
15 amount as defined in this subsection for all property within a city or village plus an  
16 amount from the shared revenue account determined by multiplying by 6 mills in the  
17 case of property in a town, and 3 mills in the case of property in a city or village, of  
18 the total original cost of production plant, general structures and work-in-progress  
19 less depreciation, land and approved waste treatment facilities of each qualified  
20 wholesale electric company, as defined in s. 76.28 (1) (gm), as reported to the  
21 department of revenue of all property within the municipality. The total of amounts,  
22 as depreciated, from the accounts of all public utilities for the same production plant  
23 is also limited to not more than \$125,000,000. The amount distributable to a county  
24 in any year shall not exceed \$100 times the population of the county.

25 **SECTION 3509b.** 79.04 (4) (a) of the statutes is amended to read:

**SECTION 3509b**

1           79.04 (4) (a) Annually, in addition to the amount distributed under sub. (1), the  
2 department of administration shall distribute \$50,000 to a municipality if spent  
3 nuclear fuel is stored within the municipality on December 31 of the preceding year.  
4 ~~If a spent nuclear fuel storage facility is located at a production plant located in more~~  
5 ~~than one municipality, the payment shall be apportioned according to the formula~~  
6 ~~under sub. (1) (c) 2. The payment to each municipality under this paragraph may~~  
7 ~~not be less than \$10,000 annually~~ If a spent nuclear fuel storage facility is located  
8 within one mile of a municipality, that municipality shall receive \$10,000 annually  
9 and the municipality where that storage facility is located shall receive \$40,000  
10 annually.

11           **SECTION 3509d.** 79.05 (1) (am) of the statutes is repealed.

12           **SECTION 3509m.** 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, for the year of the statement under s. 79.015 increased over its  
15 municipal budget as adjusted under sub. (6), exclusive of principal and interest on  
16 long-term debt, for the year before that year by less than the sum of ~~the inflation~~  
17 ~~factor~~ 3% and the valuation factor, rounded to the nearest 0.10%.

18           **SECTION 3509mi.** 79.05 (2m) of the statutes is repealed.

19           **SECTION 3509s.** 79.06 (2) (b) of the statutes is amended to read:

20           79.06 (2) (b) If the payments to a municipality or county, except any county in  
21 which there are no cities or villages, in 1985 ~~or any year thereafter~~ exceed its  
22 combined payments under this section and s. 79.03, excluding payments under s.  
23 79.03 (3c), in the previous year by more than the maximum allowable increase, the  
24 excess shall be withheld to fund minimum payments in that year under sub. (1) (c).

25           **SECTION 3510g.** 79.10 (7r) (b) of the statutes is amended to read:

**SECTION 3510g**

1           79.10 (7r) (b) The amounts determined under par. (a) shall be distributed by  
2 the department of administration on the first Friday in September during 1996 and  
3 every 5th year thereafter, based on applications on file with the county or city on  
4 August 1. A county or city shall inform the department of revenue of the number of  
5 applications on file before August 16.

6           **SECTION 3510h.** 79.10 (9) (c) of the statutes is amended to read:

7           79.10 (9) (c) *Credits shown on tax bill.* ~~The amount of the state property tax~~  
8 ~~credits of particular property taxpayers, as determined under pars. (b) and (bm),~~  
9 ~~shall be separately set forth on tax bills in the manner provided in s. 74.09.~~ The  
10 lottery credit under par. (bm) shall reduce the property taxes otherwise payable for  
11 those taxpayers who are eligible to receive that credit and who furnish the  
12 information required under sub. (10) (a), and the credit under par. (b) shall reduce  
13 the property taxes otherwise payable.

14           **SECTION 3510m.** 79.10 (10) (a) of the statutes is amended to read:

15           79.10 (10) (a) Beginning with property taxes levied in ~~1992~~ 1996, the owner of  
16 a principal dwelling who is entitled to receive a lottery credit under sub. (9) (bm) may  
17 claim the credit by making an application on a form prescribed by the department  
18 of revenue. A claimant whose principal dwelling is on a parcel of taxable property  
19 shall attest that, as of the certification date, the claimant is the owner of the property  
20 and that the claimant uses the property as his or her principal dwelling. The  
21 certification date is January 1 of the year in which the property taxes are levied. The  
22 claimant shall file the application with the treasurer of the county in which the  
23 property is located or, if the property is located in a city that collects taxes under s.  
24 74.87 ~~or in a city that receives the approval of the department of revenue to accept~~  
25 ~~applications~~, with the ~~city~~ treasurer of the city in which the property is located.

**SECTION 3510m**

1 Subject to review by the department of revenue, a treasurer who receives a completed  
2 application shall direct that the property described in the application be identified  
3 on the next tax roll as property for which the owner is entitled to receive a lottery  
4 credit. A claim that is made under this paragraph is valid for 5 years.

5 **SECTION 3510p.** 79.10 (10) (b) of the statutes is created to read:

6 79.10 (10) (b) A person who becomes eligible for a credit under sub. (5) may  
7 claim the credit by filing an application, on a form prescribed by the department of  
8 revenue, with the treasurer of the county in which the property is located or, if the  
9 property is located in a city that collects taxes under s. 74.87, with the treasurer of  
10 the city in which the property is located. Claims that are made under this paragraph  
11 become invalid when claims that are made under par. (a) become invalid.

12 **SECTION 3510t.** 79.10 (10) (c) of the statutes is created to read:

13 79.10 (10) (c) A person who becomes eligible for a credit under sub. (5) because  
14 of a purchase of a property may claim the credit by applying for it on the return under  
15 s. 77.22 (2). Claims that are made under this paragraph become invalid when claims  
16 that are made under par. (a) become invalid.

17 **SECTION 3510u.** 79.10 (10) (e) of the statutes is created to read:

18 79.10 (10) (e) Counties and any city authorized to act under s. 74.87 shall  
19 submit to the department of revenue all data related to the lottery credit and  
20 requested by the department of revenue.

21 **SECTION 3511.** 79.14 of the statutes is amended to read:

22 **79.14 (title) School levy tax credit.** The appropriation under s. 20.835 (3)  
23 (b) is \$319,305,000 in 1994, 1995 and 1996 and is \$469,305,000 in 1997 and  
24 thereafter.

25 **SECTION 3514.** 80.38 (2) of the statutes is amended to read:

1           80.38 (2) If 6 or more freeholders residing within the limits of the village or  
2 other plat wish any streets in the plat to be so declared public highways and opened  
3 to public use, they may apply to the town board for that purpose in the manner  
4 provided in s. 80.02. Upon that application, the town board shall make and file an  
5 order, within 10 days, declaring the streets to be public highways or refusing so to  
6 do. In either case, any person considering himself or herself aggrieved by the order  
7 may appeal to the circuit court for the same county by filing with the town clerk a  
8 notice of appeal, specifying the grounds of appeal, within 20 days from the filing of  
9 the order, together with a written undertaking of the appellant, with one or more  
10 sufficient sureties, to be approved by the town clerk for the payment of all costs that  
11 may be awarded against the appellant, and paying to the clerk the fee prescribed in  
12 s. 814.61 (8) ~~(a) 1. or~~ (am) 1. Within 20 days thereafter the town clerk shall deliver  
13 to the clerk of the circuit court all the papers in the case, together with the notice of  
14 appeal, with the date of service endorsed thereon, and pay the fee prescribed in s.  
15 814.61 (8) ~~(a) 1. or~~ (am) 1.; whereupon the clerk of the circuit court shall enter an  
16 action in the court record in which the appellant is the plaintiff and the town is the  
17 defendant. The issues as shown by the papers and the appeal shall be tried without  
18 further pleading, the same as in personal actions in circuit court, and judgment  
19 rendered and enforced as in other actions in which persons and municipal  
20 corporations are parties.

21           **SECTION 3515m.** 84.01 (13) of the statutes is amended to read:

22           84.01 (13) ENGINEERING SERVICES. The department may engage such  
23 engineering, consulting, surveying or other specialized services as it deems  
24 advisable. Any engagement of services under this subsection is exempt from ss.  
25 16.70 to 16.75, 16.755 to 16.82 and 16.85 to 16.89, but ss. 16.528, 16.752 and, 16.754

**SECTION 3515m**

1 and 16.855 (22) apply to such engagement. Any engagement involving an  
2 expenditure of \$3,000 or more shall be by formal contract approved by the governor.

3 **“SECTION 3516g.** 84.01 (30) of the statutes is created to read:

4 84.01 (30) ENVIRONMENTAL CLEAN-UP ACTIVITIES. From the appropriation under  
5 s. 20.395 (3) (aq), the department may fund environmental clean-up activities on  
6 lands acquired by the department that are not eligible to receive funding for such  
7 activities as part of a highway improvement project. Nothing in this subsection  
8 relieves a person from any responsibility to reimburse the department for any costs  
9 incurred by the department under this subsection.

10 **SECTION 3516m.** 84.013 (2) (c) of the statutes is created to read:

11 84.013 (2) (c) The department shall give priority to the completion of the major  
12 highway project authorized in sub. (3) (vL) in programming the expenditure of funds  
13 for major highway projects.

14 **SECTION 3516r.** 84.013 (3) (kb) to (km) of the statutes are created to read:

15 84.013 (3) (kb) USH 151 extending approximately 18.2 miles between USH 151  
16 west of Belmont and STH 23 south of Dodgeville, designated as the Belmont to  
17 Dodgeville project, in Lafayette and Iowa counties.

18 (kg) STH 16 and STH 16/67 extending approximately 7.4 miles from the  
19 junction of STH 16 with the Rock River to the STH 16/67 interchange east of  
20 Oconomowoc, designated as the Oconomowoc bypass, in Jefferson and Waukesha  
21 counties.

22 (km) USH 53 extending approximately 7.5 miles between USH 53 south of the  
23 USH 53/STH 93 interchange in Eau Claire and the USH 53/STH 124 interchange  
24 south of Chippewa Falls, designated as the Eau Claire freeway, in Eau Claire and  
25 Chippewa counties.

1           **SECTION 3517c.** 84.013 (3) (ye) of the statutes is amended to read:

2           84.013 (3) (ye) USH 10 between Appleton and Marshfield, in Winnebago,  
3           Outagamie, Waupaca, Portage and Wood counties.

4           **SECTION 3517g.** 84.02 (4) (b) of the statutes is amended to read:

5           84.02 (4) (b) No person shall mark any other highway routes or trails unless  
6           the route marked shall coincide exactly with the state trunk system. No such routes  
7           shall be marked until exact descriptions of the routes selected for marking have been  
8           filed with and the routes and markings approved by the department. Every route  
9           laid out and marked shall be made to conform to the state trunk system, and the  
10          person responsible for the marking of such route shall remove or erase such marks  
11          from every portion of such route which does not coincide with the state trunk  
12          highway system. The department shall report to the ~~secretary of state~~ department  
13          of financial institutions any violations of or failure to comply with the provisions of  
14          this subsection, and the ~~secretary of state~~ department of financial institutions shall  
15          thereupon revoke the privilege, license or incorporation of the offender, and the  
16          department shall cause the offending marks to be erased, removed or destroyed. The  
17          expense of such erasure, removal or destruction shall be paid out of funds  
18          appropriated to the department, and may be recovered in the name of the state from  
19          the person responsible for such unauthorized marking.

20          **SECTION 3517m.** 84.06 (1) of the statutes is amended to read:

21          84.06 (1) (title) ~~DEFINITIONS, PLANS.~~ “Improvement” In this section,  
22          “improvement” or “highway improvement” ~~as used in this section~~ includes  
23          construction, reconstruction and the activities, operations and processes incidental  
24          to building, fabricating or bettering a highway, public mass transportation system  
25          or street, but not maintenance.

**SECTION 3517m**

1           **(1m)** (title) PLANS. The department may prepare plans, estimates and  
2 specifications and undertake and perform all surveys, investigations and  
3 engineering work for any highway improvement within its jurisdiction. When  
4 provision has been made for the necessary funds for any such highway improvement  
5 and, if federal aid is to be utilized, when the project has been approved by the proper  
6 federal authorities, the department may proceed as provided in this section, with due  
7 regard to any applicable federal requirement or regulation.

8           **SECTION 3519g.** 84.06 (2) (a) of the statutes is amended to read:

9           84.06 **(2)** (a) All such highway improvements shall be executed by contract  
10 based on bids unless the department finds that another method as provided in sub.  
11 (3) or (4) would be more feasible and advantageous. Bids shall be advertised for in  
12 the manner determined by the department. Except as provided in s. 84.075, the  
13 contract shall be awarded to the lowest competent and responsible bidder as  
14 determined by the department. If the bid of the lowest competent bidder is  
15 determined by the department to be in excess of the estimated reasonable value of  
16 the work or not in the public interest, all bids may be rejected. The department shall,  
17 so far as reasonable, follow uniform methods of advertising for bids and may  
18 prescribe and require uniform forms of bids and contracts. Except as provided in par.  
19 (b), the secretary shall enter into the contract on behalf of the state. Every such  
20 contract is exempted from ss. 16.70 to 16.75, 16.755 to 16.82, 16.87 and 16.89, but  
21 ss. 16.528, 16.752 and, 16.754 and 16.855 (22) apply to the contract. Any such  
22 contract involving an expenditure of \$1,000 or more shall not be valid until approved  
23 by the governor. The secretary may require the attorney general to examine any  
24 contract and any bond submitted in connection with the contract and report on its  
25 sufficiency of form and execution. The bond required by s. 779.14 (1m) (b) for any

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1 such contract involving an expenditure of less than \$1,000 is exempt from approval  
2 by the governor and shall be subject to approval by the secretary. This subsection  
3 also applies to contracts with private contractors based on bids for maintenance  
4 under s. 84.07.

5 **SECTION 3519i.** 84.06 (4) of the statutes is amended to read:

6 **84.06 (4) SPECIAL CONTRACTS WITH RAILROADS AND UTILITIES.** If an improvement  
7 undertaken by the department will cross or affect the property or facilities of a  
8 railroad or public utility company, the department may, upon finding that it is  
9 feasible and advantageous to the state, arrange to perform portions of the  
10 improvement work affecting such facilities or property or perform work of altering,  
11 rearranging or relocating such facilities by contract with the railroad or public  
12 utility. Such contract shall be between the railroad company or public utility and the  
13 state and need not be based on bids. The contract may be entered into on behalf of  
14 the state by the secretary. Every such contract is exempted from s. 779.14 and from  
15 all provisions of chs. 16 and 230, except ss. 16.528, 16.752 and, 16.754 and 16.855  
16 (22). No such contract in which the total estimated debt to be incurred exceeds \$5,000  
17 shall be valid until approved by the governor. As used in this subsection, “public  
18 utility” means the same as in s. 196.01 (5), and includes a telecommunications carrier  
19 as defined in s. 196.01 (8m), and “railroad” means the same as in s. 195.02.  
20 “Property” as used in this subsection includes but is not limited to tracks, trestles,  
21 signals, grade crossings, rights-of-way, stations, pole lines, plants, substations and  
22 other facilities. Nothing in this subsection shall be construed to relieve any railroad  
23 or public utility from any financial obligation, expense, duty or responsibility  
24 otherwise provided by law relative to such property.

25 **SECTION 3519jc.** 84.076 (5) of the statutes is amended to read:

**SECTION 3519jc**

1           84.076 (5) SUNSET. This section does not apply after ~~June 30, 1995~~ September  
2           30, 1997.

3           **SECTION 3519je.** 84.078 (1) (a) of the statutes is renumbered 84.078 (1) (bm).

4           **SECTION 3519jg.** 84.078 (1) (am) of the statutes is created to read:

5           84.078 (1) (am) "High-volume industrial waste" means fly ash, bottom ash,  
6           paper mill sludge or foundry process waste, or any other waste with similar  
7           characteristics specified by the department of natural resources by rule.

8           **SECTION 3519jm.** 84.078 (1) (ar) of the statutes is created to read:

9           84.078 (1) (ar) "Highway improvement" has the meaning given in s. 84.06 (1).

10          **SECTION 3519jp.** 84.078 (1) (b) of the statutes is repealed.

11          **SECTION 3519jr.** 84.078 (2) of the statutes is amended to read:

12          84.078 (2) The department shall use or encourage the use of the maximum  
13          possible amount of recovered material, including ~~ash from industrial or utility~~  
14          ~~boilers, foundry sand, glass, paper mill sludge, wastepaper, pavement and rubber~~  
15          ~~recovered from waste tires~~ high-volume industrial waste as surfacing material,  
16          structural material, landscaping material and fill for all highway improvements, as  
17          ~~defined under s. 84.06 (1)~~, consistent with standard engineering practices. The  
18          department shall specify the proportion of recovered material that may be used in  
19          various types of highway improvements.

20          **SECTION 3519jt.** 84.078 (3) of the statutes is created to read:

21          84.078 (3) (a) Notwithstanding chs. 144, 147 and 160, no person is required to  
22          take or pay for any remedial or corrective action as a result of environmental  
23          pollution resulting from the use of high-volume industrial waste in a highway  
24          improvement project if all of the following apply:

1           1. The high-volume industrial waste is incorporated into the highway  
2 improvement in accordance with the policies, guidelines and rules applicable to the  
3 highway improvement at the time of the design of the improvement and at the time  
4 of certification under subd. 2.

5           2. The department of natural resources certifies to the department of  
6 transportation, before the time that the department of transportation advertises for  
7 bids for the improvement, that the high-volume industrial waste intended to be used  
8 and the design for the use of the high-volume industrial waste comply with all  
9 applicable state requirements or standards administered by the department of  
10 natural resources.

11           (b) The exemption under par. (a) extends to the transportation of high-volume  
12 industrial waste to or from the site of a highway improvement and to the storage of  
13 high-volume industrial waste at the site of a highway improvement. The exemption  
14 provided under par. (a) continues to apply after the date of certification by the  
15 department of natural resources under par. (a) 2., notwithstanding the occurrence  
16 of any of the following:

17           1. Statutes or rules are amended that would impose greater responsibilities on  
18 the department of transportation.

19           2. Alterations due to construction, maintenance, utility installation or other  
20 activities by the department of transportation or approved by the department of  
21 transportation after the completion of the highway improvement affect the  
22 high-volume industrial waste at the site of the highway improvement.

23           (c) The department of transportation and the department of natural resources  
24 may enter into agreements establishing standard lists of high-volume industrial  
25 waste that may be used in highway improvements and designs for the use of

1 high-volume industrial waste in highway improvements that comply with rules of  
2 the department of natural resources applicable at the time of the design of the  
3 highway improvement in order to simplify certification under par. (a) 2. to the  
4 greatest extent possible.

5 (d) 1. No state agency may commence an action or proceeding under federal or  
6 state law to require remedial action or to recover the costs of remedying  
7 environmental pollution related to the use of high-volume industrial waste in a  
8 highway improvement certified under par. (a) 2.

9 2. No person may commence an action under state law to require remedial  
10 action or to recover the costs of remedying environmental pollution related to the use  
11 of high-volume industrial waste in a highway improvement certified under par. (a)  
12 2.

13 **SECTION 3520.** 84.25 (11) of the statutes is amended to read:

14 84.25 (11) COMMERCIAL ENTERPRISES. No commercial enterprise, except a  
15 vending facility which is licensed by the department of health and social services  
16 industry, labor and human relations and operated by blind or visually impaired  
17 persons, shall be authorized or conducted within or on property acquired for or  
18 designated as a controlled-access highway.

19 **SECTION 3523g.** 84.59 (6) of the statutes is amended to read:

20 84.59 (6) Revenue obligations may be contracted by the building commission  
21 when it reasonably appears to the building commission that all obligations incurred  
22 under this section can be fully paid from moneys received or anticipated and pledged  
23 to be received on a timely basis. Revenue obligations issued under this section shall  
24 not exceed ~~\$950,834,000~~ \$1,089,701,500 in principal amount, excluding obligations  
25 issued to refund outstanding revenue obligations. Not more than ~~\$841,634,000~~

1 \$1,046,821,300 of the ~~\$950,834,000~~ \$1,089,701,500 may be used for transportation  
2 facilities under s. 84.01 (28) and major highway projects under ss. 84.06 and 84.09.

3 **SECTION 3524g.** 85.012 of the statutes is created to read:

4 **85.012 Plans and programs exempt from consideration of**  
5 **environmental impacts.** A plan or program under the jurisdiction of the  
6 department is not a major action significantly affecting the quality of the human  
7 environment under s. 1.11 (2). For purposes of this section, a plan or program of the  
8 department does not include a transportation project under the jurisdiction of the  
9 department.

10 **SECTION 3524m.** 85.015 of the statutes is amended to read:

11 **85.015 Transportation assistance contracts.** All contracts entered into  
12 under this chapter to provide financial assistance in the areas of railroads, urban  
13 mass transit, specialized transportation, and harbors are subject to ss. 16.528 and  
14 16.752 but are exempt from ss. 16.70 to 16.75, 16.755 to 16.82 and 16.85 to 16.89,  
15 except that ss. 16.702 and 16.855 (22) apply to such contracts.

16 **SECTION 3524pe.** 85.022 (1) (m) of the statutes is repealed.

17 **SECTION 3524pg.** 85.022 (2) of the statutes is created to read:

18 85.022 (2) (a) The department shall allocate \$250,000 in each fiscal year of the  
19 1995-97 biennium from the appropriation under s. 20.395 (2) (hq) for a study of  
20 high-speed rail service in the southern transportation corridor between this state  
21 and the state of Minnesota.

22 (b) 1. Except as provided in subd. 2., funds may be expended under par. (a) only  
23 to match funds, at the ratio of one-to-one from the state of Minnesota for the study.

1           2. No funds may be expended under par. (a) unless the federal government  
2           contributes funds for a study under par. (a) in an amount equal to the total amount  
3           of funds from this state and the state of Minnesota for the study.

4           **SECTION 3524pj.** 85.026 of the statutes is created to read:

5           **85.026 Urban rail transit system studies.** Notwithstanding any other  
6           provision of this chapter, the department may not expend any moneys for the study  
7           of an urban rail transit system, including any light rail transit system.

8           **SECTION 3524pm.** 85.061 (3) of the statutes is amended to read:

9           85.061 (3) PROGRAM. The department shall administer a rail passenger route  
10          development program. From the appropriation under s. 20.866 (2) (up), the  
11          department may fund capital costs related to Amtrak service extension routes or  
12          other rail service routes between the cities of Milwaukee and Madison and between  
13          the cities of Milwaukee and Green Bay. ~~The extension of the~~ Any route between the  
14          cities of Milwaukee and Green Bay funded under the program shall provide service  
15          to population centers along the route in a manner that makes the route most  
16          economically feasible. The department may not use any proceeds from the bond issue  
17          authorized under s. 20.866 (2) (up) for ~~the extension of~~ a route under this subsection  
18          unless the department submits evidence to the joint committee on finance that  
19          Amtrak or the applicable railroad has agreed to provide rail passenger service on  
20          that ~~extension~~ route and the joint committee on finance approves the use of the  
21          proceeds. The department may contract with Amtrak, railroads or other persons to  
22          perform the activities under this subsection.

23          **SECTION 3524pr.** 85.08 (4m) (e) 1. of the statutes is amended to read:

24          85.08 (4m) (e) 1. Upon the request of an eligible applicant, the department may  
25          negotiate and enter into a loan agreement with the eligible applicant for purposes

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1 of rehabilitating a rail line or to finance an economic development and transportation  
2 efficiency project, including a project designed to promote safety or the viability of  
3 a statewide system of freight rail service, to assist intermodal freight movement or  
4 to provide industry access to a rail line. A loan made under this paragraph shall  
5 finance a project that confers a public benefit or enhances economic development in  
6 this state. Loans made under this paragraph shall be paid from the appropriation  
7 under s. 20.395 (2) ~~(bt)~~, (bu), (bw) or (bx).

8 **SECTION 3524pt.** 85.085 (1) of the statutes is renumbered 85.085 (1m).

9 **SECTION 3524pv.** 85.085 (1b) of the statutes is created to read:

10 85.085 **(1b)** In this section, “rehabilitated” means a significant rebuilding of  
11 railroad track that restores severely deteriorated track to a minimum service  
12 standard or, for track that is at or above a minimum service standard, that increases  
13 the service standard of the track.

14 **SECTION 3524px.** 85.085 (3) of the statutes is amended to read:

15 85.085 **(3)** The department shall not make any payment under this section  
16 unless the applicable private road crossing permit provides that the rail transit  
17 commission shall, at the user’s sole cost and expense, maintain, repair and renew the  
18 private road crossing. “Maintain, repair and renew” does not include any rebuilding  
19 of a private road crossing that is required because the applicable tracks have been  
20 rehabilitated.

21 **SECTION 3525.** 85.09 (4m) of the statutes is amended to read:

22 85.09 **(4m)** RELOCATION PLAN. The department is exempt from s. 32.25 (1) if the  
23 department determines that acquiring rail property under this section will not result  
24 in any displaced persons as defined in s. 32.19 (2) (e). The department shall file a

1 statement of its determinations with the department of industry, labor and human  
2 relations development.

3 **SECTION 3526fg.** 85.145 of the statutes is created to read:

4 **85.145 Television and video services.** The department shall use other  
5 publicly owned television or video production facilities to the maximum extent  
6 possible before contracting with any private entity to provide any television or video  
7 services to the department.

8 **SECTION 3526fm.** 85.19 (1) of the statutes is amended to read:

9 85.19 (1) STANDARDS. The department, in consultation with the department of  
10 natural resources, shall, by rule, establish standards for the control of soil erosion  
11 related to highway and bridge construction that is funded in whole or in part with  
12 state or federal funds. ~~At a minimum, the standards shall require the use of best~~  
13 ~~management practices~~ No standard established under this section applicable to the  
14 construction, rehabilitation or improvement of any highway may be more stringent  
15 than the standards required under federal law. In this subsection, "highway" has the  
16 meaning given in s. 340.01 (22).

17 **SECTION 3526ft.** 85.20 (4m) (a) of the statutes is renumbered 85.20 (4m) (a)  
18 (intro.) and amended to read:

19 85.20 (4m) (a) (intro.) ~~From the amounts appropriated under s. 20.395 (1) (bq),~~  
20 ~~an amount equal to 42% of the projected operating expenses of each eligible~~  
21 ~~applicant's urban mass transit system~~ An amount shall be allocated to each eligible  
22 applicant. to ensure that the sum of state and federal aids for the projected operating  
23 expenses of each eligible applicant's urban mass transit system is equal to a uniform  
24 percentage, established by the department, of the projected operating expenses of  
25 the mass transit system. The department shall make allocations as follows:

**SECTION 3526fw**

1           **SECTION 3526fw.** 85.20 (4m) (a) 1. to 3. of the statutes are created to read:

2           85.20 (4m) (a) 1. From the appropriation under s. 20.395 (1) (bq), the uniform  
3 percentage for an urban mass transit system operating within an urban area having  
4 a population as shown in the 1990 federal decennial census of less than 50,000.

5           2. From the appropriation under s. 20.395 (1) (bs), the uniform percentage for  
6 an urban mass transit system operating within an urban area having a population  
7 as shown in the 1990 federal decennial census of at least 50,000 but not more than  
8 200,000 and meeting the federal definition of urbanized area for the purpose of  
9 federal mass transit aid.

10          3. From the appropriation under s. 20.395 (1) (bu), the uniform percentage for  
11 an urban mass transit system operating within an urban area having a population  
12 as shown in the 1990 federal decennial census of more than 200,000 and meeting the  
13 federal definition of urbanized area for the purpose of federal mass transit aid.

14          **SECTION 3526ge.** 85.20 (4m) (am) of the statutes is repealed.

15          **SECTION 3526gg.** 85.20 (4m) (e) of the statutes is repealed.

16          **SECTION 3526gm.** 85.20 (4m) (em) 1. of the statutes is amended to read:

17          85.20 (4m) (em) 1. An amount equal to 42% the same percentage of the audited  
18 operating expenses for the project year of the applicant's urban mass transit system  
19 that is specified for allocations to the applicant under par. (a) 1. to 3.

20          **SECTION 3526gt.** 85.20 (4s) of the statutes is amended to read:

21          85.20 (4s) PAYMENT OF AIDS UNDER THE CONTRACT. The contracts executed  
22 between the department and eligible applicants under this section shall provide that  
23 the payment of the state aid allocation under sub. (4m) (a) for the last quarter of the  
24 state's fiscal year shall be provided from the following fiscal year's appropriation  
25 under s. 20.395 (1) (bq), (bs) or (bu).

1           **SECTION 3526he.** 85.20 (7) of the statutes is created to read:

2           **85.20 (7) COST-EFFICIENCY STANDARDS.** (a) The department shall establish  
3 cost-efficiency standards for the urban mass transit system specified in sub. (4m) (a)  
4 1. to 3. The contracts executed between the department and eligible applicants  
5 under this section for any period beginning on or after January 1, 1997, shall provide  
6 that the department may do any of the following if costs are incurred by the eligible  
7 applicant's urban mass transit system which are inconsistent with the standards  
8 established under this subsection:

9           1. Exclude those costs from operating expenses for purposes of sub. (4m).

10          2. Reduce the amount of state aid allocation under sub. (4m) (a).

11          (b) The department shall specify by rule the cost-efficiency standards under  
12 this subsection, including rules for the implementation of par. (a) 1. and 2.

13           **SECTION 3526hg.** 85.24 (3) (d) (intro.) of the statutes is amended to read:

14           **85.24 (3) (d) (intro.)** The department may award grants from the appropriation  
15 under s. 20.395 (1) ~~(bs)~~ (ds) to public and private organizations for the development  
16 and implementation of demand management and ride-sharing programs. As a  
17 condition of obtaining a grant under this paragraph, a public or private organization  
18 may be required to provide matching funds at any percentage. The department shall  
19 give priority in the awarding of grants to those programs that provide the greatest  
20 reduction in automobile trips, especially during peak hours of traffic congestion. The  
21 department shall have all powers necessary and convenient to implement this  
22 paragraph, including the following powers:

23           **SECTION 3526hj.** 85.243 (title) of the statutes is amended to read:

24           **85.243 (title) Surface transportation discretionary grants projects**  
25 **program.**

1           **SECTION 3526hm.** 85.243 (2) (a) of the statutes is amended to read:

2           85.243 (2) (a) The department shall administer a surface transportation  
3 ~~discretionary grants~~ projects program to promote the development and  
4 implementation of surface transportation projects that foster the diverse  
5 transportation needs of the people of this state. Annually, the department may make  
6 grants to eligible applicants and other state agencies for surface transportation  
7 projects that promote nonhighway use or that otherwise supplement existing  
8 transportation activities. A grant may not exceed 80% of the total cost of a project.

9           The department shall give priority to funding projects that foster alternatives to  
10 single-occupancy automobile trips. In deciding whether to award a grant under this  
11 section, the department may consider whether other funding sources are available  
12 for the proposed project.

13           **SECTION 3526hr.** 85.243 (2) (b) 5. of the statutes is created to read:

14           85.243 (2) (b) 5. To conduct a project.

15           **SECTION 3526m.** 85.26 of the statutes, as affected by 1995 Wisconsin Act ...  
16 (this act), is renumbered 106.26.

17           **SECTION 3526mg.** 85.26 (2) (a) of the statutes is renumbered 85.26 (2) (a)  
18 (intro.) and amended to read:

19           85.26 (2) (a) (intro.) “Eligible applicant” means a an applicant that provides  
20 employment, training or job placement services in a county with a population of  
21 500,000 or more and which is one of the following:

22           1. A local public body or a private organization, which is located in the county.

23           **SECTION 3526mm.** 85.26 (2) (a) 2. of the statutes is created to read:

24           85.26 (2) (a) 2. Two or more state agencies coordinating such services.

25           **SECTION 3526s.** 85.50 of the statutes is repealed.

1           **SECTION 3526t.** 85.51 of the statutes is created to read:

2           **85.51 Third-party registration, titling and other transactions.** (1) In  
3 this section, "contractor" means a person who has contracted with the department  
4 to perform services under this section.

5           (2) (a) The department may contract with any person for any of the following  
6 services:

7           1. Processing of applications for original or renewal registrations under ch. 341  
8 and certificates of title under ch. 342.

9           2. Furnishing abstracts of operating records under s. 343.24.

10          3. Furnishing other operator or vehicle records.

11          (b) The department may not compensate a contractor for services provided  
12 under this section.

13          (3) A contract with a contractor shall contain the following provisions:

14          (a) The amount of fees, if any, that the contractor may charge a person for  
15 services provided under sub. (2) (a).

16          (b) Within 7 business days after the completion of an application, the contractor  
17 shall process the application and submit any required fees and other documentation  
18 to the department.

19          (c) The contractor shall retain all records specified in the contract for a period  
20 of at least 5 years.

21          (d) The department or its representative may, without any prior notice, conduct  
22 random inspections and audits of the contractor.

23          (4) Any restriction, prohibition or limitation on release by the department of  
24 any information or record maintained by the department shall apply to the release  
25 of information by a contractor under this section.

1           **SECTION 3527c.** 86.30 (2) (a) 3. d. of the statutes is amended to read:

2           86.30 (2) (a) 3. d. In calendar year 1995 and thereafter, \$1,350.

3           **SECTION 3527e.** 86.30 (2) (a) 3. c. of the statutes is repealed.

4           **SECTION 3527g.** 86.30 (2) (a) 3. e. of the statutes is created to read:

5           86.30 (2) (a) 3. e. In calendar year 1996, \$1,415.

6           **SECTION 3527i.** 86.30 (2) (a) 3. f. of the statutes is created to read:

7           86.30 (2) (a) 3. f. In calendar year 1997 and thereafter, \$1,480.

8           **SECTION 3527k.** 86.30 (9) of the statutes is amended to read:

9           86.30 (9) AIDS CALCULATIONS. (b) For the purpose of calculating and  
10 distributing aids under sub. (2), the amounts for aids to counties are ~~\$63,392,900 in~~  
11 ~~calendar year 1994~~ and \$66,588,900 in calendar year 1995, \$71,030,000 in calendar  
12 year 1996 and \$75,917,700 in calendar year 1997 and thereafter. These amounts,  
13 to the extent practicable, shall be used to determine the statewide county average  
14 cost-sharing percentage in the particular calendar year.

15           (c) For the purpose of calculating and distributing aids under sub. (2), the  
16 amounts for aids to municipalities are ~~\$197,814,700 in calendar year 1994~~ and  
17 \$209,496,900 in calendar year 1995, \$216,989,200 in calendar year 1996 and  
18 \$224,657,100 in calendar year 1997 and thereafter. These amounts, to the extent  
19 practicable, shall be used to determine the statewide municipal average  
20 cost-sharing percentage in the particular calendar year.

21           **SECTION 3527m.** 86.31 (3m) of the statutes is amended to read:

22           86.31 (3m) TOWN ROAD IMPROVEMENTS. From the appropriation under s. 20.395  
23 (2) (fr), the department shall allocate ~~\$500,000 in each fiscal year~~ \$515,000 in fiscal  
24 year 1995-96 and \$530,500 in fiscal year 1996-97 and thereafter to fund town road  
25 improvements with eligible costs totaling \$100,000 or more. The funding of

**SECTION 3527m**

1 improvements under this subsection is in addition to the allocation of funds for  
2 entitlements under sub. (3).

3 **SECTION 3527p.** 86.315 (1) of the statutes is amended to read:

4 86.315 (1) From the appropriation under s. 20.395 (1) (fu), the department  
5 shall annually, on March 10, pay to counties having county forests established under  
6 ch. 28, for the improvement of public roads within the county forests which are open  
7 and used for travel and which are not state or county trunk highways or town roads  
8 and for which no aids are paid under s. 86.30, the amount of \$200 \$600 per mile of  
9 road designated in the comprehensive county forest land use plan as approved by the  
10 county board and the department of natural resources. If the amount appropriated  
11 under s. 20.395 (1) (fu) is insufficient to make the \$200 \$600 per mile payments under  
12 this subsection, the department shall prorate the amount appropriated in the  
13 manner it deems desirable.

14 **SECTION 3527r.** 86.32 (2) (am) 5. and 6. of the statutes are repealed.

15 **SECTION 3527t.** 86.32 (2) (am) 8. of the statutes is created to read:

16 86.32 (2) (am) 8. For 1996, \$10,782 per lane mile for municipalities having a  
17 population over 500,000; \$9,987 per lane mile for municipalities having a population  
18 of 150,001 to 500,000; \$8,900 per lane mile for municipalities having a population of  
19 35,001 to 150,000; \$7,840 per lane mile for municipalities having a population of  
20 10,000 to 35,000; and \$6,755 per lane mile for municipalities having a population  
21 under 10,000.

22 **SECTION 3527w.** 86.32 (2) (am) 9. of the statutes is created to read:

23 86.32 (2) (am) 9. For 1997, \$11,105 per lane mile for municipalities having a  
24 population over 500,000; \$10,287 per lane mile for municipalities having a  
25 population of 150,001 to 500,000; \$9,167 per lane mile for municipalities having a

1 population of 35,001 to 150,000; \$8,075 per lane mile for municipalities having a  
2 population of 10,000 to 35,000; and \$6,958 per lane mile for municipalities having  
3 a population under 10,000.

4 **SECTION 3528m.** 87.305 (1) (d) of the statutes is amended to read:

5 87.305 (1) (d) The state historic preservation officer reviews the developer's  
6 plans for preservation or rehabilitation of the Dousman hotel and certifies that the  
7 preservation or rehabilitation will be consistent with the standards used by the U.S.  
8 secretary of the interior to certify rehabilitations under 26 USC 48 (g) (2) (C) 47 (c)  
9 (2).

10 **SECTION 3528p.** 87.305 (2) (d) of the statutes is amended to read:

11 87.305 (2) (d) The state historic preservation officer determines that the  
12 preservation or rehabilitation of the Dousman hotel is not consistent with the  
13 standards used by the U.S. secretary of the interior to certify rehabilitations under  
14 26 USC 48 (g) (2) (C) 47 (c) (2).

15 **SECTION 3529b.** 88.05 (6) of the statutes is amended to read:

16 88.05 (6) Railroad companies shall file with the ~~secretary of state~~ department  
17 of financial institutions a document stating the name and post-office address of the  
18 person upon whom any notice required by this chapter may be served.

19 **SECTION 3529m.** 88.62 (3) of the statutes is amended to read:

20 88.62 (3) If drainage work is undertaken in navigable waters, the drainage  
21 board shall obtain a permit under s. ~~30.20 or 88.31 or ch. 31, as directed by the~~  
22 ~~department of natural resources.~~

23 **SECTION 3530g.** 88.72 (3) of the statutes is amended to read:

24 88.72 (3) At the hearing on the petition, any interested person may appear and  
25 contest its sufficiency and the necessity for the work. If the drainage board finds that

1 the petition has the proper number of signers and that to afford an adequate outlet  
2 it is necessary to remove dams or other obstructions from waters and streams which  
3 may be navigable, or to straighten, clean out, deepen or widen any waters or streams  
4 either within or beyond the limits of the district, the board shall file an application  
5 with the department of natural resources as provided in s. ~~30.20 or 88.31~~, as directed  
6 by the department of natural resources. Thereafter, proceedings shall be had as  
7 provided in s. ~~30.20 or 88.31~~ insofar as the same is applicable.

8 **SECTION 3530r.** 88.72 (4) of the statutes is amended to read:

9 88.72 (4) Within 30 days after the department of natural resources has issued  
10 a permit under s. ~~30.20 or 88.31~~, the board shall proceed to estimate the cost of the  
11 work, including the expenses of the proceeding together with the damages that will  
12 result from the work, and shall, within a reasonable time, award damages to all lands  
13 damaged by the work and assess the cost of the work against the lands in the district  
14 in proportion to the assessment of benefits then in force.

15 **SECTION 3540.** 91.19 (6s) (a) (intro.) of the statutes is amended to read:

16 91.19 (6s) (a) (intro.) The department may release from a farmland  
17 preservation agreement any land acquired or to be acquired by a local unit of  
18 government, as defined in s. ~~16.20~~ 106.215 (1) (e), for public improvements or  
19 structures, including highway improvements, if all of the following occur:

20 **SECTION 3549p.** 92.103 (2) of the statutes is amended to read:

21 92.103 (2) This section does not apply after June 30, ~~1995~~ 1997.

22 **SECTION 3550.** 92.14 (4r) of the statutes is amended to read:

23 92.14 (4r) REQUESTING TRANSFER OF FUNDS. The department shall submit a  
24 request to the joint committee on finance for the transfer of funds from the

1 appropriation under s. 20.370 ~~(4) (eq)~~ (6) (aq) to the appropriation under s. 20.115 (7)  
2 (qd) if necessary to provide grants under sub. (4) (c).

3 **SECTION 3551.** 92.14 (5) (b) of the statutes is amended to read:

4 92.14 (5) (b) The department, with the approval of the board, may request the  
5 department of natural resources to transfer funds from the appropriation account  
6 under s. 20.370 ~~(4) (ee) or (eq)~~ (6) (aa) or (aq) to the appropriation account under s.  
7 20.115 (7) (km) if the funds are needed to pay grants under par. (a).

8 **SECTION 3552m.** 93.02 of the statutes is amended to read:

9 **93.02 Staff.** The secretary shall appoint all staff necessary for the carrying out  
10 of the duties of the department, all of whom shall be under the classified service  
11 except the deputy secretary, ~~the executive assistant~~ and, subject to s. 230.08 (4) (a),  
12 the administrators of divisions. Each such deputy secretary, ~~executive assistant~~ or  
13 administrator shall be appointed by the secretary with the approval of the board.

14 **SECTION 3554.** 93.07 (10) (a) of the statutes is renumbered 93.07 (10) and  
15 amended to read:

16 93.07 (10) ANIMAL HEALTH; QUARANTINE. To protect the health of domestic  
17 animals of the state; to determine and employ the most efficient and practical means  
18 for the prevention, suppression, control and eradication of communicable diseases  
19 among domestic animals, and for these purposes it may establish, maintain, enforce  
20 and regulate such quarantine and such other measures relating to the importation,  
21 movement and care of animals and their products, the disinfection of suspected  
22 localities and articles, and the disposition of animals, as the department may deem  
23 necessary. The definition of "communicable disease" in s. 990.01 (5g) does not apply  
24 to this paragraph subsection.

25 **SECTION 3555.** 93.07 (10) (b) of the statutes is repealed.

**SECTION 3556**

1           **SECTION 3556.** 93.07 (22) of the statutes is repealed.

2           **SECTION 3560.** 93.40 (3) (b) of the statutes is amended to read:

3           93.40 (3) (b) Establish, manage and operate permanent or temporary dairy  
4 promotion centers to be operated by the department in cooperation with the  
5 department of development tourism tourist information centers along major  
6 highways into the state.

7           **SECTION 3561.** 93.41 (2m) of the statutes is repealed.

8           **SECTION 3562.** 93.41 (3) of the statutes is repealed.

9           **SECTION 3566.** 93.42 (2) of the statutes is repealed.

10          **SECTION 3566e.** 93.42 (3) of the statutes is created to read:

11          93.42 (3) No later than the first day of the 7th month beginning after the  
12 effective date of this subsection .... [revisor inserts date], the department and the  
13 department of development shall enter into a memorandum of understanding that  
14 includes a strategic plan for international agribusiness marketing and development  
15 and that specifies how the departments will coordinate their promotional efforts  
16 relating to agricultural and agribusiness products.

17          **SECTION 3567.** 93.47 (2) of the statutes is amended to read:

18          93.47 (2) The department may award grants from the appropriation under s.  
19 ~~20.115 (7) (k)~~ to individuals or organizations to fund demonstration projects designed  
20 to encourage the use of sustainable agriculture. The department shall promulgate  
21 rules to govern the sustainable agriculture grant program under this section.

22          **SECTION 3567e.** 93.47 (3) of the statutes is created to read:

23          93.47 (3) This section does not apply after June 30, 1996, unless the senate and  
24 assembly standing committees with jurisdiction over agricultural matters, as  
25 determined by the speaker of the assembly and the president of the senate, have

1 approved the funding report of the department under 1995 Wisconsin Act .... (this  
2 act), section 9104 (4g).

3 **SECTION 3568.** 93.60 of the statutes is amended to read:

4 **93.60 Computer system equipment, staff and services transfers.** The  
5 department may transfer to the appropriation account under s. 20.115 (8) (k) in each  
6 fiscal year an amount from the ~~appropriations~~ appropriation accounts under s.  
7 20.115 (1) (g), (gb), (gh), (gm), (hm), (j), (jm), (m), (r) and (s), (2) (g), (ha), (j), (k) and  
8 (m), (3) (g), (h), (i), (~~j~~), (ja), (L) and (m), (7) (g), (ga), (gm), (ig), (k) and (m) and (8) (ga),  
9 (gm), (h), (ha), (i), (j), (kp), (ks), (m) and (pz) and (9) (m). The total amount that the  
10 department transfers in each fiscal year from these ~~appropriations~~ appropriation  
11 accounts to the appropriation account under s. 20.115 (8) (k) may not exceed the  
12 amount specified in the schedule under s. 20.115 (8) (k) for each fiscal year. The  
13 amounts transferred from each appropriation account shall be based on the actual  
14 costs incurred by the department for computer system equipment, staff and services  
15 provided for the purpose of that appropriation account.

16 **SECTION 3569.** 93.60 of the statutes, as affected by 1995 Wisconsin Act .... (this  
17 act), is amended to read:

18 **93.60 Computer system equipment, staff and services transfers.** The  
19 department may transfer to the appropriation account under s. 20.115 (8) (k) in each  
20 fiscal year an amount from the appropriation accounts under s. 20.115 (1) (g), (gb),  
21 (gh), (gm), (hm), (j), (jm), (m), (r) and (s), (2) (g), (ha), (j), (k) and (m), (3) (g), (h), (i),  
22 (ja), (L) and (m), (7) (g), (ga), (gm), (~~ig~~), (k) and (m) and (8) (ga), (gm), (h), (ha), (i), (j),  
23 (kp), (ks), (m) and (pz) and (9) (m). The total amount that the department transfers  
24 in each fiscal year from these appropriation accounts to the appropriation account  
25 under s. 20.115 (8) (k) may not exceed the amount specified in the schedule under s.

1 20.115 (8) (k) for each fiscal year. The amounts transferred from each appropriation  
2 account shall be based on the actual costs incurred by the department for computer  
3 system equipment, staff and services provided for the purpose of that appropriation  
4 account.

5 **SECTION 3569p.** 94.10 (3) (a) of the statutes is amended to read:

6 94.10 (3) (a) No person may engage as a nurseryman in this state without a  
7 license from the department. Such license expires on March 31 of each year.  
8 Applications for license shall be submitted on a form prescribed by the department,  
9 and shall be accompanied by payment of the required fee. The fee for nurserymen  
10 whose gross annual sales of nursery stock do not exceed ~~\$500~~ \$5,000 is \$10. The fee  
11 for nurserymen whose gross annual sales exceed ~~\$500~~ \$5,000 is based on  
12 total acreage and is as follows: \$35 for less than 10 acres; and \$35 for 10 acres or more  
13 with an additional acreage fee of \$25 for each 25 acres or fraction thereof for all  
14 acreage in excess of 10. Nurserymen selling nursery stock from a supply on hand at  
15 other than a nursery location shall pay an additional fee of \$25 for each such place  
16 of business. Each nurseryman shall buy, sell and distribute only nursery stock from  
17 officially inspected sources. Upon request of the department, the nurseryman shall  
18 furnish a list of all sources from which the nursery stock is secured and all locations  
19 where such stock is sold. No license is transferable.

20 **SECTION 3569q.** 94.10 (3) (b) 1. a. to c. of the statutes are amended to read:

21 94.10 (3) (b) 1. a. If the applicant's gross annual sales of nursery stock are not  
22 more than ~~\$500~~ \$5,000, \$20.

23 b. If the applicant's gross annual sales of nursery stock are more than ~~\$500~~  
24 \$5,000 and the applicant's nursery is less than 10 acres, \$90.

1 c. If the applicant's gross annual sales of nursery stock are more than \$500  
2 \$5,000 and the applicant's nursery is 10 acres or more, the sum of \$90 plus \$10 for  
3 each 25 acres or fraction of 25 acres in excess of 10.

4 **SECTION 3570.** 94.29 of the statutes is amended to read:

5 **94.29 Appeal.** If either party is not satisfied with the award the party may,  
6 within 10 days after the delivery of the copy thereof to him or her, serve upon either  
7 of the arbitrators notice of appeal from their award to the circuit court of the county  
8 in which the lands or any part thereof are situated and pay to the arbitrators the  
9 whole amount of their fees plus the fee prescribed in s. 814.61 (8) ~~(a) 1. or~~ (am) 1.; and  
10 if the party required to pay the damages gives notice of an appeal therefrom he or  
11 she shall file with the notice of appeal an undertaking, signed by 2 or more sureties,  
12 to be approved by at least 2 of the arbitrators, in double the amount of the award,  
13 conditioned to pay any judgment that may be rendered against the party upon  
14 appeal. Upon filing the notice of appeal and undertaking, when required, the  
15 arbitrators, or 2 of them, shall, within 10 days, make and sign a full statement of the  
16 proceedings had by them and of their award and file the same with the clerk of circuit  
17 court and pay the fee prescribed in s. 814.61 (8) ~~(a) 1. or~~ (am) 1.; and thereupon the  
18 clerk shall enter an action in which the claimant is the plaintiff, which shall be  
19 deemed then at issue, and proceedings shall be had thereon in like manner as in  
20 other civil actions in the court. Unless the appellant obtains a more favorable  
21 judgment upon appeal, he or she shall pay costs; otherwise, the respondent.

22 **SECTION 3572.** 94.704 (3) (a) of the statutes is amended to read:

23 94.704 (3) (a) Except as provided under par. (b), a licensee under this section  
24 shall pay an annual license fee of ~~\$50~~ \$60. The department shall deposit all license  
25 fees collected under this paragraph in the agrichemical management fund.

**SECTION 3573**

1           **SECTION 3573.** 94.705 (1) (title) of the statutes is amended to read:

2           94.705 (1) (title) CERTIFICATION REQUIREMENTS; FEES.

3           **SECTION 3574.** 94.705 (1) (d) of the statutes is amended to read:

4           94.705 (1) (d) Except as provided under sub. (4), no commercial applicator may  
5 be certified except upon satisfactory completion of a written examination. The  
6 examination shall be designed to test the applicant's competency in each category of  
7 pesticide use for which the applicant seeks certification. ~~A commercial applicator  
8 applying for certification shall pay an examination fee of \$10 for each examination  
9 in each certification category. If an applicant fails an examination in any  
10 certification category, the applicant shall pay a fee of \$5 each time the examination  
11 is retaken. The department may not administer an examination under this  
12 paragraph unless the applicant has paid the required fee. Any person exempt from  
13 license fees under s. 94.704 (3) (b) is also exempt from examination fees under this  
14 paragraph. The department shall deposit the fees collected under this paragraph in  
15 the agrichemical management fund.~~

16           **SECTION 3574q.** 94.73 (7) (a) of the statutes is amended to read:

17           94.73 (7) (a) Beginning on August 1, 1994, the department may, in accordance  
18 with this subsection, make payments to responsible persons who are eligible for  
19 reimbursement under sub. (3) and for whom the department has authorized  
20 reimbursement under sub. (6). The department shall make payments from the  
21 appropriations under s. 20.115 (7) (e) and (w), subject to the availability of funds in  
22 those appropriations. The department shall make payments from each  
23 appropriation in the proportion that the amount of funds available from that  
24 appropriation bears to the total amount of funds available from both appropriations.

25           **SECTION 3574r.** 94.73 (7) (e) of the statutes is amended to read:

**SECTION 3574r**

1           94.73 (7) (e) The department shall make payments under par. (b) when funds  
2 are available in the appropriations under s. 20.115 (7) (e) and (w). The department  
3 shall make all payments under pars. (c) and (d) on the last day of each fiscal year in  
4 which a responsible person is entitled to receive a payment, except that the  
5 department may make initial payments for applications granted after April 30 of any  
6 year on the last day of the following fiscal year. When, on the last day of a fiscal year,  
7 the amount of funds available in the appropriations under s. 20.115 (7) (e) and (w)  
8 exceeds the amount necessary to make all payments under pars. (b), (c) and (d), the  
9 department may make an additional payment to a responsible person who received  
10 a payment under par. (b) or may increase the amount of a payment to a responsible  
11 person under par. (b) or (c) over the \$50,000 or \$100,000 maximum authorized under  
12 those paragraphs if the responsible person is authorized under sub. (6) to receive  
13 additional reimbursement. After paying the full amount authorized under sub. (6)  
14 to all responsible persons under pars. (b) and (c), the department may increase the  
15 amount of a payment to a responsible person under par. (d) over the \$50,000  
16 maximum authorized under par. (d) if the responsible person is authorized under  
17 sub. (6) to receive additional reimbursement.

18           **SECTION 3576.** 95.179 of the statutes is repealed.

19           **SECTION 3597b.** 96.17 (6) of the statutes is amended to read:

20           96.17 (6) If a handler is not a resident or is not authorized to do business in this  
21 state, the handler may designate an agent upon whom service of process may be  
22 made in this state. The agent shall be a resident of this state or a corporation  
23 authorized to do business in this state. The designation shall be in writing and filed  
24 with the secretary of state department of financial institutions. If no designation is  
25 made and filed or if process cannot be served in this state upon the designated agent,

1 after reasonable effort, process may be served upon the ~~secretary of state~~ department  
2 of financial institutions.

3 **SECTION 3598.** 97.21 (4) (c) of the statutes is amended to read:

4 97.21 (4) (c) *Surcharge for operating without a license.* An applicant for a bulk  
5 milk tanker operator or milk distributor license shall pay a license fee surcharge of  
6 \$100 or twice the amount of the annual license fee specified under sub. (4m),  
7 whichever is less if the department determines that, within one year prior to  
8 submitting the license application, the applicant operated without a license or grade  
9 A permit in violation of this ~~subsection~~ section. Payment of this license fee surcharge  
10 does not relieve the applicant of any other civil or criminal liability which results  
11 from a violation of sub. (2) or (3), but does not constitute evidence of any violation of  
12 law.

13 **SECTION 3599.** 97.30 (3) (c) of the statutes is amended to read:

14 97.30 (3) (c) *Surcharge for operating without a license.* An applicant for a retail  
15 food establishment license shall pay a license fee surcharge of \$100 or twice the  
16 amount of the annual license fee specified under sub. (3m) whichever is less, if the  
17 department determines that, within one year prior to submitting a license  
18 application, the applicant operated the retail food establishment without a license  
19 in violation of this subsection. Payment of this license fee surcharge does not relieve  
20 the applicant of any other civil or criminal liability which results from the unlicensed  
21 operation of the retail food establishment, but does not constitute evidence of a  
22 violation of any law.

23 **SECTION 3600.** 99.02 (3) (e) of the statutes is created to read:

24 99.02 (3) (e) An applicant for a public warehouse keeper's license shall pay a  
25 license fee surcharge of \$100 if the department determines that, within one year

**SECTION 3600**

1 before submitting the license application, the applicant operated the public  
2 warehouse without a license in violation of sub. (1). Payment of this license fee  
3 surcharge does not relieve the applicant of any other civil or criminal liability that  
4 results from the unlicensed operation of the public warehouse, but does not  
5 constitute evidence of any other violation of law.

6 **SECTION 3601b.** 100.03 (8) (bm) 3. of the statutes is amended to read:

7 100.03 (8) (bm) 3. The security interest under subd. 1. d. shall be properly  
8 created, and shall be filed by the trustee with the ~~secretary of state~~ department of  
9 financial institutions under ch. 409.

10 **SECTION 3601c.** 100.18 (11) (b) 1. of the statutes is repealed.

11 **SECTION 3601g.** 100.18 (11) (d) of the statutes is amended to read:

12 100.18 (11) (d) The department or the department of justice, after consulting  
13 with the department, or any district attorney, upon informing the department of  
14 justice, may commence an action in circuit court in the name of the state to restrain  
15 by temporary or permanent injunction any violation of this section. The court may  
16 in its discretion, prior to entry of final judgment, make such orders or judgments as  
17 may be necessary to restore to any person any pecuniary loss suffered because of the  
18 acts or practices involved in the action, provided proof thereof is submitted to the  
19 satisfaction of the court. The department and the department of justice may  
20 subpoena persons, and require the production of books and other documents, and the  
21 department of justice may request the department to exercise its authority under  
22 par. (c) to aid in the investigation of alleged violations of this section.

23 **SECTION 3601p.** 100.182 (5) (a) of the statutes is amended to read:

24 100.182 (5) (a) Any district attorney, after informing the department of justice,  
25 or the department of justice ~~or the department of agriculture, trade and consumer~~

**SECTION 3601p**

1     ~~protection~~ may seek a temporary or permanent injunction in circuit court to restrain  
2     any violation of this section. Prior to entering a final judgment the court may award  
3     damages to any person suffering monetary loss because of a violation. The  
4     ~~department of justice~~ may subpoena any person or require the production of any  
5     document to aid in investigating alleged violations of this section.

6             **SECTION 3601t.** 100.182 (5) (b) of the statutes is amended to read:

7             100.182 (5) (b) In lieu of instituting or continuing an action under this  
8     ~~subsection, the department of agriculture, trade and consumer protection or the~~  
9     ~~department of justice~~ may accept a written assurance from a violator of this section  
10    that the violation has ceased. If the terms of the assurance so provide, its acceptance  
11    by either ~~the~~ department prevents ~~the other department and~~ all district attorneys  
12    from prosecuting the violation. An assurance is not evidence of a violation of this  
13    section but violation of an assurance is subject to the penalties and remedies of  
14    violating this section.

15            **SECTION 3602.** 100.201 (6) of the statutes is repealed and recreated to read:

16            100.201 (6) FEE ON DAIRY PRODUCTS. (a) 1. Except as provided in subd. 2., a  
17    manufacturer or processor of selected dairy products shall pay a fee under par. (c) on  
18    its sales of those selected dairy products to which all of the following apply:

- 19            a. The sales are at wholesale or retail.
- 20            b. The sales are made to persons in this state.
- 21            c. The selected dairy products are packaged for sale to consumers.

22            2. Subdivision 1. does not apply to the operator of a retail food establishment  
23    licensed under s. 97.30 who manufactures or processes selected dairy products at  
24    that establishment solely for retail sale at that establishment.

1 (b) The first person in this state to receive selected dairy products that are  
2 manufactured or processed outside of this state and that are packaged for sale to  
3 consumers shall pay a fee under par. (c) on sales of those selected dairy products to  
4 persons in this state.

5 (c) The fee under this subsection is 5.49 cents per hundred pounds of ice cream  
6 products and 0.44 cent per hundred pounds of other dairy products or such other  
7 amount as specified by the department by rule. The fee shall be paid to the  
8 department by the 25th day of each month for sales made during the preceding  
9 month.

10 (d) The failure to pay fees under this subsection within the time provided under  
11 par. (c) is a violation of this section. The department may also commence an action  
12 to recover the amount of any overdue fees plus interest at the rate of 2% per month  
13 for each month that the fees are delinquent.

14 (e) The department shall keep confidential information obtained under this  
15 subsection concerning the amount of dairy products sold by specific manufacturers  
16 and processors.

17 **SECTION 3602b.** 100.205 (7) of the statutes is amended to read:

18 100.205 (7) The department of justice, or any district attorney on informing the  
19 department of justice, may commence an action in circuit court in the name of the  
20 state to restrain by temporary or permanent injunction any violation of this section.  
21 The court may, before entry of final judgment and after satisfactory proof, make  
22 orders or judgments necessary to restore to any person any pecuniary loss suffered  
23 because of a violation of this section. The department of justice may conduct  
24 hearings, administer oaths, issue subpoenas and take testimony to aid in its  
25 investigation of violations of this section.

1           **SECTION 3602f.** 100.205 (8) of the statutes is amended to read:

2           100.205 (8) The department of justice or any district attorney may commence  
3 an action in the name of the state to recover a forfeiture to the state of not more than  
4 \$10,000 for each violation of this section.

5           **SECTION 3602k.** 100.207 (6) (b) 1. of the statutes is amended to read:

6           100.207 (6) (b) 1. The department of justice, ~~on its own initiative or at the~~  
7 ~~request of~~ after consulting with the department of agriculture, trade and consumer  
8 protection, or any district attorney upon informing the department of justice  
9 agriculture, trade and consumer protection, may commence an action in circuit court  
10 in the name of the state to restrain by temporary or permanent injunction any  
11 violation of this section. Injunctive relief may include an order directing  
12 telecommunications providers, as defined in s. 196.01 (8p), to discontinue  
13 telecommunications service provided to a person violating this section or ch. 196.  
14 Before entry of final judgment, the court may make such orders or judgments as may  
15 be necessary to restore to any person any pecuniary loss suffered because of the acts  
16 or practices involved in the action if proof of these acts or practices is submitted to  
17 the satisfaction of the court.

18           **SECTION 3602p.** 100.207 (6) (b) 2. of the statutes is amended to read:

19           100.207 (6) (b) 2. The department of ~~agriculture, trade and consumer~~  
20 ~~protection~~ may exercise its authority under ss. 93.14 to 93.16 and 100.18 (11) (c) to  
21 administer this section. The department and the department of justice may  
22 subpoena persons, and require the production of books and other documents, and the  
23 department of justice may request the department of agriculture, trade and  
24 consumer protection to exercise its authority to aid in the investigation of alleged  
25 violations of this section.

**SECTION 3602s**

1           **SECTION 3602s.** 100.207 (6) (c) of the statutes is amended to read:

2           100.207 (6) (c) Any person who violates subs. (2) to (4) shall be required to  
3           forfeit not less than \$25 nor more than \$5,000 for each offense. Forfeitures under this  
4           paragraph shall be enforced by the department of justice, ~~on its own initiative or at~~  
5           ~~the request of~~ after consulting with the department of agriculture, trade and  
6           consumer protection, or, upon informing the department of justice, by the district  
7           attorney of the county where the violation occurs.

8           **SECTION 3602w.** 100.207 (6) (e) of the statutes is amended to read:

9           100.207 (6) (e) ~~The~~ Subject to par. (em), the department of agriculture, trade  
10          ~~and consumer protection, in consultation with the department of justice,~~ shall  
11          promulgate rules under this section.

12          **SECTION 3602x.** 100.207 (6) (em) of the statutes is created to read:

13          100.207 (6) (em) 1. Before preparing any proposed rule under this section, the  
14          department shall form an advisory group to suggest recommendations regarding the  
15          content and scope of the proposed rule. The advisory group shall consist of one or  
16          more persons who may be affected by the proposed rule, a representative from the  
17          department of justice and a representative from the public service commission.

18          2. The department shall submit the recommendations under subd. 1., if any,  
19          to the legislature as part of the report required under s. 227.19 (2) and to the board  
20          of agriculture, trade and consumer protection.

21          **SECTION 3602y.** 100.21 (3) (a) of the statutes is amended to read:

22          100.21 (3) (a) Any person making an energy savings or safety claim shall, upon  
23          written request by the department, submit information upon which the person relied  
24          to substantiate the claim. ~~The department of justice may request the department to~~  
25          ~~issue a written request under this paragraph for information to substantiate an~~

1 ~~energy savings or safety claim.~~ Failure to submit information requested under this  
2 subsection is a violation of sub. (2) (a).

3 **SECTION 3603b.** 100.23 (5) (b) (intro.) of the statutes is amended to read:

4 100.23 (5) (b) (intro.) Has a current annual report on file with the ~~secretary of~~  
5 state department of financial institutions which satisfies all of the following  
6 requirements:

7 **SECTION 3604b.** 100.23 (5) (b) 2. of the statutes is amended to read:

8 100.23 (5) (b) 2. Is on a form furnished to the association by the ~~secretary of~~  
9 state department of financial institutions using information given as of the date of  
10 the execution of the report.

11 **SECTION 3605b.** 100.23 (5) (b) 4. of the statutes is amended to read:

12 100.23 (5) (b) 4. Is filed with the ~~secretary of state~~ department of financial  
13 institutions in each year following the year in which the association first filed the  
14 annual report required under this paragraph, during the calendar year quarter in  
15 which the anniversary of the filing occurs.

16 **SECTION 3606b.** 100.23 (6) (intro.) of the statutes is amended to read:

17 100.23 (6) (title) ~~SECRETARY OF STATE~~ DEPARTMENT OF FINANCIAL INSTITUTIONS  
18 DUTIES. (intro.) The ~~secretary of state~~ department of financial institutions shall:

19 **SECTION 3607b.** 100.23 (6) (c) of the statutes is amended to read:

20 100.23 (6) (c) Upon receipt of a report required under sub. (5) (b), determine  
21 if the report satisfies the requirements of sub. (5) (b). If the ~~secretary of state~~  
22 department of financial institutions determines that the report does not satisfy all  
23 of those requirements, the ~~secretary of state~~ department of financial institutions  
24 shall return the report to the association which filed it, along with a notice of any  
25 correction required. If the association files a corrected report within 30 days after

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1 the association receives that notice, the report shall be deemed timely filed for  
2 purposes of sub. (5) (b) 4.

3 **SECTION 3607m.** 100.26 (6) of the statutes is amended to read:

4 100.26 (6) The department, the department of justice, after consulting with the  
5 department, or any district attorney may commence an action in the name of the  
6 state to recover a civil forfeiture to the state of not less than \$100 nor more than  
7 \$10,000 for each violation of an injunction issued under s. 100.18, 100.182 or 100.20  
8 (6) or. The department of agriculture, trade and consumer protection or any district  
9 attorney may commence an action in the name of the state to recover a civil forfeiture  
10 to the state of not less than \$100 nor more than \$10,000 for each violation of an order  
11 issued under s. 100.20.

12 **SECTION 3608.** 100.263 of the statutes is created to read:

13 **100.263 Recovery.** In addition to other remedies available under this chapter,  
14 the court may award the department of justice the costs of investigation, an amount  
15 reasonably necessary to remedy the harmful effects of the violation and the expenses  
16 of prosecution, including attorney fees, from any person who violates this chapter.  
17 The department of justice shall deposit in the state treasury for deposit in the general  
18 fund all moneys that the court awards to the department or the state under this  
19 section. Ten percent of the money deposited in the general fund that was awarded  
20 under this section for the costs of investigation and the expenses of prosecution,  
21 including attorney fees, shall be credited to the appropriation account under s.  
22 20.455 (1) (gh). All of the money deposited in the general fund that was awarded  
23 under this section to remedy the harmful effects of the violation shall be credited to  
24 the appropriation account under s. 20.455 (1) (gm).

**SECTION 3608g**

1           **SECTION 3608g.** 100.263 of the statutes, as created by 1995 Wisconsin Act ...  
2 (this act), is amended to read:

3           **100.263 Recovery.** In addition to other remedies available under this chapter,  
4 the court may award the department of justice the costs of investigation, and an  
5 amount reasonably necessary to remedy the harmful effects of the violation and the  
6 court may award the department of justice the expenses of prosecution, including  
7 attorney fees, from any person who violates this chapter. The department and the  
8 department of justice shall deposit in the state treasury for deposit in the general  
9 fund all moneys that the court awards to the department, the department of justice  
10 or the state under this section. Ten percent of the money deposited in the general  
11 fund that was awarded under this section for the costs of investigation and the  
12 expenses of prosecution, including attorney fees, shall be credited to the  
13 appropriation account under s. 20.455 (1) (gh). All of the money deposited in the  
14 general fund that was awarded under this section to remedy the harmful effects of  
15 the violation shall be credited to the appropriation account under s. 20.455 (1) (gm).

16           **SECTION 3608r.** 100.28 (4) (c) of the statutes is amended to read:

17           100.28 (4) (c) The department of justice, or any district attorney, upon the  
18 request of the department, may commence an action in the name of the state under  
19 par. (a) or (b).

20           **SECTION 3609m.** 100.50 (6) (c) of the statutes is amended to read:

21           100.50 (6) (c) The department of justice, or any district attorney, upon the  
22 request of the department, may commence an action in the name of the state under  
23 par. (a) or (b).

24           **SECTION 3610.** Chapter 101 (title) of the statutes is amended to read:

**CHAPTER 101****DEPARTMENT OF INDUSTRY, LABOR****AND HUMAN RELATIONS DEVELOPMENT —****REGULATION OF INDUSTRY,****BUILDINGS AND SAFETY**

**SECTION 3611.** 101.01 (1) (intro.) of the statutes is renumbered 101.01 (intro.) and amended to read:

**101.01 Definitions.** (intro.) In chs. 101 to 106 and 108 this chapter, the following words and phrases have the designated meanings unless a different meaning is expressly provided:

**SECTION 3612.** 101.01 (1) (a) of the statutes is renumbered 103.001 (1).

**SECTION 3613.** 101.01 (1) (b) of the statutes is renumbered 103.001 (2).

**SECTION 3614.** 101.01 (1) (c) of the statutes is renumbered 101.01 (1m) and amended to read:

101.01 (1m) “Department” means the department of industry, labor and human relations development.

**SECTION 3615.** 101.01 (1) (d) of the statutes is renumbered 101.01 (2m).

**SECTION 3616.** 101.01 (1) (e) of the statutes is renumbered 101.01 (7).

**SECTION 3617.** 101.01 (1) (f) of the statutes is renumbered 101.01 (8).

**SECTION 3618.** 101.01 (1) (g) of the statutes is renumbered 101.01 (9).

**SECTION 3619.** 101.01 (1) (h) of the statutes is renumbered 101.01 (14) and amended to read:

101.01 (14) “Secretary” means the secretary of industry, labor and human relations development.

**SECTION 3620.** 101.01 (2) (intro.) of the statutes is repealed.

**SECTION 3621**

1           **SECTION 3621.** 101.01 (2) (a) of the statutes is renumbered 101.01 (3) and  
2 amended to read:

3           101.01 (3) ~~The term “employee” shall mean and include every~~ “Employee” means  
4 any person who may be required or directed by any employer, in consideration of  
5 direct or indirect gain or profit, to engage in any employment, or to go or work or be  
6 at any time in any place of employment.

7           **SECTION 3622.** 101.01 (2) (b) of the statutes is renumbered 101.01 (4) and  
8 amended to read:

9           101.01 (4) ~~The term “employer” shall mean and include every~~ “Employer”  
10 means any person, firm, corporation, state, county, town, city, village, school district,  
11 sewer district, drainage district and other public or quasi-public corporations as well  
12 as any agent, manager, representative or other person having control or custody of  
13 any employment, place of employment or of any employe.

14           **SECTION 3623.** 101.01 (2) (c) of the statutes is renumbered 101.01 (5) and  
15 amended to read:

16           101.01 (5) ~~The term “employment” shall mean and include~~ “Employment”  
17 means any trade, occupation or process of manufacture, or any method of carrying  
18 on such trade, occupation or process of manufacture in which any person may be  
19 engaged, except in such private domestic service as does not involve the use of  
20 mechanical power and in farm labor as used in ~~par. (f)~~ sub. (11).

21           **SECTION 3624.** 101.01 (2) (d) of the statutes is renumbered 101.01 (6).

22           **SECTION 3625.** 101.01 (2) (e) of the statutes is renumbered 101.01 (10) and  
23 amended to read:

24           101.01 (10) ~~The term “owner” shall mean and include every~~ “Owner” means  
25 any person, firm, corporation, state, county, town, city, village, school district, sewer

1 district, drainage district and other public or quasi-public corporations as well as  
2 any manager, representative, officer, or other person having ownership, control or  
3 custody of any place of employment or public building, or of the construction, repair  
4 or maintenance of any place of employment or public building, or who prepares plans  
5 for the construction of any place of employment or public building. ~~Said ss. 101.01~~  
6 ~~to 101.25~~ This subchapter shall apply, so far as consistent, to all architects and  
7 builders.

8 **SECTION 3626.** 101.01 (2) (f) of the statutes is renumbered 101.01 (11).

9 **SECTION 3627.** 101.01 (2) (g) of the statutes is renumbered 101.01 (12).

10 **SECTION 3628.** 101.01 (2) (h) of the statutes is renumbered 101.01 (13) and  
11 amended to read:

12 101.01 (13) The term “safe” “Safe” or “safety”, as applied to an employment or  
13 a place of employment or a public building, ~~shall mean~~ means such freedom from  
14 danger to the life, health, safety or welfare of employes or frequenters, or the public,  
15 or tenants, or fire fighters, and such reasonable means of notification, egress and  
16 escape in case of fire, and such freedom from danger to adjacent buildings or other  
17 property, as the nature of the employment, place of employment, or public building,  
18 will reasonably permit.

19 **SECTION 3629.** 101.01 (2) (i) of the statutes is renumbered 101.01 (15) and  
20 amended to read:

21 101.01 (15) The term “welfare” ~~shall mean and include~~ “Welfare” includes  
22 comfort, decency and moral well-being.

23 **SECTION 3631.** 101.02 (5) (c) of the statutes is amended to read:

24 101.02 (5) (c) In the discharge of his or her duties such agent shall have every  
25 power of an inquisitorial nature granted in ~~ss. 101.01 to 101.25~~ this subchapter to

**SECTION 3631**

1 the department, the same powers as a court commissioner with regard to the taking  
2 of depositions and all powers granted by law to a court commissioner relative to  
3 depositions.

4 **SECTION 3632.** 101.02 (5) (f) of the statutes is amended to read:

5 101.02 (5) (f) Upon the request of the department, the department of justice or  
6 district attorney of the county in which any investigation, hearing or trial had under  
7 ~~ss. 101.01 to 101.25~~ this subchapter is pending, shall aid therein and prosecute the  
8 department in the investigation, hearing or trial and, under the supervision of the  
9 department, prosecute all necessary actions or proceedings for the enforcement and  
10 punishment of violations of ~~these sections~~ this subchapter and all other laws of this  
11 state relating to the protection of life, health, safety and welfare, ~~and for the~~  
12 ~~punishment of all violations thereof.~~

13 **SECTION 3633.** 101.02 (6) (e) of the statutes is amended to read:

14 101.02 (6) (e) Any employer or other person interested either because of  
15 ownership in or occupation of any property affected by any such order, or otherwise,  
16 may petition for a hearing on the reasonableness of any order of the department in  
17 the manner provided in ~~ss. 101.01 to 101.25~~ this subchapter.

18 **SECTION 3634.** 101.02 (7) (a) of the statutes is amended to read:

19 101.02 (7) (a) Nothing contained in ~~ss. 101.01 to 101.25~~ this subchapter may  
20 be construed to deprive the common council, the board of alderpersons, the board of  
21 trustees or the village board of any village or city, or a local board of health, as defined  
22 in s. 250.01 (3), of any power or jurisdiction over or relative to any place of  
23 employment or public building, provided that, whenever the department shall, by an  
24 order, fix a standard of safety or any hygienic condition for employment or places of  
25 employment or public buildings, the order shall, upon the filing by the department

1 of a copy of the order with the clerk of the village or city to which it may apply, be held  
2 to amend or modify any similar conflicting local order in any particular matters  
3 governed by the order of the department. Thereafter no local officer may make or  
4 enforce any order contrary to the order of the department.

5 **SECTION 3635.** 101.02 (7m) of the statutes is amended to read:

6 101.02 (7m) Notwithstanding sub. (7) (a), no city, village or town may make or  
7 enforce any ordinance that is applied to any multifamily dwelling, as defined in s.  
8 101.971 (2), and that does not conform to subch. VI and this section or is contrary to  
9 an order of the department under ~~ss. 101.01 to 101.25~~ this subchapter, except that  
10 if a city, village or town has a preexisting stricter sprinkler ordinance, as defined in  
11 s. 101.975 (3) (a), that ordinance remains in effect, except that the city, village or town  
12 may take any action with regard to that ordinance that a political subdivision may  
13 take under s. 101.975 (3) (b).

14 **SECTION 3636.** 101.02 (9) of the statutes is amended to read:

15 101.02 (9) A substantial compliance with the requirements of ~~ss. 101.01 to~~  
16 ~~101.25~~, this subchapter shall be sufficient to give effect to the orders of the  
17 department, and ~~they shall not~~ no order may be declared inoperative, illegal or void  
18 for any omission of a technical nature in with respect ~~thereto~~ to the requirements of  
19 this subchapter.

20 **SECTION 3637.** 101.02 (10) of the statutes is amended to read:

21 101.02 (10) Orders of the department under ~~ss. 101.01 to 101.25~~ this  
22 subchapter shall be subject to review in the manner provided in ch. 227.

23 **SECTION 3638.** 101.02 (12) of the statutes is amended to read:

24 101.02 (12) Every day during which any person, ~~persons,~~ or corporation, or any  
25 officer, agent or employe thereof, ~~shall fail~~ of a person or corporation, fails to observe

1 and comply with any order of the department or to perform any duty enjoined by ss.  
2 ~~101.01 to 101.25~~, specified under this subchapter shall constitute a separate and  
3 distinct violation of such the order, or of said ~~sections as the case may be~~ the  
4 requirements of this subchapter, whichever is applicable.

5 **SECTION 3639.** 101.02 (13) (a) of the statutes is amended to read:

6 101.02 (13) (a) If any employer, employe, owner, or other person violates ss.  
7 ~~101.01 to 101.25~~ this subchapter, or fails or refuses to perform any duty lawfully  
8 enjoined specified under this subchapter, within the time prescribed by the  
9 department, for which no penalty has been specifically provided, or fails, neglects or  
10 refuses to obey any lawful order given or made by the department, or any judgment  
11 or decree made by any court in connection with ss. ~~101.01 to 101.25~~ this subchapter,  
12 for each such violation, failure or refusal, such employer, employe, owner or other  
13 person shall forfeit and pay into the state treasury a sum not less than \$10 nor more  
14 than \$100 for each such offense.

15 **SECTION 3640.** 101.02 (15) (b) of the statutes is amended to read:

16 101.02 (15) (b) The department shall administer and enforce, so far as not  
17 otherwise provided for in the statutes, the laws relating to ~~child labor~~, laundries,  
18 stores, ~~employment~~, licensed occupations, school attendance, bakeries, ~~employment~~  
19 ~~offices~~, intelligence offices and bureaus, manufacture of cigars, sweatshops, corn  
20 shredders, woodsawing machines, fire escapes and means of egress from buildings,  
21 scaffolds, hoists, ladders and other matters relating to the erection, repair, alteration  
22 or painting of buildings and structures, and all other laws protecting the life, health,  
23 safety and welfare of employes in employments and places of employment and  
24 frequenters of places of employment.

25 **SECTION 3641.** 101.02 (15) (f) of the statutes is amended to read:

1           101.02 (15) (f) The department shall investigate, ascertain and determine such  
2 reasonable classifications of persons, employments, places of employment and public  
3 buildings, as shall be necessary to carry out the purposes of ss. 101.01 to 101.25 this  
4 subchapter.

5           **SECTION 3642.** 101.02 (15) (g) of the statutes is amended to read:

6           101.02 (15) (g) ~~Any commissioner, the~~ The secretary or any deputy of the  
7 department may enter any place of employment or public building, for the purpose  
8 of collecting facts and statistics, examining the provisions made for the health, safety  
9 and welfare of the employes, frequenters, the public or tenants therein and bringing  
10 to the attention of every employer or owner any law, or any order of the department,  
11 and any failure on the part of such employer or owner to comply therewith. No  
12 employer or owner may refuse to admit ~~any commissioner, the~~ secretary or any  
13 deputy of the department to his or her place of employment or public building.

14           **SECTION 3643.** 101.02 (15) (k) of the statutes is amended to read:

15           101.02 (15) (k) Every employer and every owner shall furnish to the  
16 department all information ~~required by it to carry into effect ss. 101.01 to 101.25 that~~  
17 the department requires to administer and enforce this subchapter, and shall ~~make~~  
18 provide specific answers to all questions submitted by that the department relative  
19 ~~thereto~~ asks relating to any information that the department requires.

20           **SECTION 3644.** 101.02 (15) (L) of the statutes is amended to read:

21           101.02 (15) (L) Any employer receiving from the department any ~~blanks calling~~  
22 for form requesting information ~~required by that~~ the department ~~to carry into effect~~  
23 ~~ss. 101.01 to 101.25~~ requires to administer and enforce this subchapter, along with  
24 directions to ~~fill the same~~ complete the form, shall ~~cause the same to be properly filled~~  
25 ~~out so as to~~ complete the form and answer fully and correctly each question therein

**SECTION 3644**

1 ~~propounded, and in case~~ asked in the form. If the employer is unable to answer any  
2 question, the employer shall give a good and sufficient reason for such failure, and  
3 ~~said answer~~ his or her inability to answer the question. The employer's answers shall  
4 be verified under oath by the employer, or by the president, secretary or other  
5 managing officer of the corporation, if the employer is a corporation, and the  
6 completed form shall be returned to the department at its office within the period  
7 fixed by the department.

8 **SECTION 3645.** 101.02 (17) of the statutes is repealed.

9 **SECTION 3646.** 101.02 (18) of the statutes is amended to read:

10 101.02 (18) The department may establish a schedule of fees for publications  
11 and seminars provided by the department for which no fee is otherwise authorized,  
12 required or prohibited by statute. Fees established under this subsection for  
13 publications and seminars provided by the department may not exceed the actual  
14 cost incurred in providing those publications and seminars. If the department  
15 receives unanticipated proceeds from a statewide labor and management conference  
16 provided by the department that exceed the actual cost of the conference, the  
17 department may use those unanticipated proceeds to provide grants for local labor  
18 and management conferences, educational activities and other activities to promote  
19 positive relations between labor and management.

20 **SECTION 3647.** 101.02 (18) of the statutes, as affected by 1995 Wisconsin Act  
21 .... (this act), is repealed and recreated to read:

22 101.02 (18) The department may establish a schedule of fees for publications  
23 and seminars provided by the department for which no fee is otherwise authorized,  
24 required or prohibited by statute. Fees established under this subsection for

1 publications and seminars provided by the department may not exceed the actual  
2 cost incurred in providing those publications and seminars.

3 **SECTION 3648.** 101.02 (18m) of the statutes is created to read:

4 101.02 (18m) The department may perform testing of petroleum products  
5 other than testing provided under ch. 168. The department may establish a schedule  
6 of fees for such petroleum product testing services. The department shall credit all  
7 revenues received from fees established under this subsection to the appropriation  
8 account under s. 20.445 (1) (ga). Revenues from fees established under this  
9 subsection may be used by the department to pay for testing costs, including  
10 laboratory supplies and equipment amortization, for such products.

11 **SECTION 3649.** 101.02 (18m) of the statutes, as created by 1995 Wisconsin Act  
12 .... (this act), is amended to read:

13 101.02 (18m) The department may perform testing of petroleum products  
14 other than testing provided under ch. 168. The department may establish a schedule  
15 of fees for such petroleum product testing services. The department shall credit all  
16 revenues received from fees established under this subsection to the appropriation  
17 account under s. ~~20.445 (1)~~ 20.143 (3) (ga). Revenues from fees established under this  
18 subsection may be used by the department to pay for testing costs, including  
19 laboratory supplies and equipment amortization, for such products.

20 **SECTION 3649m.** 101.02 (20) of the statutes is created to read:

21 101.02 (20) The department of industry, labor and human relations shall  
22 establish a procedure for that department to provide to the state public defender and  
23 the department of administration any information that the department of industry,  
24 labor and human relations may have concerning an individual's wages to assist the

**SECTION 3649m**

1 state public defender and the department of administration in collecting payment  
2 ordered under s. 48.275 (2), 757.66, 973.06 (1) (e) or 977.076 (1).

3 **SECTION 3649r.** 101.02 (20) of the statutes, as created by 1995 Wisconsin Act  
4 .... (this act), is renumbered 103.005 (20).

5 **SECTION 3650.** 101.03 of the statutes is amended to read:

6 **101.03 Testimonial powers of commissioners, secretary and deputy.**  
7 ~~Each of the commissioners, secretary~~ The secretary or any deputy secretary may  
8 certify to official acts, and take testimony.

9 **SECTION 3651.** 101.04 of the statutes is renumbered 103.04, and 103.04 (1), as  
10 renumbered, is amended to read:

11 103.04 (1) The commission shall issue its decision in any case where a petition  
12 for review is filed under ch. 102 or 108 or s. 66.191, 1981 stats., or s. 40.65 (2), ~~101.22~~  
13 106.04 (10), ~~101.223~~ 106.07 (4), 111.39, 303.07 (7) or 303.21.

14 **SECTION 3651m.** 101.05 (2) of the statutes is amended to read:

15 101.05 (2) A bed and breakfast establishment, as defined under s. 254.61 (1),  
16 is not subject to rules on residential occupancy or to other building codes adopted by  
17 the department under this subchapter, except that the uniform dwelling code  
18 ~~specified in s. 101.62~~ adopted in rules promulgated under s. 101.63 (1) applies to the  
19 3rd floor level of a bed and breakfast establishment that uses, other than as storage,  
20 the 3rd floor level of the bed and breakfast establishment structure.

21 **SECTION 3652.** 101.055 (1) of the statutes is amended to read:

22 101.055 (1) INTENT. It is the intent of this section to give employes of the state,  
23 of any state agency and of any political subdivision of this state rights and protections  
24 relating to occupational safety and health equivalent to those granted to employes  
25 in the private sector under the occupational safety and health act of 1970 (5 USC

1 5108, 5314, 5315 and 7902; 15 USC 633 and 636; 18 USC 1114; 29 USC 553 and 651  
2 to 678; 42 USC 3142-1 and 49 USC 1421).

3 **SECTION 3653.** 101.055 (2) (b) of the statutes is amended to read:

4 101.055 (2) (b) "Public employe" or "employe" means any employe of the state,  
5 of any state agency or of any political subdivision of the state.

6 **SECTION 3654.** 101.055 (2) (d) of the statutes is amended to read:

7 101.055 (2) (d) "Public employer" or "employer" means the state, any state  
8 agency or any political subdivision of the state.

9 **SECTION 3655.** 101.055 (5) (a) of the statutes is amended to read:

10 101.055 (5) (a) A public employe or public employe representative who believes  
11 that a safety or health standard or variance is being violated, or that a situation  
12 exists which poses a recognized hazard likely to cause death or serious physical  
13 harm, may request the department to conduct an inspection. The department shall  
14 provide forms which may be used to make a request for an inspection. If the employe  
15 or public employe representative requesting the inspection so designates, that  
16 person's name shall not be disclosed to the employer or any other person, including  
17 any state agency except the department. If the department decides not to make an  
18 inspection, it shall notify in writing any employe or public employe representative  
19 making a written request. A decision by the department not to make an inspection  
20 in response to a request under this subsection is reviewable by the department under  
21 sub. (6) (a) 3. and is subject to judicial review under sub. (6) (a) 4.

22 **SECTION 3656.** 101.055 (8) (a) of the statutes is renumbered 101.055 (8) (ar).

23 **SECTION 3657.** 101.055 (8) (ag) of the statutes is created to read:

1           101.055 (8) (ag) In this subsection, “division of equal rights” means the division  
2 of equal rights in the department of industry, labor and human relations acting  
3 under the authority provided in s. 106.06 (4).

4           **SECTION 3658.** 101.055 (8) (b) of the statutes is amended to read:

5           101.055 (8) (b) A state employe who believes that he or she has been discharged  
6 or otherwise discriminated against by a public employer in violation of par. (a) (ar)  
7 may file a complaint with the personnel commission alleging discrimination or  
8 discharge, within 30 days after the employe received knowledge of the  
9 discrimination or discharge. A public employe other than a state employe who  
10 believes that he or she has been discharged or otherwise discriminated against by  
11 a public employer in violation of par. (a) (ar) may file a complaint with the division  
12 of equal rights of the department alleging discrimination or discharge, within 30  
13 days after the employe received knowledge of the discrimination or discharge.

14           **SECTION 3659.** 101.055 (8) (c) of the statutes is amended to read:

15           101.055 (8) (c) Upon receipt of a complaint, the personnel commission or the  
16 division of equal rights, whichever is applicable, shall, except as provided in s. 230.45  
17 (1m), investigate the complaint and determine whether there is probable cause to  
18 believe that a violation of par. (a) (ar) has occurred. If the personnel commission or  
19 the division of equal rights finds probable cause it shall attempt to resolve the  
20 complaint by conference, conciliation or persuasion. If the complaint is not resolved,  
21 the personnel commission or the division of equal rights shall hold a hearing on the  
22 complaint within 60 days after receipt of the complaint unless both parties to the  
23 proceeding agree otherwise. Within 30 days after the close of the hearing, the  
24 personnel commission or the division of equal rights shall issue its decision. If the  
25 personnel commission or the division of equal rights determines that a violation of

1 par. ~~(a)~~ (ar) has occurred, it shall order appropriate relief for the employe, including  
2 restoration of the employe to his or her former position with back pay, and shall order  
3 any action necessary to ensure that no further discrimination occurs. If the  
4 personnel commission or the division of equal rights determines that there has been  
5 no violation of par. ~~(a)~~ (ar), it shall issue an order dismissing the complaint.

6 **SECTION 3660.** 101.12 (1) (intro.) of the statutes is amended to read:

7 101.12 (1) (intro.) The Except for plans that are reviewed by the department  
8 of health and social services under ss. 50.02 (2) (b) and 50.36 (2), the department shall  
9 require the submission of essential drawings, calculations and specifications for  
10 public buildings, public structures and places of employment including the following  
11 components:

12 **SECTION 3660m.** 101.12 (5) (c) of the statutes is amended to read:

13 101.12 (5) (c) If an application submitted under par. (b) requests inspection or  
14 copying of plans for a secure structure or proposed secure structure that is or is  
15 anticipated to be owned by or leased to the state, the plans are not subject to the right  
16 of inspection or copying except as the department of administration otherwise  
17 provides by rule. If an application submitted under par. (b) requests inspection or  
18 copying of plans for a any other secure structure or proposed secure structure, the  
19 department, city, village, town or county shall consider the information supplied in  
20 the application and weigh the possible harm to the public interest which may result  
21 from permitting inspection and copying of the plans against the benefits of allowing  
22 such inspection or copying. If the department, city, village, town or county  
23 determines that the possible harm to the public interest outweighs the benefit to the  
24 requester and to the public interest of allowing such inspection or copying, it may  
25 deny the application or grant it upon such conditions as it determines are necessary

**SECTION 3660m**

1 to protect the public interest. This paragraph does not apply to an application  
2 submitted by a law enforcement agency or person authorized to have access to the  
3 plans by lawful subpoena.

4 **SECTION 3661.** 101.123 (1) (b) of the statutes is amended to read:

5 101.123 (1) (b) "Inpatient health care facility" means a county home  
6 established under s. 49.14 49.70, a county infirmary established under s. 49.171  
7 49.72, a community-based residential facility or a nursing home licensed under s.  
8 50.03 or a tuberculosis sanatorium established under s. 58.06, 252.073 or 252.076.

9 **SECTION 3662.** 101.125 (1) (a) of the statutes is amended to read:

10 101.125 (1) (a) "Building" means a ~~"place of employment" as defined in s. 101.01~~  
11 ~~(2) (f) and a "public building" as defined in s. 101.01 (2) (g)~~ place of employment or  
12 a public building and includes, without limitation because of enumeration,  
13 wholesale and retail stores, storerooms, office buildings, factories, warehouses,  
14 governmental buildings, hotels, hospitals, motels, dormitories, sanatoriums,  
15 nursing homes, retirement homes, theaters, stadiums, gymnasiums, amusement  
16 park buildings, schools and other buildings used for educational purposes, places of  
17 worship and other places of public assembly and all residences including mobile  
18 homes, manufactured or industrialized housing, lodging homes and any other  
19 building used as a dwelling for one or more persons.

20 **SECTION 3663m.** 101.13 (6) (b) to (f) of the statutes are repealed.

21 **SECTION 3664.** 101.14 (1) (c) of the statutes is amended to read:

22 101.14 (1) (c) The department is hereby empowered and directed to provide the  
23 form of a course of study in fire prevention for use in the public schools, dealing with  
24 the protection of lives and property against loss or damage as a result of preventable

1 fires, and transmit the same by the first day of August in each year to the state  
2 superintendent department of public instruction education.

3 **SECTION 3665.** 101.143 (title) of the statutes is amended to read:

4 **101.143 (title) Petroleum storage remedial action; financial assistance.**

5 **SECTION 3666.** 101.143 (2) (d) of the statutes is amended to read:

6 101.143 (2) (d) The department shall reserve a portion, not to exceed 20%, of  
7 the amount annually appropriated under s. ~~20.445 (1)~~ 20.143 (3) (v) for awards under  
8 this section to be used to fund emergency remedial action and claims that exceed the  
9 amount initially anticipated.

10 **SECTION 3667.** 101.143 (2m) of the statutes is amended to read:

11 101.143 (2m) INTERDEPARTMENTAL COORDINATION. Whenever the department of  
12 ~~industry, labor and human relations~~ development receives a notification under sub.  
13 (3) (a) 3. or the department of natural resources receives a notification of a petroleum  
14 product discharge under s. 144.76, the department receiving the notification shall  
15 contact the other department and shall schedule a meeting of the owner or operator  
16 or person owning a home oil tank system and representatives of both departments.

17 **SECTION 3668.** 101.143 (3) (ae) 1. of the statutes is amended to read:

18 101.143 (3) (ae) 1. An owner or operator or a person owning a home oil tank  
19 system is not eligible for an award under this section for costs incurred because of  
20 a petroleum product discharge from a petroleum product storage system or a home  
21 oil tank system that meets the performance standards in 40 CFR 280.20 or s. ~~ILHR~~  
22 ~~10.51, Wis. adm. code~~ in rules promulgated by the department relating to  
23 underground storage tank systems installed after December 22, 1988, except as  
24 provided in subd. 2.

25 **SECTION 3669.** 101.143 (3) (ae) 2. of the statutes is amended to read:

1           101.143 (3) (ae) 2. If a petroleum product storage system or home oil tank  
2 system that meets the performance standards in 40 CFR 280.20 or ~~s. ILHR 10.51,~~  
3 ~~Wis. adm. code in rules promulgated by the department relating to underground~~  
4 ~~storage tank systems installed after December 22, 1988,~~ is located on a site on which  
5 a petroleum product discharge is confirmed before the date on which the petroleum  
6 product storage system or home oil tank system is installed and the department of  
7 natural resources does not issue a case closure letter with respect to that discharge  
8 before the installation date, then the owner or operator or person owning the home  
9 oil tank system remains eligible for an award for costs incurred because of a  
10 petroleum product discharge, from that petroleum product storage system or home  
11 oil tank system, which is confirmed, and with respect to which activities under par.  
12 (c) or (g) are begun, before January 1, 1996, or before the 91st day after the day on  
13 which the department of natural resources issues a case closure letter with respect  
14 to the discharge that occurred before the installation of the petroleum product  
15 storage system or home oil tank system, whichever is earlier.

16           **SECTION 3670.** 101.143 (3) (am) 1. of the statutes is amended to read:

17           101.143 (3) (am) 1. An owner or operator or a person owning a home oil tank  
18 system is not eligible for an award under this section for costs incurred because of  
19 a petroleum product discharge from a petroleum product storage system or a home  
20 oil tank system if the discharge is confirmed, or activities under par. (c) or (g) are  
21 begun with respect to that discharge, after the day on which the petroleum product  
22 storage system or home oil tank system first meets the upgrading requirements in  
23 40 CFR 280.21 (b) to (d) or ~~s. ILHR 10.52 (2) to (4), Wis. adm. code in rules~~  
24 ~~promulgated by the department relating to the upgrading of existing underground~~  
25 ~~storage tank systems,~~ except as provided in subds. 2. to 4.

**SECTION 3671**

1           **SECTION 3671.** 101.143 (3) (am) 2. of the statutes is amended to read:

2           101.143 (3) (am) 2. If a petroleum product storage system or home oil tank  
3 system first meets the upgrading requirements in 40 CFR 280.21 (b) to (d) or s. ILHR  
4 ~~10.52 (2) to (4), Wis. adm. code~~ in rules promulgated by the department relating to  
5 the upgrading of existing underground storage tank systems, after December 31,  
6 1993, and the owner or operator or person owning the home oil tank system applies  
7 for private pollution liability insurance covering the petroleum product storage  
8 system or home oil tank system within 30 days after the day on which the petroleum  
9 product storage system or home oil tank system first meets those upgrading  
10 requirements, then the owner or operator or person remains eligible for an award for  
11 costs incurred because of a petroleum product discharge, from that petroleum  
12 product storage system or home oil tank system, which is confirmed, and with respect  
13 to which activities under par. (c) or (g) are begun, before the 91st day after the day  
14 on which the petroleum product storage system or home oil tank system first meets  
15 those upgrading requirements.

16           **SECTION 3672.** 101.143 (3) (am) 4. of the statutes is amended to read:

17           101.143 (3) (am) 4. If a petroleum product storage system or home oil tank  
18 system first meets the upgrading requirements in 40 CFR 280.21 (b) to (d) or s. ILHR  
19 ~~10.52 (2) to (4), Wis. adm. code~~ in rules promulgated by the department relating to  
20 the upgrading of existing underground storage tank systems, after April 30, 1991,  
21 and is located on a site on which a petroleum product discharge is confirmed before  
22 the date on which the petroleum product storage system or home oil tank system first  
23 meets those upgrading requirements and the department of natural resources does  
24 not issue a case closure letter with respect to that discharge before that date, then  
25 the owner or operator or person owning the home oil tank system remains eligible

1 for an award for costs incurred because of a petroleum product discharge, from that  
2 petroleum product storage system or home oil tank system, which is confirmed, and  
3 with respect to which activities under par. (c) or (g) are begun, before January 1,  
4 1996, or before the 91st day after the day on which the department of natural  
5 resources issues a case closure letter with respect to the discharge that occurred  
6 before the upgrading requirements were met, whichever is earlier.

7 **SECTION 3673.** 101.143 (3) (as) 4. of the statutes is amended to read:

8 101.143 (3) (as) 4. If the department issues an award under this section for  
9 remedial action activities that were necessitated by a petroleum product discharge  
10 from a petroleum product storage system or home oil tank system that does not meet  
11 the performance standards in 40 CFR 280.20 or ~~s. ILHR 10.51, Wis. adm. code in~~  
12 rules promulgated by the department relating to underground storage tank systems  
13 installed after December 22, 1988, and that, at the time of that discharge, does not  
14 meet the upgrading requirements in 40 CFR 280.21 (b) to (d) or ~~s. ILHR 10.52 (2) to~~  
15 ~~(4), Wis. adm. code in rules promulgated by the department relating to the upgrading~~  
16 of existing underground storage tank systems, then the owner or operator or person  
17 owning the home oil tank system remains eligible for an award for costs incurred  
18 because of any later petroleum product discharge from the same petroleum product  
19 storage system or home oil tank system and within the same area which is confirmed,  
20 and with respect to which activities under par. (c) or (g) are begun, before January  
21 1, 1996, or before the 91st day after the day on which the petroleum product storage  
22 system or home oil tank system first meets those upgrading requirements,  
23 whichever is earlier.

24 **SECTION 3673p.** 101.143 (3) (bm) of the statutes is amended to read:

1           101.143 (3) (bm) *Agents*. Except as provided in par. (bn), an owner or operator  
2 or a person owning a home oil tank system may enter into a written agreement with  
3 ~~another~~ a county or any other person under which that county or other person acts  
4 as an agent for the owner or operator or person owning a home oil tank system in  
5 conducting the activities required under par. (c). The owner or operator or person  
6 owning a home oil tank system and the agent shall jointly submit the claim for an  
7 award under sub. (4).

8           **SECTION 3674.** 101.143 (3) (c) 4. of the statutes is amended to read:

9           101.143 (3) (c) 4. Receive written approval from the department of natural  
10 resources or, if the discharge is covered under s. 101.144 (2) (b), from the department  
11 of development that the remedial action activities performed under subd. 3. meet the  
12 requirements of s. 144.76.

13           **SECTION 3675.** 101.143 (3) (cm) of the statutes is amended to read:

14           101.143 (3) (cm) *Monitoring as remedial action*. An owner or operator or person  
15 owning a home oil tank system may, with the approval of the department of natural  
16 resources or, if the discharge is covered under s. 101.144 (2) (b), the department of  
17 development, satisfy the requirements of par. (c) 2. and 3. by proposing and  
18 implementing monitoring to ensure the effectiveness of the natural process of  
19 degradation of petroleum product contamination.

20           **SECTION 3676.** 101.143 (3) (d) of the statutes is amended to read:

21           101.143 (3) (d) *Review of site investigations, remedial action plans and*  
22 *remedial action activities*. The department of natural resources or, if the discharge  
23 is covered under s. 101.144 (2) (b), the department of development shall, at the  
24 request of the claimant, review the site investigation and the remedial action plan  
25 and advise the claimant on the adequacy of proposed remedial action activities in

1 meeting the requirements of s. 144.76. The advice is not an approval of the remedial  
2 action activities. The department of natural resources or, if the discharge is covered  
3 under s. 101.144 (2) (b), the department of development shall complete a final review  
4 of the remedial action activities within 60 days after the claimant notifies the  
5 appropriate department of natural resources that the remedial action activities are  
6 completed.

7 **SECTION 3677b.** 101.143 (3) (e) of the statutes is amended to read:

8 101.143 (3) (e) *Notifications.* The department of natural resources shall notify  
9 the department when it gives ~~the~~ a claimant written approval under par. (c) 4.

10 **SECTION 3678.** 101.143 (3) (f) 5. of the statutes is amended to read:

11 101.143 (3) (f) 5. The written approval of the department of natural resources  
12 or the department of development under par. (c) 4.

13 **SECTION 3679.** 101.143 (4) (a) 6. of the statutes is amended to read:

14 101.143 (4) (a) 6. In any fiscal year, the department may not award more than  
15 5% of the amount appropriated under s. ~~20.445 (1)~~ 20.143 (3) (v) as awards for  
16 petroleum product storage systems described in par. (ei) 1.

17 **SECTION 3680.** 101.143 (4) (a) 7. of the statutes is amended to read:

18 101.143 (4) (a) 7. In any fiscal year, the department may not award more than  
19 5% of the amount appropriated under s. ~~20.445 (1)~~ 20.143 (3) (v) as awards for  
20 petroleum product storage systems that are owned by school districts and that are  
21 used for storing heating oil for consumptive use on the premises where stored.

22 **SECTION 3680n.** 101.143 (4) (dm) 1. of the statutes is amended to read:

23 101.143 (4) (dm) 1. The department shall issue an award under this paragraph  
24 for a claim for eligible costs, under par. (b), incurred on or after ~~May 7, 1994~~ August  
25 1, 1987, and before July 1, 1998, by the owner or operator of a petroleum product

**SECTION 3680n**

1 storage system that is not an underground petroleum product storage tank system  
2 and for eligible costs, under par. (b), incurred on or after July 1, 1998, by the owner  
3 or operator of a petroleum product storage system that is not an underground  
4 petroleum product storage tank system if the petroleum product discharge on which  
5 the claim is based is confirmed and activities under sub. (3) (c) or (g) are begun before  
6 July 1, 1998.

7 **SECTION 3680p.** 101.143 (4) (dm) 5. of the statutes is created to read:

8 101.143 (4) (dm) 5. The department shall recalculate all awards issued under  
9 par. (e) before the effective date of this subdivision .... [revisor inserts date], for  
10 eligible costs incurred before May 7, 1994, by the owner or operator of a petroleum  
11 product storage system that is not an underground petroleum product storage tank  
12 system according to the eligibility requirements at the time that the awards were  
13 made except that the awards shall be subject to the deductible amounts under subd.  
14 2. and the maximum amounts under subs. 3. and 4. The department shall issue an  
15 award under this subdivision for the difference between the award as recalculated  
16 under this subdivision and the award issued before the effective date of this  
17 subdivision .... [revisor inserts date].

18 **SECTION 3680q.** 101.143 (4) (e) 1. a. of the statutes is repealed.

19 **SECTION 3680r.** 101.143 (4) (e) 2. of the statutes is amended to read:

20 101.143 (4) (e) 2. The department shall issue the award under this paragraph  
21 without regard to fault in an amount equal to the amount of the eligible costs that  
22 exceeds a deductible amount of ~~\$2,500 plus 5% of the eligible costs, but not more than~~  
23 ~~\$7,500 per occurrence, for eligible costs incurred before July 1, 1993, or a deductible~~  
24 ~~amount of \$10,000 for eligible costs incurred on or after July 1, 1993~~ \$10,000, except  
25 that the deductible amount for a petroleum product storage system that is owned by

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1 a school district or a technical college district and that is used for storing heating oil  
2 for consumptive use on the premises where stored is 25% of eligible costs and except  
3 that the deductible for a petroleum product storage system that is described in par.  
4 (ei) 1. is \$2,500 plus 5% of the eligible costs, but not more than \$7,500 per occurrence  
5 without regard to when the eligible costs are incurred.

6 **SECTION 3680s.** 101.143 (4) (e) 2m. of the statutes is amended to read:

7 101.143 (4) (e) 2m. An award issued under this paragraph may not exceed  
8 ~~\$195,000 for eligible costs incurred before July 1, 1993, or \$190,000 for eligible costs~~  
9 ~~incurred on or after July 1, 1993, \$190,000~~ for each occurrence, except that an award  
10 ~~under this paragraph to a school district or a technical college district with respect~~  
11 ~~to a discharge from a petroleum product storage system that is used for storing~~  
12 ~~heating oil for consumptive use on the premises where stored is \$190,000 for each~~  
13 ~~occurrence, without regard to when the eligible costs are incurred, and except that~~  
14 an award under this paragraph to the owner or operator of a petroleum product  
15 storage system described in par. (ei) 1. may not exceed \$100,000 per occurrence.

16 **SECTION 3680t.** 101.143 (4) (e) 3. of the statutes is amended to read:

17 101.143 (4) (e) 3. The department may not issue awards under this paragraph  
18 to an owner or operator for eligible costs incurred in one program year that total more  
19 than ~~\$195,000 for eligible costs incurred before July 1, 1993, or \$190,000, for eligible~~  
20 ~~costs incurred on or after July 1, 1993 \$190,000.~~

21 **SECTION 3682.** 101.143 (4) (ei) 1. b. of the statutes is amended to read:

22 101.143 (4) (ei) 1. b. The owner or operator of the farm tank has received a letter  
23 or notice from the department of development or department of natural resources  
24 indicating that the owner or operator must conduct a site investigation or remedial

1 action because of a discharge from the farm tank or an order to conduct such an  
2 investigation or remedial action.

3 **SECTION 3683.** 101.143 (4) (es) 1. of the statutes is amended to read:

4 101.143 (4) (es) 1. The department shall issue an award for a claim filed after  
5 August 9, 1989, for eligible costs, under par. (b), incurred on or after August 1, 1987,  
6 by an owner or operator or a person owning a home oil tank system in investigating  
7 the existence of a discharge or investigating the presence of petroleum products in  
8 soil or groundwater if the investigation is undertaken at the written direction of the  
9 department of ~~industry, labor and human relations~~ development or the department  
10 of natural resources and no discharge or contamination is found.

11 **SECTION 3683g.** 101.143 (4e) of the statutes is created to read:

12 101.143 (4e) PAYMENTS TO LENDERS. (a) Notwithstanding sub. (4) (g), when the  
13 department denies a claim under sub. (3) because of fraud, gross negligence or wilful  
14 misconduct on the part of an owner or operator, the department shall pay, to a person  
15 who loaned money to the owner or operator for the purpose of conducting activities  
16 under sub. (3) (c), an amount equal to the amount that would have been paid under  
17 sub. (4) for otherwise eligible expenses actually incurred, but not more than the  
18 amount specified under par. (b), if all of the following conditions are satisfied:

19 1. The lender assigns to the department an interest in the collateral pledged  
20 by the owner or operator for the sole purpose of securing the loan that was made to  
21 finance the activities under sub. (3) (c). If the amount of the payment under this  
22 subsection is less than the amount of the loan, the lender shall assign to the  
23 department that fraction of the lender's interest in the collateral that equals the ratio  
24 of the amount of the payment under this subsection to the amount of the loan.

1           2. For a loan that is made after the effective date of this subdivision .... [revisor  
2 inserts date], before the lender made any disbursement of the loan the department  
3 provided a letter indicating its preliminary determination that the owner or operator  
4 was eligible for an award under sub. (4).

5           3. For a loan that is made after the effective date of this subdivision .... [revisor  
6 inserts date], claims for payment under sub. (3) are made after completion of the site  
7 investigation and remedial action plan, after completion of the remedial action and  
8 annually for any continuing maintenance, monitoring and operation costs.

9           (b) Payment under this section may not exceed the amount of the loan. If the  
10 loan is made after the effective date of this paragraph .... [revisor inserts date],  
11 payment under this section may not exceed the amount of the loan disbursements  
12 made before the department notifies the lender that the claim may be denied.

13           (c) Assignment of an interest in collateral to the department under par. (a) 1.  
14 does not deprive a lender of its right to any cause of action arising out of the loan  
15 documents.

16           (d) Any payments made by the department under this subsection constitute a  
17 lien upon the property on which the remedial action is conducted if the department  
18 records the lien with the register of deeds in the county in which the property is  
19 located.

20           **SECTION 3683m.** 101.143 (5) (a) of the statutes is amended to read:

21           101.143 (5) (a) *Right of action.* A right of action under this section shall accrue  
22 to the state against an owner, operator or other person only if the owner, operator or  
23 other person submits a fraudulent claim or does not meet the requirements under  
24 this section and if an award is issued under this section to the owner, operator or

1 other person for eligible costs under this section or if payment is made to a lender  
2 under sub. (4e).

3 **SECTION 3685.** 101.144 of the statutes is created to read:

4 **101.144 Petroleum storage tank discharges. (1)** In this section:

5 (a) "Discharge" has the meaning given in s. 144.76 (1) (a).

6 (am) "Hazardous substance" has the meaning given in s. 144.01 (4m).

7 (b) "Petroleum product" has the meaning given in s. 101.143 (1) (f).

8 (bm) "Petroleum storage tank" means a storage tank that is used to store  
9 petroleum products together with any on-site integral piping or dispensing system.  
10 "Petroleum storage tank" does not include a pipeline facility.

11 (c) "Remedial action" means action that is taken in response to a discharge and  
12 that is necessary to restore the environment to the extent practicable and to  
13 minimize the harmful effects of the discharge to the air, lands and waters of this  
14 state.

15 (d) "Responsible person" means a person who owns or operates a petroleum  
16 storage tank, a person who causes a discharge from a petroleum storage tank or a  
17 person on whose property a petroleum storage tank is located.

18 **(2)** (a) The department shall administer a program under which responsible  
19 persons investigate, and take remedial action in response to, those discharges of  
20 petroleum products from petroleum storage tanks that are covered under par. (b).  
21 The department may issue an order requiring a responsible person to take remedial  
22 action in response to a discharge of a petroleum product from a petroleum storage  
23 tank if the discharge is covered under par. (b). In administering this section, the  
24 department shall follow rules promulgated by the department of natural resources  
25 for the cleanup of discharges of hazardous substances.

1 (b) The program under this section covers a discharge of a petroleum product  
2 from a petroleum storage tank if all of the following apply:

3 1. The site of the discharge is classified, as provided under sub. (3m) (a) 3., as  
4 medium priority or low priority, based on the threat that the discharge poses to public  
5 health, safety and welfare and to the environment.

6 2. The site of the discharge is not contaminated by a hazardous substance other  
7 than the petroleum product that was discharged from the petroleum storage tank.

8 **(3)** The department of natural resources may take action under s. 144.76 (7)  
9 (a) or may issue an order under s. 144.76 (7) (c) in response to a discharge that is  
10 covered under sub. (2) (b) only if one or more of the following apply:

11 (a) The action or order is necessary in an emergency to prevent or mitigate an  
12 imminent hazard to public health, safety or welfare or to the environment.

13 (b) The department of development requests the department of natural  
14 resources to take the action or issue the order.

15 (c) The secretary of natural resources approves the action or order in advance  
16 after notice to the secretary of development.

17 (d) The department of natural resources takes action under s. 144.76 (7) (a)  
18 after the responsible person fails to comply with an order that was issued under s.  
19 144.76 (7) (c) in compliance with this subsection.

20 (e) The department of natural resources takes the action under s. 144.76 (7) (a)  
21 because the identity of the responsible person is unknown.

22 **(3m)** (a) The department of development and the department of natural  
23 resources shall enter into a memorandum of understanding that does all of the  
24 following:

1           1. Establishes the respective functions of the 2 departments in the  
2 administration of this section and s. 101.143.

3           2. Establishes procedures to ensure that remedial actions taken under this  
4 section are consistent with actions taken under s. 144.76 (7).

5           3. Establishes procedures, standards and schedules for determining whether  
6 the site of a discharge of a petroleum product from a petroleum storage tank is  
7 classified as high priority, medium priority or low priority.

8           (b) The department of development and the department of natural resources  
9 shall submit a memorandum of understanding under this subsection to the secretary  
10 of administration for review. A memorandum of understanding under this  
11 subsection does not take effect until it is approved by the secretary of administration.

12           (4) Any person who violates a rule promulgated or an order issued under this  
13 section shall forfeit not less than \$10 nor more than \$5,000 for each violation. Each  
14 day of continued violation is a separate offense.

15           **SECTION 3686.** 101.17 of the statutes is amended to read:

16           **101.17 Machines and boilers, safety requirement.** No machine,  
17 mechanical device, or steam boiler shall be installed or used in this state which does  
18 not fully comply with the requirements of the laws of this state enacted for the safety  
19 of employes and frequenters in places of employment and public buildings and with  
20 the orders of the department adopted and published in conformity with ~~ss. 101.01 to~~  
21 ~~101.25~~ this subchapter. Any person violating this section shall be subject to the  
22 forfeitures provided in s. 101.02 (12) and (13).

23           **SECTION 3687.** 101.22 of the statutes is renumbered 106.04.

24           **SECTION 3688.** 101.221 of the statutes is renumbered 106.05, and 106.05 (2),  
25 as renumbered, is amended to read:

1           106.05 (2) The council shall give consideration to the practical operation and  
2 application of ss. ~~101.22 to 101.222~~ 106.04 to 106.06 and report to the proper  
3 legislative committee its view on any pending bill relating to the subject matter of  
4 ss. ~~101.22 to 101.222~~ 106.04 to 106.06.

5           **SECTION 3689.** 101.222 of the statutes is renumbered 106.06, and 106.06 (3),  
6 as renumbered, is amended to read:

7           106.06 (3) All gifts, grants, bequests and devises to the division for its use for  
8 any of the purposes mentioned in s. ~~101.221~~ 106.05 are valid and shall be used to  
9 carry out the purposes for which made and received.

10          **SECTION 3690.** 101.223 of the statutes is renumbered 106.07, and 106.07 (4) (a),  
11 as renumbered, is amended to read:

12          106.07 (4) (a) The department shall receive and investigate complaints  
13 charging discrimination or discriminatory practices in particular cases, and  
14 publicize its findings with respect thereto. The department has all powers provided  
15 under s. 111.39 with respect to the disposition of such complaints. The findings and  
16 orders of examiners may be reviewed as provided under s. ~~101.22~~ 106.04 (10) (b).

17          **SECTION 3691.** 101.225 of the statutes is renumbered 106.08.

18          **SECTION 3692.** 101.23 of the statutes is renumbered 106.09.

19          **SECTION 3693.** 101.25 of the statutes is renumbered 106.10.

20          **SECTION 3694.** 101.26 of the statutes, as affected by 1995 Wisconsin Act .... (this  
21 act), is renumbered 106.11.

22          **SECTION 3695.** 101.26 (3) (a) of the statutes is amended to read:

23          101.26 (3) (a) To ensure that the governor's coordination and special services  
24 plan proposed by the state job training coordinating council governor's council on  
25 workforce excellence and each job training plan proposed by a private industry

**SECTION 3695**

1 council pursuant to the federal job training partnership act, 29 USC 1501 to ~~1781~~  
2 1792b, coordinate with and consider programs and services provided or proposed by  
3 other bodies with a direct interest in employment, training and human resources  
4 utilization and respond to concerns of interested citizens, employment and training  
5 service providers and members of the business community, the ~~state job training~~  
6 ~~coordinating council~~ governor's council on workforce excellence and each private  
7 industry council shall make their proposed plans available to the public and after  
8 reasonable notice hold at least one public hearing before submittal to the governor  
9 under par. (c). The ~~state job training coordinating~~ governor's council on workforce  
10 excellence or private industry council shall provide notice of the public hearing and  
11 a copy of the proposed plan or a summary of it to the appropriate standing  
12 committees under par. (b). The public hearing shall be held sufficiently in advance  
13 of the date each council must submit its plan to the governor to permit the council  
14 to address concerns raised at its hearing. The public hearing shall be held at a  
15 reasonable time in a place accessible to the public, including handicapped persons.

16 **SECTION 3696.** 101.26 (3) (b) 1. of the statutes is amended to read:

17 101.26 (3) (b) 1. The ~~state job training coordinating~~ governor's council on  
18 workforce excellence shall submit notice of public hearing and a copy of the proposed  
19 governor's coordination and special services plan or a summary of it to the standing  
20 committees dealing with education, economic development and employment and to  
21 any other appropriate standing committee in each house of the legislature at least  
22 120 days before the beginning of the first of 2 program years covered by the plan.

23 **SECTION 3697.** 101.26 (3) (c) (intro.) of the statutes is amended to read:

24 101.26 (3) (c) (intro.) After the public hearing under par. (a), the ~~state job~~  
25 ~~training coordinating~~ governor's council on workforce excellence or the private

1 industry council shall submit its proposed plan to the governor according to  
2 procedures established by the department. The ~~state job training coordinating~~  
3 governor's council on workforce excellence or the private industry council shall  
4 include all of the following with the proposed plan submitted to the governor:

5 **SECTION 3698.** 101.262 of the statutes is created to read:

6 **101.262 Governor's council on workforce excellence.** (1) The governor's  
7 council on workforce excellence shall oversee the planning, coordination,  
8 administration and implementation of the employment and education programs  
9 provided under all of the following:

10 (a) The job training partnership act, 29 USC 1501 to 1792b, including the  
11 employment and education programs provided under ss. 101.26 and 101.27.

12 (b) The job opportunities and basic skills program under 42 USC 682 (a) and  
13 s. 49.193.

14 (c) The food stamp employment and training program under 7 USC 2015 (d)  
15 (4) and s. 49.124.

16 (d) The adult education act, 20 USC 1201 to 1213d.

17 (e) The Carl D. Perkins vocational and applied technology education act, 20  
18 USC 2301 to 2471.

19 (f) The school-to-work opportunities act of 1994, 20 USC 6101 to 6251.

20 (g) The youth apprenticeship program under s. 101.265 and any other  
21 apprenticeship program for which the department provides assistance.

22 (h) The public employment office system under 29 USC 49 to 49n and s. 101.23.

23 (i) The national and community service corps under 42 USC 12501 to 12682 and  
24 s. 16.22.

25 (id) The rehabilitation act of 1973, 29 USC 701 to 796i.

1 (ig) The older Americans act of 1965, 42 USC 3001 to 3058ee.

2 (ij) The refugee act of 1980, 8 USC 1521 to 1524.

3 (im) The veterans' rehabilitation and education amendments of 1980, 38 USC  
4 3100 to 3121.

5 (ip) The servicemen's readjustment act of 1944, 38 USC 3701 to 3764.

6 (ir) The development zone jobs credit program under ss. 71.07 (2dj), 71.28 (1dj)  
7 and 71.47 (1dj).

8 (it) The Wisconsin conservation corps program under s. 16.20.

9 (iv) The veterans job training program under s. 101.25 and any other job  
10 training program for veterans administered by the department.

11 (j) Such other employment and education programs as the governor may by  
12 executive order assign to the council.

13 **(2)** The governor's council on workforce excellence shall do all of the following:

14 (a) Identify the workforce development needs of the state and recommend to  
15 the governor goals for meeting those needs and steps to meet those goals.

16 (b) Review the provision of services and the allocation of funding and resources  
17 under the programs specified in sub. (1) and recommend to the governor a strategic  
18 plan for coordinating the provision of those services and for allocating that funding  
19 and those resources, consistent with the laws, rules and regulations governing those  
20 programs, so as to best respond to the workforce development needs identified under  
21 par. (a).

22 (c) Monitor the provision of services and the expenditure of funding and  
23 resources under the programs specified in sub. (1) and evaluate the effectiveness of  
24 those programs in meeting the employment and education needs of the participants  
25 in those programs.

1           (d) Determine whether any federal laws, regulations or policies impede the  
2 effectiveness or coordination of any of the programs specified in sub. (1) and, if so,  
3 recommend that the department seek waivers of those laws, regulations or policies.

4           (e) Recommend for approval by the department under s. 101.265 (2m)  
5 occupations for the youth apprenticeship program and statewide skill standards for  
6 programs provided under the school-to-work opportunities act of 1994, 20 USC 6101  
7 to 6251.

8           (f) Review and comment on all proposals for the establishment of new  
9 employment and education programs, including the eligibility criteria for receiving  
10 services under those programs, to ensure that employment and education program  
11 services are not duplicated unnecessarily.

12           (g) Oversee the establishment and operation of public employment offices  
13 under s. 101.23.

14           (h) Provide uniform performance standards that assist in evaluating the  
15 effectiveness of the employment and education programs specified in sub. (1).

16           (i) Annually, prepare and submit to the legislature under s. 13.172 (2) and to  
17 the governor a report on the activities of the governor's council on workforce  
18 excellence that includes recommendations regarding the employment and education  
19 programs specified in sub. (1).

20           **(3)** The council may not impose any mandates on any local governmental unit  
21 or educational institution. In this subsection, "local governmental unit" means a  
22 political subdivision of this state, special purpose district in this state,  
23 instrumentality or corporation of such a political subdivision or special purpose  
24 district, combination or subunit of any of the foregoing or instrumentality of the state  
25 and any of the foregoing.

**SECTION 3699**

1           **SECTION 3699.** 101.262 of the statutes, as created by 1995 Wisconsin Act ...  
2 (this act), is renumbered 106.115, and 106.115 (1) (a), (g), (h), (i), (it) and (iv) and (2)  
3 (e) and (g), as renumbered, are amended to read:

4           106.115 (1) (a) The job training partnership act, 29 USC 101 to 1792b, including  
5 the employment and education programs provided under ss. ~~101.26 and 101.27~~  
6 106.11 and 106.15.

7           (g) The youth apprenticeship program under s. ~~101.265~~ 106.13 and any other  
8 apprenticeship program for which the department provides assistance.

9           (h) The public employment office system under 29 USC 49 to 49n and s. ~~101.23~~  
10 106.09.

11           (i) The national and community service corps under 42 USC 12501 to 12682 and  
12 s. ~~16.22~~ 106.40.

13           (it) The Wisconsin conservation corps program under s. ~~16.20~~ 106.215.

14           (iv) The veterans job training program under s. ~~101.25~~ 106.10 and any other  
15 job training program for veterans administered by the department.

16           (2) (e) Recommend for approval by the department under s. ~~101.265~~ 106.13  
17 (2m) occupations for the youth apprenticeship program and statewide skill  
18 standards for programs provided under the school-to-work opportunities act of  
19 1994, 20 USC 6101 to 6251.

20           (g) Oversee the establishment and operation of public employment offices  
21 under s. ~~101.23~~ 106.09.

22           **SECTION 3700.** 101.264 of the statutes is amended to read:

23           **101.264** (title) **Office Division of workforce excellence.** ~~The office~~ Based  
24 on the recommendations of the governor's council on workforce excellence, the  
25 division of workforce excellence shall plan, coordinate, administer and implement

**SECTION 3700**

1 the department's workforce excellence initiatives, programs ~~and~~, policies and  
2 funding, the youth apprenticeship and school-to-work programs under s. 101.265  
3 and such other employment and education programs as the governor may by  
4 executive order assign to the division. Notwithstanding any limitations placed on  
5 the use of state employment and education funds under this section or s. 101.265,  
6 101.267, 101.27, 101.35 or 101.38 or under an executive order assigning an  
7 employment and education program to the division, the secretary may issue a  
8 general or special order waiving any of those limitations on finding that the waiver  
9 will promote the coordination of employment and education services.

10 **SECTION 3701.** 101.264 of the statutes, as affected by 1995 Wisconsin Act ...  
11 (this act), is renumbered 106.12 and amended to read:

12 **106.12 Division of workforce excellence.** Based on the recommendations  
13 of the governor's council on workforce excellence, the division of workforce excellence  
14 shall plan, coordinate, administer and implement the department's workforce  
15 excellence initiatives, programs, policies and funding, the youth apprenticeship and  
16 school-to-work programs under s. ~~101.265~~ 106.13 and such other employment and  
17 education programs as the governor may by executive order assign to the division.  
18 Notwithstanding any limitations placed on the use of state employment and  
19 education funds under this section or s. ~~101.265, 101.267, 101.27, 101.35 or 101.38~~  
20 106.13, 106.14, 106.15, 106.20 or 106.21 or under an executive order assigning an  
21 employment and education program to the division, the secretary may issue a  
22 general or special order waiving any of those limitations on finding that the waiver  
23 will promote the coordination of employment and education services.

24 **SECTION 3702.** 101.265 (title) of the statutes is amended to read:

1           **101.265** (title) **Youth apprenticeship program and school-to-work**  
2 **programs.**

3           **SECTION 3703.** 101.265 (title) of the statutes, as affected by 1995 Wisconsin Act  
4 .... (this act), is renumbered 106.13 (title).

5           **SECTION 3704.** 101.265 (1) of the statutes is amended to read:

6           101.265 (1) The department shall provide a youth apprenticeship program in  
7 accordance with the report prepared by the department under 1991 Wisconsin Act  
8 39, section 9129 (5t) and a school-to-work program in accordance with 20 USC 6101  
9 to 6251.

10          **SECTION 3705.** 101.265 (1) of the statutes, as affected by 1995 Wisconsin Act  
11 .... (this act), is renumbered 106.13 (1).

12          **SECTION 3706.** 101.265 (2) of the statutes is amended to read:

13          101.265 (2) The ~~youth apprenticeship council under s. 15.227 (22) governor's~~  
14 council on workforce excellence, the technical college system board and the  
15 department of public instruction shall assist the department of industry, labor and  
16 human relations in providing the youth apprenticeship program and school-to-work  
17 program under sub. (1).

18          **SECTION 3707.** 101.265 (2) of the statutes, as affected by 1995 Wisconsin Act  
19 .... (this act), is renumbered 106.13 (2).

20          **SECTION 3708.** 101.265 (2m) of the statutes is amended to read:

21          101.265 (2m) The After reviewing the recommendations of the governor's  
22 council on workforce excellence under s. 101.262 (2) (e), the department shall  
23 approve occupations and maintain a list of approved occupations for the youth  
24 apprenticeship program and shall approve statewide skill standards for the  
25 school-to-work program. From the appropriation under s. 20.445 (1) ~~(er)~~ (ev), the

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1 department shall contract with the state board of vocational, technical and adult  
2 education for the development of curricula for youth apprenticeship programs for  
3 occupations approved under this subsection.

4 **SECTION 3709.** 101.265 (2m) of the statutes, as affected by 1995 Wisconsin Act  
5 .... (this act), is renumbered 106.13 (2m) and amended to read:

6 106.13 (2m) After reviewing the recommendations of the governor's council on  
7 workforce excellence under s. ~~101.262~~ 106.115 (2) (e), the department shall approve  
8 occupations and maintain a list of approved occupations for the youth apprenticeship  
9 program and shall approve statewide skill standards for the school-to-work  
10 program. From the appropriation under s. 20.445 (1) (ev), the department shall  
11 contract for the development of curricula for youth apprenticeship programs for  
12 occupations approved under this subsection.

13 **SECTION 3710.** 101.265 (3) of the statutes is renumbered 106.13 (3) and  
14 amended to read:

15 106.13 (3) The youth apprenticeship program under sub. (1) shall not affect any  
16 apprenticeship program that is governed by ~~ch. 106 ss. 106.01 to 106.03~~, except that  
17 an apprenticeship program that is governed by ch. 106 may grant credit toward the  
18 completion of an apprenticeship for the successful completion of a youth  
19 apprenticeship under sub. (1).

20 **SECTION 3711.** 101.265 (4) of the statutes is renumbered 106.13 (4).

21 **SECTION 3712.** 101.265 (5) of the statutes is renumbered 106.13 (5).

22 **SECTION 3713.** 101.267 of the statutes is renumbered 106.14.

23 **SECTION 3714.** 101.27 of the statutes, as affected by 1995 Wisconsin Act .... (this  
24 act), is renumbered 106.15.

25 **SECTION 3715.** 101.27 (1) (a) of the statutes is amended to read:

1           101.27 (1) (a) “Council” means the ~~state job training coordinating~~ governor’s  
2 council on workforce excellence established under 29 USC 1532 ~~1792~~.

3           **SECTION 3716.** 101.28 of the statutes is renumbered 106.16.

4           **SECTION 3717.** 101.29 of the statutes is renumbered 106.17.

5           **SECTION 3718.** 101.30 of the statutes is renumbered 106.18 and amended to  
6 read:

7           **106.18 Job opportunities and basic skills program; aid to families with**  
8 **dependent children recipients.** The department may contract with the  
9 department of health and social services for the provision of supportive and  
10 ~~employment~~ services under the job opportunities and basic skills program under s.  
11 49.193. Fees charged for the contractual services provided shall be credited to the  
12 appropriation under s. 20.445 (1) (ka).

13           **SECTION 3719.** 101.31 of the statutes is renumbered 106.19.

14           **SECTION 3720.** 101.35 of the statutes is renumbered 106.20.

15           **SECTION 3721.** 101.38 of the statutes, as affected by 1995 Wisconsin Act .... (this  
16 act), is renumbered 106.21, and 106.21 (1) (g), as renumbered, is amended to read:

17           106.21 (1) (g) “Public assistance” means relief provided by counties under s.  
18 59.07 (154), aid to families with dependent children under s. 49.19, medical  
19 assistance under ~~ss. 49.45 to 49.47~~ subch. IV of ch. 49, low-income energy assistance  
20 under s. ~~49.80~~ 16.385 and the food stamp program under 7 USC 2011 to 2029.

21           **SECTION 3722.** 101.38 (1) (g) of the statutes is amended to read:

22           101.38 (1) (g) “Public assistance” means ~~general relief under s. 49.02, relief of~~  
23 ~~needy Indian persons under s. 49.046~~ relief provided by counties under s. 59.07 (154),  
24 aid to families with dependent children under s. 49.19, medical assistance under ss.

1 49.45 to 49.47, low-income energy assistance under s. 49.80 and the food stamp  
2 program under 7 USC 2011 to 2029.

3 **SECTION 3723.** 101.40 of the statutes is repealed.

4 **SECTION 3724.** 101.42 of the statutes is repealed.

5 **SECTION 3725.** 101.43 of the statutes is repealed.

6 **SECTION 3726.** 101.47 of the statutes is renumbered 106.25.

7 **SECTION 3727.** 101.573 (3) (a) of the statutes is amended to read:

8 101.573 (3) (a) On or before May 1 in each year, the department shall compile  
9 the fire department dues paid by all insurers under s. 601.93 and the dues paid by  
10 the state fire fund under sub. (1) and funds remaining under par. (b), withhold .5%  
11 and certify to the state treasurer the proper amount to be paid from the appropriation  
12 under s. ~~20.445~~(1) 20.143 (3) (L) to each city, village or town entitled to fire  
13 department dues under s. 101.575. Annually, on or before August 1, the state  
14 treasurer shall pay the amounts certified by the department to the cities, villages  
15 and towns eligible under s. 101.575.

16 **SECTION 3727g.** 101.575 (3) (a) 3. of the statutes is amended to read:

17 101.575 (3) (a) 3. Provides a training program prescribed by the department  
18 by rule, ~~in consultation with the fire prevention council.~~

19 **SECTION 3727h.** 101.575 (3) (a) 3. of the statutes, as affected by 1995 Wisconsin  
20 Act .... (this act), is repealed and recreated to read:

21 101.575 (3) (a) 3. Provides a training program prescribed by the department  
22 by rule, in consultation with the fire prevention council.

23 **SECTION 3728.** 101.597 (3) of the statutes is amended to read:

24 101.597 (3) BY DEPARTMENT. The department shall inform manufacturers,  
25 suppliers, employers, agricultural employers and employes of their duties and rights

1 under ss. 101.58 to 101.599. As part of this program, the department shall cooperate  
2 with the ~~departments of development and~~ department of revenue to notify any  
3 employer commencing operations on or after May 8, 1982, of that employer's duties  
4 and rights.

5 **SECTION 3729d.** 101.62 of the statutes is amended to read:

6 **101.62 Dwelling code council; power.** The dwelling code council shall  
7 review the standards and rules for one- and 2-family dwelling construction and  
8 recommend a uniform dwelling code for adoption by the department ~~which of~~  
9 development in anticipation of the transfer of functions relating to the uniform  
10 dwelling code to the department of development under 1995 Wisconsin Act ... (this  
11 act). The uniform dwelling code shall include rules providing for the conservation  
12 of energy in the construction and maintenance of dwellings and for costs of specific  
13 code provisions to home buyers to be related to the benefits derived from such  
14 provisions. The council shall study the need for and availability of one-family and  
15 2-family dwellings that are accessible to persons with disabilities, as defined in s.  
16 101.22 (1m) (g), and shall make recommendations to the department of development  
17 for any changes to the uniform dwelling code that may be needed to ensure an  
18 adequate supply of one-family and 2-family dwellings. Upon its own initiative or  
19 at the request of the department of development, the council shall consider and make  
20 recommendations to the department of development pertaining to rules and any  
21 other matters related to this subchapter. The council shall recommend variances for  
22 different climate and soil conditions throughout the state.

23 **SECTION 3729e.** 101.62 of the statutes, as affected by 1995 Wisconsin Act ...  
24 (this act), is repealed and recreated to read:

1           **101.62 Dwelling code council; power.** The dwelling code council shall  
2 review the standards and rules for one- and 2-family dwelling construction and  
3 recommend a uniform dwelling code for adoption by the department which shall  
4 include rules providing for the conservation of energy in the construction and  
5 maintenance of dwellings and for costs of specific code provisions to home buyers to  
6 be related to the benefits derived from such provisions. The council shall study the  
7 need for and availability of one-family and 2-family dwellings that are accessible to  
8 persons with disabilities, as defined in s. 106.04 (1m) (g), and shall make  
9 recommendations to the department for any changes to the uniform dwelling code  
10 that may be needed to ensure an adequate supply of one-family and 2-family  
11 dwellings. Upon its own initiative or at the request of the department, the council  
12 shall consider and make recommendations to the department pertaining to rules and  
13 any other matters related to this subchapter. The council shall recommend variances  
14 for different climate and soil conditions throughout the state.

15           **SECTION 3729f.** 101.625 of the statutes is amended to read:

16           **101.625 Contractor financial responsibility council; duties.** The In  
17 anticipation of the transfer of functions relating to the financial responsibility of  
18 contractors to the department of development under 1995 Wisconsin Act ... (this act,  
19 the contractor financial responsibility council shall recommend for promulgation by  
20 the department of development rules for certifying the financial responsibility of  
21 contractors under s. 101.654. These rules shall include rules providing for the  
22 assessment of fees upon applicants for certification of financial responsibility under  
23 s. 101.654 and for the suspension and revocation of that certification. The amount  
24 of the fees recommended under this section may not exceed an amount that is

1 sufficient to defray the costs incurred in certifying the financial responsibility of  
2 applicants under s. 101.654.

3 **SECTION 3729g.** 101.625 of the statutes, as affected by 1995 Wisconsin Act ....  
4 (this act), is repealed and recreated to read:

5 **101.625 Contractor financial responsibility council; duties.** The  
6 contractor financial responsibility council shall recommend for promulgation by the  
7 department rules for certifying the financial responsibility of contractors under s.  
8 101.654. These rules shall include rules providing for the assessment of fees upon  
9 applicants for certification of financial responsibility under s. 101.654 and for the  
10 suspension and revocation of that certification. The amount of the fees  
11 recommended under this section may not exceed an amount that is sufficient to  
12 defray the costs incurred in certifying the financial responsibility of applicants under  
13 s. 101.654.

14 **SECTION 3729h.** 101.64 (3) of the statutes is amended to read:

15 101.64 (3) ~~Revise the rules under this subchapter after consultation with the~~  
16 ~~dwelling code council or with the contractor financial responsibility council, as~~  
17 ~~appropriate.~~

18 **SECTION 3729i.** 101.64 (3) of the statutes, as affected by 1995 Wisconsin Act ....  
19 (this act), is repealed and recreated to read:

20 101.64 (3) ~~Revise the rules under this subchapter after consultation with the~~  
21 ~~dwelling code council or with the contractor financial responsibility council, as~~  
22 ~~appropriate.~~

23 **SECTION 3729j.** 101.72 of the statutes is amended to read:

24 **101.72 Dwelling code council.** The dwelling code council shall review the  
25 standards and rules for manufactured buildings for dwellings and recommend a

1 statewide manufactured building code for adoption by the department ~~which of~~  
2 development in anticipation of the transfer of functions relating to the statewide  
3 manufactured building code to the department of development under 1995  
4 Wisconsin Act .... (this act). The statewide manufactured building code shall include  
5 rules providing for the conservation of energy in the construction and maintenance  
6 of dwellings. Such rules shall take into account the costs to home buyers of specific  
7 code provisions in relation to the benefits derived therefrom. Upon its own initiative  
8 or at the request of the department of development, the council shall consider and  
9 make recommendations to the department of development pertaining to rules and  
10 any other matters related to this subchapter.

11 **SECTION 3729k.** 101.72 of the statutes, as affected by 1995 Wisconsin Act ....  
12 (this act), is repealed and recreated to read:

13 **101.72 Dwelling code council.** The dwelling code council shall review the  
14 standards and rules for manufactured buildings for dwellings and recommend a  
15 statewide manufactured building code for adoption by the department which shall  
16 include rules providing for the conservation of energy in the construction and  
17 maintenance of dwellings. Such rules shall take into account the costs to home  
18 buyers of specific code provisions in relation to the benefits derived therefrom. Upon  
19 its own initiative or at the request of the department, the council shall consider and  
20 make recommendations to the department pertaining to rules and any other matters  
21 related to this subchapter.

22 **SECTION 3729L.** 101.74 (3) of the statutes is amended to read:

23 101.74 (3) Revise the rules under this subchapter ~~after consultation with the~~  
24 ~~dwelling code council.~~

**SECTION 3729m**

1           **SECTION 3729m.** 101.74 (3) of the statutes, as affected by 1995 Wisconsin Act  
2 .... (this act), is repealed and recreated to read:

3           101.74 (3) Revise the rules under this subchapter after consultation with the  
4 dwelling code council.

5           **SECTION 3730.** 101.80 (2) of the statutes is amended to read:

6           101.80 (2) “Public buildings” and “places of employment” ~~have the meanings~~  
7 ~~provided by s. 101.01 (2) and~~ include all exterior wiring except wiring owned, leased,  
8 operated or maintained by a public utility including any electrical cooperative, in the  
9 exercise of its utility function.

10          **SECTION 3731.** 101.82 (1) of the statutes is amended to read:

11          101.82 (1) Adopt rules for the construction and inspection of electrical  
12 construction of public buildings and places of employment and for the inspection of  
13 electrical construction of places where farming, as defined in s. 101.01 (2) ~~(f)~~ (11), is  
14 conducted. Where feasible, the standards used shall be those nationally recognized.  
15 No rule may be adopted which does not take into account the conservation of energy  
16 in construction and maintenance of buildings.

17          **SECTION 3732.** 101.92 (7) of the statutes is amended to read:

18          101.92 (7) ~~Shall establish within the division of safety and buildings a staff for~~  
19 ~~the administration and enforcement of ss. 101.90 to 101.96.~~

20          **SECTION 3733c.** 101.972 of the statutes is amended to read:

21          **101.972 Multifamily dwelling code council duties.** The multifamily  
22 dwelling code council shall review the rules for multifamily dwelling construction  
23 and recommend a uniform multifamily dwelling code for promulgation by the  
24 department of development in anticipation of the transfer of functions relating to the  
25 uniform multifamily dwelling code to the department of development under 1995

1 Wisconsin Act ... (this act). The council shall consider and make recommendations  
2 to the department of development pertaining to rules and any other matters related  
3 to this subchapter. The council shall identify, consider and make recommendations  
4 to the department of development regarding variances in the rules for different  
5 climate and soil conditions and the variable conditions created by building and  
6 population densities.

7 **SECTION 3733g.** 101.972 of the statutes, as affected by 1995 Wisconsin Act ...  
8 (this act), is repealed and recreated to read:

9 **101.972 Multifamily dwelling code council duties.** The multifamily  
10 dwelling code council shall review the rules for multifamily dwelling construction  
11 and recommend a uniform multifamily dwelling code for promulgation by the  
12 department. The council shall consider and make recommendations to the  
13 department pertaining to rules and any other matters related to this subchapter.  
14 The council shall identify, consider and make recommendations to the department  
15 regarding variances in the rules for different climate and soil conditions and the  
16 variable conditions created by building and population densities.

17 **SECTION 3733L.** 101.973 (8) of the statutes is amended to read:

18 101.973 (8) Deposit the moneys received from the fees under sub. (7) in the  
19 ~~appropriation~~ appropriations under ~~s. 20.143 (7) (jz) and~~ 20.445 (1) (j).

20 **SECTION 3733p.** 101.973 (8) of the statutes, as affected by 1995 Wisconsin Act  
21 1995 Wisconsin Act ... (this act), is repealed and recreated to read:

22 101.973 (8) Deposit the moneys received from the fees under sub. (7) in the  
23 appropriation under s. 20.143 (3) (j).

24 **SECTION 3733t.** 101.974 (2) of the statutes is repealed.

25 **SECTION 3733x.** 101.974 (2m) of the statutes is created to read:

**SECTION 3733x**

1           101.974 **(2m)** Promulgate the rules under this subchapter after consultation  
2 with the multifamily dwelling code council.

3           **SECTION 3734.** 101.975 (3) (a) 3. of the statutes is amended to read:

4           101.975 **(3)** (a) 3. The ordinance does not conform to this subchapter and s.  
5 101.02 (7m) or is contrary to an order of the department under ss. ~~101.01 to 101.25~~  
6 subch. I.

7           **SECTION 3735.** 101.975 (3) (a) 4. of the statutes is amended to read:

8           101.975 **(3)** (a) 4. The ordinance is more stringent than the corresponding  
9 provision of this subchapter or s. 101.02 or the contrary provision of an order of the  
10 department under ss. ~~101.01 to 101.25~~ subch. I.

11           **SECTION 3736.** 101.975 (3) (b) of the statutes is amended to read:

12           101.975 **(3)** (b) If a political subdivision has a preexisting stricter sprinkler  
13 ordinance, that ordinance remains in effect, except that the political subdivision may  
14 amend the ordinance to conform to this subchapter and s. 101.02 (7m) and to be not  
15 contrary to an order of the department under ss. ~~101.01 to 101.25~~ subch. I.

16           **SECTION 3737.** 102.01 (2) (ag) of the statutes is created to read:

17           102.01 **(2)** (ag) “Commissioner” means a member of the commission.

18           **SECTION 3738.** 102.01 (2) (ap) of the statutes is created to read:

19           102.01 **(2)** (ap) “Department” means the department of industry, labor and  
20 human relations.

21           **SECTION 3739.** 102.01 (2) (bm) of the statutes is created to read:

22           102.01 **(2)** (bm) “General order” means such order as applies generally  
23 throughout the state to all persons, employments, places of employment or public  
24 buildings, or all persons, employments or places of employment or public buildings

1 of a class under the jurisdiction of the department. All other orders of the department  
2 shall be considered special orders.

3 **SECTION 3740.** 102.01 (2) (dm) of the statutes is created to read:

4 102.01 (2) (dm) "Order" means any decision, rule, regulation, direction,  
5 requirement or standard of the department, or any other determination arrived at  
6 or decision made by the department.

7 **SECTION 3741.** 102.01 (2) (em) of the statutes is created to read:

8 102.01 (2) (em) "Secretary" means the secretary of industry, labor and human  
9 relations.

10 **SECTION 3741g.** 102.07 (14) of the statutes is amended to read:

11 102.07 (14) An adult performing uncompensated community service work  
12 under s. 971.38, 973.03 (3), 973.05 (3) ~~or~~, 973.09 or 973.095 is an employe of the  
13 county in which the district attorney requiring or the court ordering the community  
14 service work is located or in which the place of assignment under s. 973.095 is  
15 located. No compensation may be paid to that employe for temporary disability  
16 during the healing period.

17 **SECTION 3742b.** 102.17 (1) (a) of the statutes is amended to read:

18 102.17 (1) (a) Upon the filing with the department by any party in interest of  
19 any application in writing stating the general nature of any claim as to which any  
20 dispute or controversy may have arisen, it shall mail a copy of such application to all  
21 other parties in interest and the insurance carrier shall be deemed a party in  
22 interest. The department may bring in additional parties by service of a copy of the  
23 application. The department shall cause notice of hearing on the application to be  
24 given to each party interested, by service of such notice on the interested party  
25 personally or by mailing a copy to the interested party's last-known address at least

1 10 days before such hearing. In case a party in interest is located without the state,  
2 and has no post-office address within this state, the copy of the application and  
3 copies of all notices shall be filed ~~in the office of the secretary of state~~ with the  
4 department of financial institutions and shall also be sent by registered or certified  
5 mail to the last-known post-office address of such party. Such filing and mailing  
6 shall constitute sufficient service, with the same effect as if served upon a party  
7 located within this state. The hearing may be adjourned in the discretion of the  
8 department, and hearings may be held at such places as the department designates,  
9 within or without the state. The department may also arrange to have hearing held  
10 by the commission, officer or tribunal having authority to hear cases arising under  
11 the worker's compensation law of any other state, of the District of Columbia, or of  
12 any territory of the United States, the testimony and proceedings at any such  
13 hearing to be reported to the department and to be part of the record in the case. Any  
14 evidence so taken shall be subject to rebuttal upon final hearing before the  
15 department.

16 **SECTION 3743.** 102.39 of the statutes is amended to read:

17 **102.39 General orders; application of statutes.** The provisions of ch. 101,  
18 s. 103.005 relating to the adoption, publication, modification and court review of  
19 general orders of the department shall apply to all general orders adopted pursuant  
20 to this chapter.

21 **SECTION 3743m.** 102.42 (8) of the statutes is amended to read:

22 102.42 (8) AWARD TO STATE EMPLOYEE. Whenever an award is made by the  
23 department in behalf of a state employe, the department of industry, labor and  
24 human relations shall file duplicate copies of the award with the department of  
25 administration. Upon receipt of the copies of the award, the department of

**SECTION 3743m**

1 administration shall promptly issue a voucher in payment of the award from the  
2 proper appropriation under s. 20.865 (1) ~~(dm)~~ (fm), (kr) or (ur), and shall transmit  
3 one copy of the voucher and the award to the officer, department or agency by whom  
4 the affected employe is employed.

5 **SECTION 3744.** 102.42 (9) (b) of the statutes is amended to read:

6 102.42 **(9)** (b) Such specialist shall study the problems of rehabilitation, both  
7 physical and vocational and shall refer suitable cases to the department of health  
8 and social services for vocational evaluation and training. The specialist shall  
9 investigate and maintain a directory of such rehabilitation facilities, private and  
10 public, as are capable of rendering competent rehabilitation service to seriously  
11 injured employes.

12 **SECTION 3745.** 102.61 (1m) (a) of the statutes is amended to read:

13 102.61 **(1m)** (a) If the department of ~~health and social services~~ has determined  
14 under sub. (1) that an employe is eligible for vocational rehabilitation services under  
15 29 USC 701 to 797b, but that the department of ~~health and social services~~ cannot  
16 provide those services for the employe, the employe may select a private  
17 rehabilitation counselor certified by the department of ~~industry, labor and human~~  
18 ~~relations~~ to determine whether the employe can return to suitable employment  
19 without rehabilitative training and, if that counselor determines that rehabilitative  
20 training is necessary, to develop a rehabilitative training program to restore as  
21 nearly as possible the employe to his or her preinjury earning capacity and potential.

22 **SECTION 3745g.** 102.64 (1) of the statutes is amended to read:

23 102.64 **(1)** Upon request of the department of administration, a representative  
24 of the department of justice shall represent the state in cases involving payment into  
25 or out of the state treasury under s. 20.865 (1) ~~(dm)~~ (fm), (kr) or (ur) or 102.29. The

1 department of justice, after giving notice to the department of administration, may  
2 compromise the amount of such payments but such compromises shall be subject to  
3 review by the department of industry, labor and human relations. If the spouse of  
4 the deceased employe compromises his or her claim for a primary death benefit, the  
5 claim of the children of such employe under s. 102.49 shall be compromised on the  
6 same proportional basis, subject to approval by the department. If the persons  
7 entitled to compensation on the basis of total dependency under s. 102.51 (1)  
8 compromise their claim, payments under s. 102.49 (5) (a) shall be compromised on  
9 the same proportional basis.

10 **SECTION 3746.** 103.001 of the statutes is created to read:

11 **103.001 Definitions.** In chs. 103 to 106, the following words and phrases have  
12 the designated meanings unless a different meaning is expressly provided:

13 (3) "Department" means the department of industry, labor and human  
14 relations.

15 (4) "Deputy" means any person employed by the department designated as a  
16 deputy, who possesses special, technical, scientific, managerial or personal abilities  
17 or qualities in matters within the jurisdiction of the department, and who may be  
18 engaged in the performance of duties under the direction of the secretary, calling for  
19 the exercise of such abilities or qualities.

20 (5) "Employe" means any person who may be required or directed by any  
21 employer, in consideration of direct or indirect gain or profit, to engage in any  
22 employment, or to go or work or be at any time in any place of employment.

23 (6) "Employer" means any person, firm, corporation, state, county, town, city,  
24 village, school district, sewer district, drainage district and other public or  
25 quasi-public corporations as well as any agent, manager, representative or other

1 person having control or custody of any employment, place of employment or of any  
2 employe.

3 (7) "Employment" means any trade, occupation or process of manufacture, or  
4 any method of carrying on such trade, occupation or process of manufacture in which  
5 any person may be engaged, except in such private domestic service as does not  
6 involve the use of mechanical power and in farm labor as used in sub. (12).

7 (8) "Frequenter" means every person, other than an employe, who may go in  
8 or be in a place of employment or public building under circumstances which render  
9 such person other than a trespasser. Such term includes a pupil or student when  
10 enrolled in or receiving instruction at an educational institution.

11 (9) "General order" means such order as applies generally throughout the state  
12 to all persons, employments, places of employment or public buildings, or all persons,  
13 employments or places of employment or public buildings of a class under the  
14 jurisdiction of the department. All other orders of the department shall be  
15 considered special orders.

16 (10) "Local order" means any ordinance, order, rule or determination of any  
17 common council, board of alderpersons, board of trustees or the village board, of any  
18 village or city, a regulation or order of the local board of health, as defined in s. 250.01  
19 (3), or an order or direction of any official of a municipality, upon any matter over  
20 which the department has jurisdiction.

21 (11) "Order" means any decision, rule, regulation, direction, requirement or  
22 standard of the department, or any other determination arrived at or decision made  
23 by the department.

24 (12) "Place of employment" includes every place, whether indoors or out or  
25 underground and the premises appurtenant thereto where either temporarily or

1 permanently any industry, trade or business is carried on, or where any process or  
2 operation, directly or indirectly related to any industry, trade or business, is carried  
3 on, and where any person is, directly or indirectly, employed by another for direct or  
4 indirect gain or profit, but does not include any place where persons are employed  
5 in private domestic service which does not involve the use of mechanical power or in  
6 farming. "Farming" includes those activities specified in s. 102.04 (3), and also  
7 includes the transportation of farm products, supplies or equipment directly to the  
8 farm by the operator of said farm or employes for use thereon, if such activities are  
9 directly or indirectly for the purpose of producing commodities for market, or as an  
10 accessory to such production.

11 (13) "Public building" means any structure, including exterior parts of such  
12 building, such as a porch, exterior platform or steps providing means of ingress or  
13 egress, used in whole or in part as a place of resort, assemblage, lodging, trade,  
14 traffic, occupancy, or use by the public or by 3 or more tenants.

15 (14) "Safe" or "safety", as applied to an employment or a place of employment  
16 or a public building, means such freedom from danger to the life, health, safety or  
17 welfare of employes or frequenters, or the public, or tenants, or fire fighters, and such  
18 reasonable means of notification, egress and escape in case of fire, and such freedom  
19 from danger to adjacent buildings or other property, as the nature of the employment,  
20 place of employment, or public building, will reasonably permit.

21 (15) "Secretary" means the secretary of industry, labor and human relations.

22 (16) "Welfare" includes comfort, decency and moral well-being.

23 **SECTION 3747.** 103.005 of the statutes is created to read:

24 **103.005 Powers, duties and jurisdiction of department.** (1) The  
25 department shall adopt reasonable and proper rules and regulations relative to the

1 exercise of its powers and authorities and proper rules to govern its proceedings and  
2 to regulate the mode and manner of all investigations and hearings.

3 (3) The department shall employ, promote and remove deputies, clerks and  
4 other assistants as needed, to fix their compensation, and to assign to them their  
5 duties; and shall appoint advisers who shall, without compensation except  
6 reimbursement for actual and necessary expenses, assist the department in the  
7 execution of its duties.

8 (4) The department shall collect, collate and publish statistical and other  
9 information relating to the work under its jurisdiction and shall make public reports  
10 in its judgment necessary.

11 (5) (a) The department shall conduct such investigations, hold such public  
12 meetings and attend or be represented at such meetings, conferences and  
13 conventions inside or outside of the state as may, in its judgment, tend to better the  
14 execution of its functions.

15 (b) For the purpose of making any investigation with regard to any  
16 employment, the secretary may appoint, by an order in writing, any deputy who is  
17 a citizen of the state, or any other competent person as an agent whose duties shall  
18 be prescribed in such order.

19 (c) In the discharge of his or her duties such agent shall have every power of  
20 an inquisitorial nature granted in chs. 103 to 106 to the department, the same powers  
21 as a court commissioner with regard to the taking of depositions and all powers  
22 granted by law to a court commissioner relative to depositions.

23 (d) The department may conduct any number of such investigations  
24 contemporaneously through different agents, and may delegate to such agent the  
25 taking of all testimony bearing upon any investigation or hearing. The decision of

1 the department shall be based upon its examination of all testimony and records.  
2 The recommendations made by such agents shall be advisory only and shall not  
3 preclude the taking of further testimony if the department so orders nor preclude  
4 further investigation.

5 (e) The secretary may direct any deputy who is a citizen to act as special  
6 prosecutor in any action, proceeding, investigation, hearing or trial relating to the  
7 matters within its jurisdiction.

8 (f) Upon the request of the department, the department of justice or district  
9 attorney of the county in which any investigation, hearing or trial had under chs. 103  
10 to 106 is pending, shall aid therein and prosecute under the supervision of the  
11 department, all necessary actions or proceedings for the enforcement of those  
12 sections and all other laws of this state relating to the regulation of employment, and  
13 for the punishment of all violations thereof.

14 **(6)** (a) All orders of the department in conformity with law shall be in force, and  
15 shall be prima facie lawful; and all such orders shall be valid and in force, and prima  
16 facie reasonable and lawful until they are found otherwise upon judicial review  
17 thereof pursuant to ch. 227 or until altered or revoked by the department.

18 (b) All general orders shall take effect as provided in s. 227.22. Special orders  
19 shall take effect as directed in the special order.

20 (c) The department shall, upon application of any employer or owner, grant  
21 such time as may be reasonably necessary for compliance with any order.

22 (d) Any person may petition the department for an extension of time, which the  
23 department shall grant if it finds such an extension of time necessary.

24 (e) Any employer or other person interested either because of ownership in or  
25 occupation of any property affected by any such order, or otherwise, may petition for

1 a hearing on the reasonableness of any order of the department in the manner  
2 provided in chs. 103 to 106.

3 (f) Such petition for hearing shall be by verified petition filed with the  
4 department, setting out specifically and in full detail the order upon which a hearing  
5 is desired and every reason why such order is unreasonable, and every issue to be  
6 considered by the department on the hearing. The petitioner shall be deemed to have  
7 finally waived all objections to any irregularities and illegalities in the order upon  
8 which a hearing is sought other than those set forth in the petition. All hearings of  
9 the department shall be open to the public.

10 (g) Upon receipt of such petition, if the issues raised in such petition have  
11 theretofore been adequately considered, the department shall determine the same  
12 by confirming without hearing its previous determination, or if such hearing is  
13 necessary to determine the issues raised, the department shall order a hearing  
14 thereon and consider and determine the matter or matters in question at such times  
15 as shall be prescribed. Notice of the time and place of such hearing shall be given  
16 to the petitioner and to such other persons as the department may find directly  
17 interested in such decision.

18 (h) Upon such investigation, if the department finds that the order complained  
19 of is unjust or unreasonable the department shall substitute for that order such other  
20 order as shall be just and reasonable.

21 (i) Whenever at the time of the final determination upon such hearing it shall  
22 be found that further time is reasonably necessary for compliance with the order of  
23 the department, the department shall grant such time as may be reasonably  
24 necessary for such compliance.

1           **(7)** (a) Any person affected by any local order in conflict with an order of the  
2 department, may in the manner provided in sub. (6) (e) to (i), petition the department  
3 for a hearing on the ground that such local order is unreasonable and in conflict with  
4 the order of the department. The petition for such hearing shall conform to the  
5 requirements set forth for a petition in sub. (6) (e) to (i).

6           (b) Upon receipt of a petition under par. (a) the department shall order a  
7 hearing to consider and determine the issues raised by the petition. The hearing  
8 shall be held in the village, city or municipality where the local order appealed from  
9 was made. Notice of the time and place of such hearing shall be given to the  
10 petitioner and such other persons as the department may find directly interested in  
11 such decision, including the clerk of the municipality or town from which such appeal  
12 comes. If upon such investigation it shall be found that the local order appealed from  
13 is unreasonable and in conflict with the order of the department, the department  
14 may modify its order and shall substitute for the local order appealed from such order  
15 as shall be reasonable and legal in the premises, and thereafter the local order shall,  
16 in such particulars, be void and of no effect.

17           **(8)** (a) No action, proceeding or suit to set aside, vacate or amend any order of  
18 the department or to enjoin the enforcement of an order of the department shall be  
19 brought unless the plaintiff has applied to the department for a hearing on the order  
20 at the time and as provided in sub. (6) (e) to (i), and has, in the petition for the hearing  
21 under sub. (6), raised every issue raised in the action, proceeding or suit to set aside,  
22 vacate, amend or enjoin the enforcement of the order of the department.

23           (b) In a prosecution for the violation of an order of the department, the order  
24 of the department shall be conclusively presumed to be just, reasonable and lawful,

1 unless prior to the beginning of the prosecution for the violation a proceeding for  
2 judicial review of such order has been instituted as provided in ch. 227.

3 (9) A substantial compliance with the requirements of chs. 103 to 106 shall be  
4 sufficient to give effect to an order of the department, and no order may be declared  
5 inoperative, illegal or void for any omission of a technical nature.

6 (10) Orders of the department under chs. 103 to 106 shall be subject to review  
7 in the manner provided in ch. 227.

8 (11) Every day during which any person or corporation, or any officer, agent  
9 or employe of a person or corporation, fails to observe and comply with any order of  
10 the department or fails to perform any duty required under chs. 103 to 106, shall  
11 constitute a separate and distinct violation of the order or of the requirement under  
12 chs. 103 to 106, whichever is applicable.

13 (12) (a) If any employer, employe, owner, or other person violates chs. 103 to  
14 106, or fails or refuses to perform any duty required under chs. 103 to 106, within the  
15 time prescribed by the department, for which no penalty has been specifically  
16 provided, or fails, neglects or refuses to obey any lawful order given or made by the  
17 department or any judgment or decree made by any court in connection with chs. 103  
18 to 106, for each such violation, failure or refusal, the employer, employe, owner or  
19 other person shall forfeit not less than \$10 nor more than \$100 for each offense.

20 (b) It shall be the duty of all officers of the state, the counties and  
21 municipalities, upon request of the department, to enforce in their respective  
22 departments or jurisdictions all lawful orders of the department to the extent that  
23 the orders are applicable and consistent with the general duties of such officers.

24 (13) (a) The secretary or any examiner appointed by the secretary may hold  
25 hearings and take testimony.

1           (b) Each witness who appears before the department by its order shall receive  
2 for attendance the fees and mileage provided for witnesses in civil cases in courts of  
3 record, which shall be audited and paid by the state in the same manner as other  
4 expenses are audited and paid, upon the presentation of properly verified vouchers  
5 approved by the secretary, and charged to the proper appropriation for the  
6 department. No witness subpoenaed at the instance of an attorney under par. (cm)  
7 or at the instance of a party other than the department is entitled to compensation  
8 from the state for attendance or travel unless the department certifies that the  
9 testimony was material to the matter investigated.

10           (c) The department or any party may in any investigation cause the depositions  
11 of witnesses residing within or without the state to be taken in the manner  
12 prescribed by law for similar depositions in civil actions in circuit courts. The  
13 expense incurred by the state in the taking of such depositions shall be charged  
14 against the proper appropriations for the department.

15           (cm) A party's attorney of record may issue a subpoena to compel the  
16 attendance of a witness or the production of evidence. A subpoena issued by an  
17 attorney must be in substantially the same form as provided in s. 805.07 (4) and must  
18 be served in the manner provided in s. 805.07 (5). The attorney shall, at the time of  
19 issuance, send a copy of the subpoena to the appeal tribunal or other representative  
20 of the department responsible for conducting the proceeding.

21           (d) A full and complete record shall be kept of all proceedings had before the  
22 department on any investigation and all testimony shall be taken down by the  
23 stenographer appointed by the department.

1           **(14)** (a) The department shall administer and enforce, so far as not otherwise  
2 provided for in the statutes, the laws relating to child labor, employment,  
3 employment offices and all other laws relating to the regulation of employment.

4           (b) The department shall investigate, ascertain and determine such reasonable  
5 classifications of persons and employments as shall be necessary to carry out the  
6 purposes of chs. 103 to 106.

7           (c) Any commissioner, the secretary or any deputy of the department may enter  
8 any place of employment or public building for the purpose of collecting facts and  
9 statistics and bringing to the attention of every employer or owner any law relating  
10 to the regulation of employment or any order of the department and any failure on  
11 the part of such employer or owner to comply with that law or order. No employer  
12 or owner may refuse to admit any commissioner, the secretary or any deputy of the  
13 department to his or her place of employment or public building.

14           (d) Every employer and every owner shall furnish to the department all  
15 information required by the department to administer and enforce chs. 103 to 106,  
16 and shall provide specific answers to all questions that the department asks relating  
17 to any information the department requires.

18           (e) Any employer receiving from the department any form requesting  
19 information that the department requires to administer and enforce chs. 103 to 106,  
20 along with directions to complete the form, shall properly complete the form and  
21 answer fully and correctly each question asked in the form. If the employer is unable  
22 to answer any question, the employer shall give a good and sufficient reason for his  
23 or her inability to answer the question. The employer's answers shall be verified  
24 under oath by the employer, or by the president, secretary or other managing officer

1 of the corporation, if the employer is a corporation, and the completed form shall be  
2 returned to the department at its office within the period fixed by the department.

3 (15) The department may establish a schedule of fees for publications and  
4 seminars provided by the department for which no fee is otherwise authorized,  
5 required or prohibited by statute. Fees established under this subsection for  
6 publications and seminars provided by the department may not exceed the actual  
7 cost incurred in providing those publications and seminars. If the department  
8 receives unanticipated proceeds from a statewide labor and management conference  
9 provided by the department that exceed the actual cost of the conference, the  
10 department may use those unanticipated proceeds to provide grants for local labor  
11 and management conferences, educational activities and other activities to promote  
12 positive relations between labor and management.

13 (16) Each of the commissioners, the secretary or any deputy secretary may  
14 certify to official acts, and take testimony.

15 **SECTION 3748.** 103.02 of the statutes is amended to read:

16 **103.02 Hours of labor.** No person may be employed or be permitted to work  
17 in any place of employment or at any employment for such period of time during any  
18 day, night or week, as is dangerous or prejudicial to the person's life, health, safety  
19 or welfare. The department shall investigate, ascertain, determine and fix such  
20 reasonable classification, and promulgate rules fixing a period of time, or hours of  
21 beginning and ending work during any day, night or week, which shall be necessary  
22 to protect the life, health, safety or welfare of any person, or to carry out the purposes  
23 of ss. 103.01 to 103.03. The department shall, by rule, classify such periods of time  
24 into periods to be paid for at regular rates and periods to be paid for at the rate of at  
25 least one and one-half times the regular rates. Such investigations, classifications

**SECTION 3748**

1 and orders shall be made pursuant to the proceeding in ss. 101.01 to 101.25 which  
2 are hereby made a part hereof, so far as not inconsistent with ss. 103.01 to 103.03,  
3 and every order of the department shall have the same force and effect as the orders  
4 issued under ss. 101.01 to 101.25 as provided in s. 103.005 and the penalties therein  
5 under s. 103.005 (12) shall apply to and be imposed for any violation of ss. 103.01 to  
6 103.03. Such orders shall be subject to review in the manner provided in ch. 227.  
7 Section 111.322 (2m) applies to discharge or other discriminatory acts arising in  
8 connection with any proceeding under this section.

9 **SECTION 3749.** 103.13 (1) (intro.) and (a) of the statutes are consolidated,  
10 renumbered 103.13 (1) and amended to read:

11 103.13 (1) ~~DEFINITIONS~~ DEFINITION. In this section: (a) ~~“Employee” has the~~  
12 ~~meaning specified in s. 101.01 (2) (a) and also, “employee” includes former employees.~~

13 **SECTION 3750.** 103.13 (1) (b) of the statutes is repealed.

14 **SECTION 3751.** 103.14 (1) of the statutes is repealed.

15 **SECTION 3752.** 103.14 (2) of the statutes is renumbered 103.14.

16 **SECTION 3753.** 103.25 (2) of the statutes is amended to read:

17 103.25 (2) If upon investigation, the department determines that there are  
18 practical difficulties or unnecessary hardships in carrying out sub. (1), the  
19 department may by general or special order make reasonable exceptions or  
20 modifications with due regard for the life, health, safety and welfare of minors  
21 employed in street trades. The investigation and orders shall be made pursuant to  
22 ~~ss. 101.01 to 101.25, and have the same force and effect as orders issued pursuant~~  
23 ~~to those sections~~ as provided under s. 103.005. These orders are subject to review as  
24 provided in ch. 227.

25 **SECTION 3754.** 103.545 (6) of the statutes is amended to read:

1           103.545 (6) Upon complaint of an affected employer, labor organization or  
2 employe, the department may investigate violations and issue orders to enforce this  
3 section. The investigations and orders shall be made ~~under ss. 101.01 to 101.25.~~  
4 ~~Every order issued under this subsection has the same force and effect as orders~~  
5 ~~issued under ss. 101.01 to 101.25, except as otherwise provided in this section as~~  
6 ~~provided under s. 103.005.~~ Orders are subject to review as provided in ch. 227. The  
7 department of justice may, upon request of the commission, prosecute violations of  
8 this section in any court of competent jurisdiction.

9           **SECTION 3755.** 103.64 (1) of the statutes is repealed.

10          **SECTION 3756.** 103.66 (title) of the statutes is amended to read:

11          **103.66** (title) **Powers and duties of the department relating to**  
12 **employment of minors.**

13          **SECTION 3756m.** 103.66 (1) of the statutes is amended to read:

14          103.66 (1) The department may investigate, determine and fix reasonable  
15 classifications of employments, places of employment and minimum ages for  
16 hazardous employment for minors, and may issue general or special orders  
17 prohibiting the employment of minors in employments or places of employment  
18 prejudicial to the life, health, safety or welfare of minors, and may carry out the  
19 purposes of ss. 103.64 to 103.82. In fixing minimum ages for hazardous employment  
20 for minors under this subsection, the department shall permit the employment of a  
21 minor 14 years of age or over as a laboratory assistant for a nonprofit,  
22 community-based organization that provides educational opportunities in  
23 medically related fields if the minor is under the direct supervision of a mentor and  
24 the laboratory at which the minor is employed complies with 10 CFR 20.1207 and 29  
25 CFR 1910.1030.

**SECTION 3757**

1           **SECTION 3757.** 103.66 (3) of the statutes is amended to read:

2           103.66 (3) The investigations, classifications and orders provided for in subs.  
3 (1) and (2) shall be made ~~pursuant to the procedure specified in ss. 101.01 to 101.25.~~  
4 ~~Every order of the department has the same force and effect as the orders issued~~  
5 ~~pursuant to ss. 101.01 to 101.25 as provided under s. 103.005.~~ These orders are  
6 subject to review as provided in ch. 227.

7           **SECTION 3758.** 103.70 (1) of the statutes is amended to read:

8           103.70 (1) Except as otherwise provided in sub. (2) and in ss. 103.21 to 103.31  
9 and 103.78, and as may be provided under s. 103.79, a minor, unless indentured as  
10 an apprentice in accordance with s. 106.01, or unless 12 years and over and engaged  
11 in agricultural pursuits, or unless 14 years and over and enrolled in a youth  
12 apprenticeship program under s. ~~101.265~~ 106.13, shall not be employed or permitted  
13 to work at any gainful occupation or employment unless there is first obtained from  
14 the department or a permit officer a written permit authorizing the employment of  
15 the minor within those periods of time stated in the permit, which shall not exceed  
16 the maximum hours prescribed by law.

17           **SECTION 3759.** 103.79 (2) of the statutes is amended to read:

18           103.79 (2) The department may investigate and fix by general or special order  
19 reasonable regulations relative to the employment of minors as caddies on golf  
20 courses. The regulations may include a waiver or modification of permit  
21 requirements for caddies. The investigations and orders shall be made pursuant to  
22 ~~ss. 101.01 to 101.25, and every such order has the same force and effect as orders~~  
23 ~~issued pursuant to ss. 101.01 to 101.25 as provided under s. 103.005.~~ The orders are  
24 subject to review as provided in ch. 227.

25           **SECTION 3760.** 103.85 (4) of the statutes is amended to read:

**SECTION 3760**

1           103.85 (4) If upon investigation, the department shall ascertain and determine  
2 that there be practical difficulties or unnecessary hardships in carrying out the  
3 provisions of this section, or upon a joint request of labor and management, the  
4 department may by general or special order make reasonable exceptions therefrom  
5 or modifications thereof provided that the life, health, safety and welfare of employes  
6 shall not be sacrificed or endangered thereby. Such investigation and orders shall  
7 be made pursuant to the proceedings in ss. 101.01 to 101.25; and every order of the  
8 department under this section shall have the same effect as orders issued pursuant  
9 to said sections as provided under s. 103.005. Such orders shall be subject to review  
10 under ch. 227.

11           **SECTION 3761.** 103.85 (5) of the statutes is amended to read:

12           103.85 (5) Every employer who violates this section shall be punished as  
13 provided in s. ~~101.02 (13)~~ 103.005 (11) and (12).

14           **SECTION 3762.** 103.90 (6) of the statutes is repealed.

15           **SECTION 3763.** 103.91 (3) of the statutes is amended to read:

16           103.91 (3) ANNUAL FEES. Each certificate shall be renewed annually. The fee  
17 for the certificate or renewal shall be in an amount determined by the department,  
18 but not to exceed \$25.

19           **SECTION 3764.** 103.92 (1) of the statutes is amended to read:

20           103.92 (1) APPLICATION; FEE. Every person maintaining a migrant labor camp  
21 shall, annually by April 1 or 30 days prior to the opening of a new camp, make  
22 application to the department to operate a camp. Each application shall be  
23 accompanied by a nonreturnable an application fee in an amount determined by the  
24 department, but not to exceed \$25.

25           **SECTION 3765m.** 104.04 of the statutes is amended to read:

**SECTION 3765m**

1           **104.04 Classifications; department's authority.** The department shall  
2 investigate, ascertain, determine and fix such reasonable classifications, and shall  
3 impose general or special orders, determining the living-wage, and shall carry out  
4 the purposes of ss. 104.01 to 104.12. Such investigations, classifications and orders  
5 shall be made pursuant to the proceeding in ss. 101.01 to 101.25, which are hereby  
6 made a part hereof, so far as not inconsistent with ss. 104.01 to 104.12; and every  
7 order of the department shall have the same force and effect as the orders issued  
8 pursuant to said ss. 101.01 to 101.25, and the penalties therein shall apply to and be  
9 imposed for any violation of ss. 104.01 to 104.12. In determining the living-wage,  
10 the department may consider the effect that an increase in the living-wage might  
11 have on the economy of the state, including the effect of a living-wage increase on  
12 job creation, retention and expansion, on the availability of entry-level jobs and on  
13 regional economic conditions within the state. The department may not establish a  
14 different minimum wage for men and women. Said orders shall be subject to review  
15 in the manner provided in ch. 227.

16           **SECTION 3765p.** 104.04 of the statutes, as affected by 1995 Wisconsin Act ...  
17 (this act), is amended to read:

18           **104.04 Classifications; department's authority.** The department shall  
19 investigate, ascertain, determine and fix such reasonable classifications, and shall  
20 impose general or special orders, determining the living-wage, and shall carry out  
21 the purposes of ss. 104.01 to 104.12. Such investigations, classifications and orders  
22 shall be made pursuant to the proceeding in ss. 101.01 to 101.25, which are hereby  
23 made a part hereof, so far as not inconsistent with ss. 104.01 to 104.12; and every  
24 order of the department shall have the same force and effect as the orders issued  
25 pursuant to said ss. 101.01 to 101.25 as provided under s. 103.005, and the penalties

**SECTION 3765p**

1 ~~therein~~ specified in s. 103.005 (12) shall apply to and be imposed for any violation of  
2 ss. 104.01 to 104.12. In determining the living-wage, the department may consider  
3 the effect that an increase in the living-wage might have on the economy of the state,  
4 including the effect of a living-wage increase on job creation, retention and  
5 expansion, on the availability of entry-level jobs and on regional economic conditions  
6 within the state. The department may not establish a different minimum wage for  
7 men and women. Said orders shall be subject to review in the manner provided in  
8 ch. 227.

9 **SECTION 3766.** 105.15 of the statutes is amended to read:

10 **105.15 General powers of department applicable; penalties.** Such  
11 investigations, classifications and orders shall be made pursuant to the proceeding  
12 ~~in ss. 101.01 to 101.25, which are hereby made a part hereof, so far as not inconsistent~~  
13 ~~with this chapter, and every order of the department shall have the same force and~~  
14 ~~effect as the orders issued pursuant to said ss. 101.01 to 101.25~~ as provided in s.  
15 103.005 and the penalties therein specified in s. 103.005 (12) shall apply to and be  
16 imposed for any violation of ss. 105.01 to 105.11 or 105.13 to 105.15. The department  
17 may also order a person who operates an employment agency in violation of s. 105.05  
18 (1) to make refunds as provided under s. 105.16 (2). Orders issued under this section  
19 are subject to review in the manner provided in ch. 227.

20 **SECTION 3767.** Chapter 106 (title) of the statutes is amended to read:

**CHAPTER 106**MASTER AND APPRENTICE ANDEMPLOYMENT PROGRAMS

24 **SECTION 3768.** Subchapter I (title) of chapter 106 [precedes 106.01] of the  
25 statutes is created to read:

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## CHAPTER 106

### SUBCHAPTER I

#### APPRENTICE PROGRAMS

**SECTION 3769.** 106.01 (9) of the statutes is amended to read:

106.01 (9) It shall be the duty of the department, and it shall have power, jurisdiction and authority, to investigate, ascertain, determine and fix such reasonable classifications and to issue rules and regulations, and general or special orders and to hold hearings and make findings and render orders thereon as shall be necessary to carry out the intent and purposes of s. 106.01. Such hearings, investigations, classifications, findings and orders shall be made pursuant to the proceeding in ss. 101.01 to 101.25, which are hereby made a part hereof, so far as not inconsistent with s. 106.01; and every order of the department shall have the same force and effect as the orders issued pursuant to said ss. 101.01 to 101.25 as provided in s. 103.005 and the penalties therein specified in s. 103.005 (12) shall apply to and be imposed for any violations of s. 106.01, excepting as to the penalties provided in s. 106.01 (8). Said orders shall be subject to review in the manner provided in ch. 227.

**SECTION 3770.** Subchapter II (title) of chapter 106 [precedes 106.04] of the statutes is created to read:

## CHAPTER 106

### SUBCHAPTER II

#### EMPLOYMENT PROGRAMS

**SECTION 3770m.** 106.14 (1) of the statutes, as affected by 1995 Wisconsin Act .... (this act), is amended to read:

**SECTION 3770m**

1           106.14 (1) The department shall ~~shall~~ may award grants to nonprofit corporations  
2 and public agencies for the provision of career counseling centers throughout the  
3 state.

4           **SECTION 3770p.** 106.14 (4) of the statutes, as affected by 1995 Wisconsin Act  
5 .... (this act), is amended to read:

6           106.14 (4) Amounts awarded under sub. (3) ~~shall be paid from the~~  
7 ~~appropriation under s. 20.445 (1) (ep),~~ may be paid in instalments and shall range  
8 from 25% to 75% of the total cost of operating the career counseling center, except  
9 that after 3 years of receiving grant funds under this section a grant recipient may  
10 receive no more than 50% of the total cost of operating the career counseling center.  
11 The department shall require the grant recipient to provide the remaining  
12 percentage share of the total project cost.

13           **SECTION 3776.** 107.30 (4) of the statutes is amended to read:

14           107.30 (4) "Department" means the department of ~~industry, labor and human~~  
15 ~~relations~~ development.

16           **SECTION 3777.** 108.02 (13) (k) of the statutes is amended to read:

17           108.02 (13) (k) "Employer" does not include a county department or aging unit  
18 that serves as a fiscal agent or contracts with a fiscal intermediary to serve as a fiscal  
19 agent under s. 46.27 (5) (i) or 47.035 as to any individual performing services for a  
20 person receiving long-term support services under s. 46.27 (5) (b), 46.275, 46.277,  
21 46.278, ~~49.52,~~ 46.495, 51.42 or 51.437 or personal assistance services under s. 47.02  
22 (4) (c).

23           **SECTION 3778.** 108.105 of the statutes is amended to read:

24           **108.105 Suspension of agents.** The department may suspend the privilege  
25 of any agent to appear before the department at hearings under this chapter for a

**SECTION 3778**

1 specified period if the department finds that the agent has engaged in an act of fraud  
2 or misrepresentation or repeatedly failed to comply with departmental rules, or has  
3 engaged in the solicitation of a claimant solely for the purpose of appearing at a  
4 hearing as the claimant's representative for pay. Prior to imposing a suspension  
5 under this section, the secretary of industry, labor and human relations or the  
6 secretary's designee shall conduct a hearing concerning the proposed suspension.  
7 The hearing shall be conducted under ch. 227 and the decision of the department may  
8 be appealed under s. 227.52.

9 **SECTION 3778p.** 108.13 (4) (b) of the statutes is amended to read:

10 108.13 (4) (b) A claimant filing a new claim for unemployment compensation  
11 shall, at the time of filing the claim, disclose whether or not he or she owes child  
12 support obligations. If any such claimant discloses that he or she owes child support  
13 obligations and is determined to be eligible for unemployment compensation, the  
14 department of industry, labor and human relations shall, upon request of the  
15 department of ~~health and social services~~ revenue, notify the state or local child  
16 support enforcement agency enforcing the obligations that the claimant has been  
17 determined to be eligible for unemployment compensation.

18 **SECTION 3779.** 108.14 (11) of the statutes is amended to read:

19 108.14 (11) The department may require any employing unit which employs  
20 one or more individuals to perform work in this state to make such arrangements as  
21 will reasonably assure the department that the employing unit will keep such  
22 records, make such reports, and pay such contributions as are required under this  
23 chapter. Any employing unit which the department has notified, through notice  
24 served on it or sent by registered mail to its last-known address or served by  
25 publishing a notice under s. 180.1510 (4) (b) 1, that it is required to make such

1 arrangements and which fails to do so within 20 days after such notification may,  
2 through proceedings instituted by the department in the circuit court for Dane  
3 county, be restrained from doing business in this state until it has made such  
4 arrangements.

5 **SECTION 3780.** 108.141 (6) (a) of the statutes is amended to read:

6 108.141 (6) (a) Whenever an extended benefit period is to become effective as  
7 a result of a Wisconsin “on” indicator, or an extended benefit period is to be  
8 terminated as a result of a Wisconsin “off” indicator, the secretary of industry, labor  
9 and human relations shall publish it as a class 1 notice under ch. 985.

10 **SECTION 3781.** 108.142 (5) of the statutes is amended to read:

11 108.142 (5) PUBLISH INDICATORS. Whenever a Wisconsin supplemental benefit  
12 period is to become effective as a result of a Wisconsin “on” indicator under this  
13 section, or a Wisconsin supplemental benefit period is to be terminated as a result  
14 of a Wisconsin “off” indicator under this section, the secretary of industry, labor and  
15 human relations shall publish it as a class 1 notice under ch. 985.

16 **SECTION 3782.** 109.07 (1m) of the statutes is amended to read:

17 109.07 (1m) Subject to sub. (5) or (6), an employer who has decided upon a  
18 business closing or mass layoff in this state shall promptly notify the subunit of the  
19 department that administers s. ~~101.27~~ 106.15, any affected employe, any collective  
20 bargaining representative of any affected employe, and the highest official of any  
21 municipality in which the affected employment site is located, in writing of such  
22 action no later than 60 days prior to the date that the business closing or mass layoff  
23 takes place. The employer shall provide in writing all information concerning its  
24 payroll, affected employes and the wages and other remuneration owed to such  
25 employes as the department may require. The department may in addition require

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1 the employer to submit a plan setting forth the manner in which final payment in  
2 full shall be made to affected employees. The department shall promptly provide a  
3 copy of the notice required under this subsection to the department of development  
4 and shall cooperate with the department of development in the performance of its  
5 responsibilities under s. 560.15. This subsection does not apply to a business closing  
6 or mass layoff that is caused by a strike or lockout.

7 **SECTION 3782am.** 110.08 (2) of the statutes is amended to read:

8 110.08 (2) Except as provided under s. 343.16 (1) (b) and (c), all examinations  
9 for operator's licenses and permits shall be given by state examiners.

10 **SECTION 3782b.** 111.02 (1) of the statutes is amended to read:

11 111.02 (1) The term "all-union agreement" shall mean an agreement between  
12 an employer other than the University of Wisconsin Hospitals and Clinics Authority  
13 and the representative of the employer's employes in a collective bargaining unit  
14 whereby all or any of the employes in such unit are required to be members of a single  
15 labor organization.

16 **SECTION 3782c.** 111.02 (2) of the statutes is amended to read:

17 111.02 (2) "Collective bargaining" is the negotiating by an employer and a  
18 majority of the employer's employes in a collective bargaining unit (or their  
19 representatives) concerning representation or terms and conditions of employment  
20 of such employes, except as provided under ss. 111.05 (5) and 111.17 (2), in a mutually  
21 genuine effort to reach an agreement with reference to the subject under negotiation.

22 **SECTION 3782e.** 111.02 (3) of the statutes is amended to read:

23 111.02 (3) "Collective bargaining unit" means all of the employes of one  
24 employer (employed within the state), except as provided in s. 111.05 (5) and except  
25 that where a majority of the employes engaged in a single craft, division, department

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1 or plant have voted by secret ballot as provided in s. 111.05 (2) to constitute such  
2 group a separate bargaining unit they shall be so considered, but, in appropriate  
3 cases, and to aid in the more efficient administration of ss. 111.01 to 111.19, the  
4 commission may find, where agreeable to all parties affected in any way thereby, an  
5 industry, trade or business comprising more than one employer in an association in  
6 any geographical area to be a “collective bargaining unit”. A collective bargaining  
7 unit thus established by the commission shall be subject to all rights by termination  
8 or modification given by ss. 111.01 to 111.19 in reference to collective bargaining  
9 units otherwise established under ss. 111.01 to 111.19. Two or more collective  
10 bargaining units may bargain collectively through the same representative where  
11 a majority of the employees in each separate unit have voted by secret ballot as  
12 provided in s. 111.05 (2) so to do.

13 **SECTION 3782f.** 111.02 (6) (a) of the statutes is amended to read:

14 111.02 (6) (a) “Employee” shall include any person, other than an independent  
15 contractor, working for another for hire in the state of Wisconsin in a nonconfidential,  
16 nonmanagerial, nonexecutive ~~or~~ and nonsupervisory capacity, and shall not be  
17 limited to the employees of a particular employer unless the context clearly indicates  
18 otherwise.

19 **SECTION 3782g.** 111.02 (7) of the statutes is amended to read:

20 111.02 (7) The term “employer” means a person who engages the services of an  
21 employe and includes any person acting on behalf of an employer within the scope  
22 of his or her authority, express or implied, but shall not include the state or any  
23 political subdivision thereof, or any labor organization or anyone acting in behalf of  
24 such organization other than when it is acting as an employer in fact. For purposes

1 of this subsection, a person who engages the services of an employe includes the  
2 University of Wisconsin Hospitals and Clinics Authority.

3 **SECTION 3782h.** 111.02 (7m) of the statutes is created to read:

4 111.02 (7m) "Fair-share agreement" means an agreement between the  
5 University of Wisconsin Hospitals and Clinics Authority and a labor organization  
6 representing employes of that authority under which all of the employes in a  
7 collective bargaining unit are required to pay their proportionate share of the cost  
8 of the collective bargaining process and contract administration measured by the  
9 amount of dues uniformly required of all members.

10 **SECTION 3782i.** 111.02 (9m) of the statutes is created to read:

11 111.02 (9m) "Maintenance of membership agreement" means an agreement  
12 between the University of Wisconsin Hospitals and Clinics Authority and a labor  
13 organization representing employes of that authority which requires that all of the  
14 employes whose dues are being deducted from earnings under s. 20.921 (1) or 111.06  
15 (1) (i) at the time the agreement takes effect shall continue to have dues deducted for  
16 the duration of the agreement and that dues shall be deducted from the earnings of  
17 all employes who are hired on or after the effective date of the agreement.

18 **SECTION 3782j.** 111.02 (10m) of the statutes is created to read:

19 111.02 (10m) "Referendum" means a proceeding conducted by the commission  
20 in which employes of the University of Wisconsin Hospitals and Clinics Authority in  
21 a collective bargaining unit may cast a secret ballot on the question of directing the  
22 labor organization and the employer to enter into a fair-share or maintenance of  
23 membership agreement or to terminate such an agreement.

24 **SECTION 3782k.** 111.05 (2) of the statutes is amended to read:

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1           111.05 (2) ~~Whenever~~ Except as provided in sub. (5), whenever a question arises  
2 concerning the determination of a collective bargaining unit as defined in s. 111.02  
3 (3), it shall be determined by secret ballot, and the commission, upon request, shall  
4 cause the ballot to be taken in such manner as to show separately the wishes of the  
5 employes in any craft, division, department or plant as to the determination of the  
6 collective bargaining unit.

7           **SECTION 3782L.** 111.05 (3g) of the statutes is created to read:

8           111.05 (3g) Notwithstanding subs. (3) and (4), if on June 30, 1997, there is a  
9 representative recognized or certified to represent any of the units specified in s.  
10 111.825 (1) (f) 1., 5. or 9., that representative shall become the representative of the  
11 employes in the corresponding collective bargaining units specified in sub. (5) (a) 1.  
12 to 3., without the necessity of filing a petition or conducting an election, subject to  
13 the right of any person to file a petition under this section on or after October 1, 1998.

14           **SECTION 3782m.** 111.05 (5) of the statutes is created to read:

15           111.05 (5) (a) Collective bargaining units for representation of the employes of  
16 the University of Wisconsin Hospitals and Clinics Authority shall include one unit  
17 for employes engaged in each of the following functions:

- 18           1. Fiscal and staff services.
- 19           2. Patient care.
- 20           3. Science.

21           (b) Collective bargaining units for representation of the employes of the  
22 University of Wisconsin Hospitals and Clinics Authority who are engaged in a  
23 function not specified in par. (a) shall be determined in the manner provided in this  
24 section. The creation of any collective bargaining unit for such employes is subject  
25 to approval of the commission. The commission shall not permit fragmentation of

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1 such collective bargaining units or creation of any such collective bargaining unit  
2 that is too small to provide adequate representation of employees. In approving such  
3 collective bargaining units, the commission shall give primary consideration to the  
4 authority's needs to fulfill its statutory missions.

5 **SECTION 3782n.** 111.05 (6) of the statutes is created to read:

6 111.05 (6) If a single representative is recognized or certified to represent more  
7 than one of the collective bargaining units specified in sub. (5), that representative  
8 and the employer may jointly agree to combine the collective bargaining units,  
9 subject to the right of the employees in any of the collective bargaining units that were  
10 combined to petition for an election under subs. (3) and (3g). Any agreement under  
11 this subsection is effective upon written notice of the agreement by the parties to the  
12 commission and terminates upon written notice of termination by the parties to the  
13 commission or upon decertification of the representative entering into the agreement  
14 as representative of one of the combined collective bargaining units, whichever  
15 occurs first.

16 **SECTION 3782no.** 111.06 (1) (c) 1. of the statutes is amended to read:

17 111.06 (1) (c) 1. To encourage or discourage membership in any labor  
18 organization, employe agency, committee, association or representation plan by  
19 discrimination in regard to hiring, tenure or other terms or conditions of employment  
20 except in a collective bargaining unit where an all-union, fair-share or maintenance  
21 of membership agreement is in effect. An employer is not prohibited from entering  
22 into an all-union agreement with the voluntarily recognized representative of the  
23 employes in a collective bargaining unit, where at least a majority of such employes  
24 voting have voted affirmatively, by secret ballot, in favor of such all-union agreement  
25 in a referendum conducted by the commission, except that where the bargaining

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1 representative has been certified by either the commission or the national labor  
2 relations board as the result of a representation election, no referendum is required  
3 to authorize the entry into such an all-union agreement. Such authorization of an  
4 all-union agreement shall be deemed to continue thereafter, subject to the right of  
5 either party to the all-union agreement to petition the commission to conduct a new  
6 referendum on the subject. Upon receipt of such petition, the commission shall  
7 determine whether there is reasonable ground to believe that the employes  
8 concerned have changed their attitude toward the all-union agreement and upon so  
9 finding the commission shall conduct a referendum. If the continuance of the  
10 all-union agreement is supported on any such referendum by a vote at least equal  
11 to that provided in this subdivision for its initial authorization, it may be continued  
12 in force thereafter, subject to the right to petition for a further vote by the procedure  
13 set forth in this subdivision. If the continuance of the all-union agreement is not  
14 thus supported on any such referendum, it is deemed terminated at the termination  
15 of the contract of which it is then a part or at the end of one year from the date of the  
16 announcement by the commission of the result of the referendum, whichever is  
17 earlier. The commission shall declare any all-union agreement terminated  
18 whenever it finds that the labor organization involved has unreasonably refused to  
19 receive as a member any employe of such employer, and each such all-union  
20 agreement shall be made subject to this duty of the commission. Any person  
21 interested may come before the commission as provided in s. 111.07 and ask the  
22 performance of this duty. Any all-union agreement in effect on October 4, 1975,  
23 made in accordance with the law in effect at the time it is made is valid.

24 **SECTION 3782p.** 111.06 (1) (d) of the statutes is amended to read:

1           111.06 (1) (d) To refuse to bargain collectively with the representative of a  
2 majority of the employer's employes in any collective bargaining unit with respect  
3 to representation or terms and conditions of employment, except as provided under  
4 ss. 111.05 (5) and 111.17 (2); provided, however, that where an employer files with  
5 the commission a petition requesting a determination as to majority representation,  
6 the employer shall not be deemed to have refused to bargain until an election has  
7 been held and the result thereof has been certified to the employer by the  
8 commission.

9           **SECTION 3782q.** 111.06 (1) (i) of the statutes is amended to read:

10           111.06 (1) (i) To deduct labor organization dues or assessments from an  
11 employe's earnings, unless the employer has been presented with an individual order  
12 therefor, signed by the employe personally, and terminable at the end of any year of  
13 its life by the employe giving at least thirty days' written notice of such termination  
14 unless there is an all-union, fair-share or maintenance of membership agreement  
15 in effect. The employer shall give notice to the labor organization of receipt of such  
16 notice of termination.

17           **SECTION 3782r.** 111.06 (1) (m) of the statutes is created to read:

18           111.06 (1) (m) To fail to give the notice of intention to engage in a lockout  
19 provided in s. 111.115 (2).

20           **SECTION 3782s.** 111.06 (2) (i) of the statutes is amended to read:

21           111.06 (2) (i) To fail to give the notice of intention to engage in a strike provided  
22 in s. ~~111.11~~ 111.115 (2) or (3).

23           **SECTION 3783b.** 111.07 (2) (a) of the statutes is amended to read:

24           111.07 (2) (a) Upon the filing with the commission by any party in interest of  
25 a complaint in writing, on a form provided by the commission, charging any person

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1 with having engaged in any specific unfair labor practice, it shall mail a copy of such  
2 complaint to all other parties in interest. Any other person claiming interest in the  
3 dispute or controversy, as an employer, an employe, or their representative, shall be  
4 made a party upon application. The commission may bring in additional parties by  
5 service of a copy of the complaint. Only one such complaint shall issue against a  
6 person with respect to a single controversy, but any such complaint may be amended  
7 in the discretion of the commission at any time prior to the issuance of a final order  
8 based thereon. The person or persons so complained of shall have the right to file an  
9 answer to the original or amended complaint and to appear in person or otherwise  
10 and give testimony at the place and time fixed in the notice of hearing. The  
11 commission shall fix a time for the hearing on such complaint, which will be not less  
12 than 10 nor more than 40 days after the filing of such complaint, and notice shall be  
13 given to each party interested by service on the party personally or by mailing a copy  
14 thereof to the party at the party's last-known post-office address at least 10 days  
15 before such hearing. In case a party in interest is located without the state and has  
16 no known post-office address within this state, a copy of the complaint and copies  
17 of all notices shall be filed ~~in the office of the secretary of state~~ with the department  
18 of financial institutions and shall also be sent by registered mail to the last-known  
19 post-office address of such party. Such filing and mailing shall constitute sufficient  
20 service with the same force and effect as if served upon the party located within this  
21 state. Such hearing may be adjourned from time to time in the discretion of the  
22 commission and hearings may be held at such places as the commission shall  
23 designate.

24 **SECTION 3784.** 111.07 (2) (b) 1. of the statutes is amended to read:

1           111.07 (2) (b) 1. The commission shall have the power to issue subpoenas and  
2 administer oaths. Depositions may be taken in the manner prescribed by s. 101.02  
3 ~~(14) 103.005 (13)~~ (c). No person may be excused from attending and testifying or from  
4 producing books, records, correspondence, documents or other evidence in obedience  
5 to the subpoena of the commission on the ground that the testimony or evidence  
6 required of him or her may tend to incriminate him or her or subject him or her to  
7 a penalty or forfeiture under the laws of the state of Wisconsin; but no individual may  
8 be prosecuted or subjected to any penalty or forfeiture for or on account of testifying  
9 or producing evidence, documentary or otherwise, before the commission in  
10 obedience to a subpoena issued by it; provided, that an individual so testifying shall  
11 not be exempt from prosecution and punishment for perjury committed in so  
12 testifying.

13           **SECTION 3785m.** 111.075 of the statutes is created to read:

14           **111.075 Fair-share and maintenance of membership agreements. (1)**

15           (a) No fair-share or maintenance of membership agreement may become effective  
16 unless authorized by a referendum. The commission shall order a referendum  
17 whenever it receives a petition supported by proof that at least 30% of the employes  
18 in a collective bargaining unit desire that a fair-share or maintenance of  
19 membership agreement be entered into between the employer and a labor  
20 organization. A petition may specify that a referendum is requested on a  
21 maintenance of membership agreement only, in which case the ballot shall be limited  
22 to that question.

23           (b) For a fair-share agreement to be authorized, at least two-thirds of the  
24 eligible employes voting in a referendum shall vote in favor of the agreement. For  
25 a maintenance of membership agreement to be authorized, at least a majority of the

1 eligible employes voting in a referendum shall vote in favor of the agreement. In a  
2 referendum on a fair-share agreement, if less than two-thirds but more than  
3 one-half of the eligible employes vote in favor of the agreement, a maintenance of  
4 membership agreement is authorized.

5 (c) If a fair-share or maintenance of membership agreement is authorized in  
6 a referendum, the employer shall enter into such an agreement with the labor  
7 organization named on the ballot in the referendum. Each fair-share or  
8 maintenance of membership agreement shall contain a provision requiring the  
9 employer to deduct the amount of dues as certified by the labor organization from the  
10 earnings of the employes affected by the agreement and to pay the amount so  
11 deducted to the labor organization. Unless the parties agree to an earlier date, the  
12 agreement shall take effect 60 days after certification by the commission that the  
13 referendum vote authorized the agreement. The employer shall be held harmless  
14 against any claims, demands, suits and other forms of liability made by employes or  
15 local labor organizations which may arise for actions taken by the employer in  
16 compliance with this section. All such lawful claims, demands, suits and other forms  
17 of liability are the responsibility of the labor organization entering into the  
18 agreement.

19 (d) Under each fair-share or maintenance of membership agreement, an  
20 employe who has religious convictions against dues payments to a labor organization  
21 based on teachings or tenets of a church or religious body of which he or she is a  
22 member shall, on request to the labor organization, have his or her dues paid to a  
23 charity mutually agreed upon by the employe and the labor organization. Any  
24 dispute concerning this paragraph may be submitted to the commission for  
25 adjudication.

1           **(2)** (a) Once authorized, a fair-share or maintenance of membership  
2 agreement shall continue in effect, subject to the right of the employer or labor  
3 organization concerned to petition the commission to conduct a new referendum.  
4 Such petition must be supported by proof that at least 30% of the employees in the  
5 collective bargaining unit desire that the fair-share or maintenance of membership  
6 agreement be discontinued. Upon so finding, the commission shall conduct a new  
7 referendum. If the continuance of the fair-share or maintenance of membership  
8 agreement is approved in the referendum by at least the percentage of eligible voting  
9 employes required for its initial authorization, it shall be continued in effect, subject  
10 to the right of the employer or labor organization to later initiate a further vote  
11 following the procedure prescribed in this subsection. If the continuation of the  
12 agreement is not supported in any referendum, it is deemed terminated at the  
13 termination of the collective bargaining agreement, or one year from the date of the  
14 certification of the result of the referendum, whichever is earlier.

15           (b) The commission shall declare any fair-share or maintenance of  
16 membership agreement suspended upon such conditions and for such time as the  
17 commission decides whenever it finds that the labor organization involved has  
18 refused on the basis of race, color, sexual orientation or creed to receive as a member  
19 any employe in the collective bargaining unit involved, and the agreement shall be  
20 made subject to the findings and orders of the commission. Any of the parties to the  
21 agreement, or any employe covered thereby, may come before the commission, as  
22 provided in s. 111.07, and petition the commission to make such a finding.

23           **(3)** A stipulation for a referendum executed by an employer and a labor  
24 organization may not be filed until after the representation election has been held  
25 and the results certified.

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1           (4) The commission may, under rules adopted for that purpose, appoint as its  
2 agent an official of the University of Wisconsin Hospitals and Clinics Authority to  
3 conduct the referenda provided for in this section.

4           (5) Notwithstanding sub. (1), if on July 1, 1997, there is a fair-share or  
5 maintenance of membership agreement in effect in any of the collective bargaining  
6 units specified in s. 111.825 (1) (f) 1., 5. or 9., that fair-share or maintenance of  
7 membership agreement shall apply to the corresponding collective bargaining unit  
8 under s. 111.05 (5) (a) 1. to 3. without the necessity of filing a petition or conducting  
9 a referendum, subject to the right of the employees in each collective bargaining unit  
10 to file a petition requesting a referendum under sub. (2) (a).

11           (6) This section applies only in collective bargaining units comprised of  
12 employees of the University of Wisconsin Hospitals and Clinics Authority.

13           **SECTION 3786e.** 111.09 (1) of the statutes is amended to read:

14           111.09 (1) The commission may adopt reasonable and proper rules and  
15 regulations relative to the exercise of its powers and authority and proper rules to  
16 govern its proceedings and to regulate the conduct of all elections and hearings. The  
17 commission shall, upon request, provide a transcript of a proceeding to any party to  
18 the proceeding for a fee ~~prescribed, established by rule,~~ by the commission at a  
19 uniform rate of ~~not less than 60 cents~~ per page. All transcript fees shall be deposited  
20 ~~into the general fund~~ credited to the appropriation account under s. 20.425 (1) (i),  
21 except that fees collected in excess of ~~60 cents~~ the uniform rate per page for any  
22 transcript produced by a reporter who is not employed by the commission shall be  
23 ~~deposited under~~ credited to the appropriation ~~in~~ account under s. 20.425 (1) (g).

24           **SECTION 3786s.** 111.09 (2) of the statutes is amended to read:

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1           111.09 (2) The commission shall assess and collect a filing fee of \$25 from the  
2 party or parties for filing a complaint alleging that an unfair labor practice has been  
3 committed under s. 111.06. The commission shall assess and collect a filing fee of \$25  
4 from the party or parties for filing a request that the commission act as an arbitrator  
5 to resolve a dispute involving the interpretation or application of a collective  
6 bargaining agreement under s. 111.10. The commission shall assess and collect a  
7 filing fee for filing a request that the commission act as a mediator under s. 111.11.  
8 The commission shall assess and collect a filing fee for filing a request that the  
9 commission initiate arbitration under s. 111.10. For the performance of commission  
10 actions under ss. 111.10 and 111.11, the commission shall require that the parties to  
11 the dispute equally share in the payment of the fee and, for the performance of  
12 commission actions involving a complaint alleging that an unfair labor practice has  
13 been committed under s. 111.06, the commission shall require that the party filing  
14 the complaint pay the entire fee. If such a any party has paid a filing fee requesting  
15 the commission to act as a mediator for a labor dispute and the parties do not enter  
16 into a voluntary settlement of the labor dispute, the commission may not  
17 subsequently assess or collect a filing fee to initiate arbitration to resolve the same  
18 labor dispute. If any request for the performance of commission actions concerns  
19 issues arising as a result of more than one unrelated event or occurrence, each such  
20 separate event or occurrence shall be treated as a separate request. The commission  
21 shall promulgate rules establishing a schedule of filing fees to be paid under this  
22 subsection, except that the commission may not require a filing fee that exceeds \$225  
23 per request or case. Fees required to be paid under this subsection shall be paid at  
24 the time of filing the complaint or the request for mediation or arbitration. A  
25 complaint or request for mediation or arbitration is not filed until the date such fee

1 or fees are paid. Fees collected under this subsection shall be deposited as general  
2 purpose revenue—earned credited to the appropriation account under s. 20.425 (1)  
3 (i).

4 **SECTION 3787g.** 111.10 of the statutes is amended to read:

5 **111.10 Arbitration.** Parties to a dispute pertaining to the meaning or  
6 application of the terms of a written collective bargaining agreement may agree in  
7 writing to have the commission serve as arbitrator. Parties to a labor dispute may  
8 agree in writing to have the commission act or name arbitrators in all or any part of  
9 such dispute, and thereupon the commission shall have the power so to act. The  
10 commission shall appoint as arbitrators only competent, impartial and disinterested  
11 persons. Proceedings in any such arbitration shall be as provided in ch. 788.

12 **SECTION 3787u.** 111.11 (1) of the statutes is renumbered 111.11.

13 **SECTION 3789b.** 111.11 (2) of the statutes is renumbered 111.115 (3).

14 **SECTION 3789bc.** 111.115 of the statutes is created to read:

15 **111.115 Notice of certain proposed lockouts or strikes.** (1) In this  
16 subsection:

17 (a) “Lockout” means the barring of one or more employes from their  
18 employment in an establishment by an employer as a part of a labor dispute, which  
19 is not directly subsequent to a strike or other job action of a labor organization or  
20 group of employes of the employer, or which continues or occurs after the termination  
21 of a strike or other job action of a labor organization or group of employes of the  
22 employer.

23 (b) “Strike” includes any concerted stoppage of work by employes, and any  
24 concerted slowdown or other concerted interruption of operations or services by

1 employes, or any concerted refusal of employes to work or perform their usual duties  
2 as employes, for the purpose of enforcing demands upon an employer.

3 (2) If no collective bargaining agreement is in effect between the University of  
4 Wisconsin Hospitals and Clinics Authority and the recognized or certified  
5 representative of employes of that authority in a collective bargaining unit, the  
6 employer shall not engage in a lockout affecting employes in that collective  
7 bargaining unit without first giving 10 days' written notice to the representative of  
8 its intention to engage in a lockout, and the representative shall not engage in a  
9 strike without first giving 10 days' written notice to the employer of its intention to  
10 engage in a strike.

11 **SECTION 3789m.** 111.17 of the statutes is amended to read:

12 **111.17 Conflict of provisions; effect.** Wherever the application of the  
13 provisions of other statutes or laws conflict with the application of the provisions of  
14 this subchapter, this subchapter shall prevail, ~~provided~~ except that ~~in~~:

15 (1) ~~In~~ any situation where the provisions of this subchapter cannot be validly  
16 enforced the provisions of such other statutes or laws shall apply.

17 **SECTION 3789r.** 111.17 (2) of the statutes is created to read:

18 111.17 (2) All fringe benefits authorized or required to be provided by the  
19 University of Wisconsin Hospitals and Clinics Authority to its employes under ch.  
20 40 shall be governed exclusively by ch. 40, except that where any provision of ch. 40  
21 specifically permits a collective bargaining agreement under this subchapter to  
22 govern the eligibility for or the application, cost or terms of a fringe benefit under ch.  
23 40, or provides that the eligibility for or the application, cost or terms of a fringe  
24 benefit under ch. 40 shall be governed by a collective bargaining agreement under  
25 this subchapter, a collective bargaining agreement may contain a provision so

1 governing and such a provision supersedes any provision of ch. 40 with respect to the  
2 employes to whom the agreement applies. The employer is prohibited from engaging  
3 in collective bargaining concerning any matter governed exclusively by ch. 40 under  
4 this subsection.

5 **SECTION 3789x.** 111.32 (3) of the statutes is amended to read:

6 111.32 (3) "Conviction record" includes, but is not limited to, information  
7 indicating that an individual has been convicted of any felony, misdemeanor or other  
8 offense, has been adjudicated delinquent, has been less than honorably discharged,  
9 or has been placed on probation or community supervision, fined, imprisoned or  
10 paroled pursuant to any law enforcement or military authority.

11 **SECTION 3790.** 111.39 (2) of the statutes is amended to read:

12 111.39 (2) In carrying out this subchapter the department and its duly  
13 authorized agents are empowered to hold hearings, subpoena witnesses, take  
14 testimony and make investigations in the manner provided in ~~ch. 101 s. 103.005~~. The  
15 department or its duly authorized agents may privilege witnesses testifying before  
16 them under the provisions of this subchapter against self-incrimination.

17 **SECTION 3791.** 111.39 (4) (d) of the statutes is amended to read:

18 111.39 (4) (d) The department shall serve a certified copy of the findings and  
19 order on the respondent, the order to have the same force as other orders of the  
20 department and be enforced as provided in ~~ch. 101 s. 103.005~~. Any person aggrieved  
21 by noncompliance with the order may have the order enforced specifically by suit in  
22 equity. If the examiner finds that the respondent has not engaged in discrimination,  
23 unfair honesty testing or unfair genetic testing as alleged in the complaint, the  
24 department shall serve a certified copy of the examiner's findings on the complainant  
25 together with an order dismissing the complaint.

1           **SECTION 3792.** 111.395 of the statutes is amended to read:

2           **111.395 Judicial review.** Findings and orders of the commission under this  
3 subchapter are subject to review under ch. 227. Orders of the commission shall have  
4 the same force as orders of the department under ~~ch. 101~~ chs. 103 to 106 and may  
5 be enforced as provided in s. ~~101.02~~ 103.005 (11) and (12) and (13) or specifically by  
6 a suit in equity. In any enforcement action the merits of any order of the commission  
7 are not subject to judicial review. Upon such review, or in any enforcement action,  
8 the department of justice shall represent the commission.

9           **SECTION 3793am.** 111.70 (1) (a) of the statutes is amended to read:

10           111.70 (1) (a) “Collective bargaining” means the performance of the mutual  
11 obligation of a municipal employer, through its officers and agents, and the  
12 representatives representative of its municipal employes in a collective bargaining  
13 unit, to meet and confer at reasonable times, in good faith, with the intention of  
14 reaching an agreement, or to resolve questions arising under such an agreement,  
15 with respect to wages, hours and conditions of employment, and with respect to a  
16 requirement of the municipal employer for a municipal employe to perform law  
17 enforcement and fire fighting services under s. 61.66, except as provided in sub. (4)  
18 (m) and (n) and s. 40.81 (3) and except that a municipal employer shall not meet and  
19 confer with respect to any proposal to diminish or abridge the rights guaranteed to  
20 municipal employes under ch. 164. The duty to bargain, however, does not compel  
21 either party to agree to a proposal or require the making of a concession. Collective  
22 bargaining includes the reduction of any agreement reached to a written and signed  
23 document. The municipal employer shall not be required to bargain on subjects  
24 reserved to management and direction of the governmental unit except insofar as the  
25 manner of exercise of such functions affects the wages, hours and conditions of

1 employment of the municipal employes in a collective bargaining unit. In creating  
2 this subchapter the legislature recognizes that the ~~public~~ municipal employer must  
3 exercise its powers and responsibilities to act for the government and good order of  
4 the ~~municipality jurisdiction which it serves~~, its commercial benefit and the health,  
5 safety and welfare of the public to assure orderly operations and functions within its  
6 jurisdiction, subject to those rights secured to ~~public~~ municipal employes by the  
7 constitutions of this state and of the United States and by this subchapter.

8 **SECTION 3793c.** 111.70 (1) (dm) of the statutes, as created by 1993 Wisconsin  
9 Act 16, section 2207ahm, is repealed and recreated to read:

10 111.70 (1) (dm) "Economic issue" means any issue that creates a new or  
11 increased financial liability upon the municipal employer, including salaries,  
12 overtime pay, sick leave, payments in lieu of sick leave usage, vacations, clothing  
13 allowances in excess of the actual cost of clothing, length-of-service credit,  
14 continuing education credit, shift premium pay, longevity pay, extra duty pay,  
15 performance bonuses, health insurance, life insurance, vacation pay, holiday pay,  
16 lead worker pay, temporary assignment pay, retirement contributions, severance or  
17 other separation pay, hazardous duty pay, certification or license payment, job  
18 security provisions, limitations on layoffs and contracting or subcontracting of work  
19 that would otherwise be performed by municipal employes in the collective  
20 bargaining unit with which there is a labor dispute.

21 **SECTION 3793e.** 111.70 (1) (nc) of the statutes, as created by 1993 Wisconsin  
22 Act 16, section 2207aho, is repealed and recreated to read:

23 111.70 (1) (nc) 1. "Qualified economic offer" means an offer made to a labor  
24 organization by a municipal employer that includes all of the following, except as  
25 provided in subd. 2.:

1           a. A proposal to maintain the percentage contribution by the municipal  
2 employer to the municipal employees' existing fringe benefit costs as determined  
3 under sub. (4) (cm) 8s., and to maintain all fringe benefits provided to the municipal  
4 employees in a collective bargaining unit, as such contributions and benefits existed  
5 on the 90th day prior to expiration of any previous collective bargaining agreement  
6 between the parties, or the 90th day prior to commencement of negotiations if there  
7 is no previous collective bargaining agreement between the parties.

8           b. In any collective bargaining unit in which the municipal employe positions  
9 were on August 12, 1993, assigned to salary ranges with steps that determine the  
10 levels of progression within each salary range during a 12-month period, a proposal  
11 to provide for a salary increase of at least one full step for each 12-month period  
12 covered by the proposed collective bargaining agreement, beginning with the  
13 expiration date of any previous collective bargaining agreement, for each municipal  
14 employe who is eligible for a within range salary increase, unless the increased cost  
15 of providing such a salary increase, as determined under sub. (4) (cm) 8s., exceeds  
16 2.1% of the total compensation and fringe benefit costs for all municipal employes in  
17 the collective bargaining unit for any 12-month period covered by the proposed  
18 collective bargaining agreement, or unless the increased cost required to maintain  
19 the percentage contribution by the municipal employer to the municipal employees'  
20 existing fringe benefit costs and to maintain all fringe benefits provided to the  
21 municipal employes, as determined under sub. (4) (cm) 8s., in addition to the  
22 increased cost of providing such a salary increase, exceeds 3.8% of the total  
23 compensation and fringe benefit costs for all municipal employes in the collective  
24 bargaining unit for any 12-month period covered by the proposed collective  
25 bargaining agreement, in which case the offer shall include provision for a salary

1 increase for each such municipal employe in an amount at least equivalent to that  
2 portion of a step for each such 12-month period that can be funded after the  
3 increased cost in excess of 2.1% of the total compensation and fringe benefit costs for  
4 all municipal employes in the collective bargaining unit is subtracted, or in an  
5 amount equivalent to that portion of a step for each such 12-month period that can  
6 be funded from the amount that remains, if any, after the increased cost of such  
7 maintenance exceeding 1.7% of the total compensation and fringe benefit costs for  
8 all municipal employes in the collective bargaining unit for each 12-month period  
9 is subtracted on a prorated basis, whichever is the lower amount.

10 c. A proposal to provide for an average salary increase for each 12-month  
11 period covered by the proposed collective bargaining agreement, beginning with the  
12 expiration date of any previous collective bargaining agreement, for the municipal  
13 employes in the collective bargaining unit at least equivalent to an average cost of  
14 2.1% of the total compensation and fringe benefit costs for all municipal employes in  
15 the collective bargaining unit for each 12-month period covered by the proposed  
16 collective bargaining agreement, beginning with the expiration date of any previous  
17 collective bargaining agreement, including that percentage required to provide for  
18 any step increase and any increase due to a promotion or the attainment of increased  
19 professional qualifications, as determined under sub. (4) (cm) 8s., unless the  
20 increased cost of providing such a salary increase, as determined under sub. (4) (cm)  
21 8s., exceeds 2.1% of the total compensation and fringe benefit costs for all municipal  
22 employes in the collective bargaining unit for any 12-month period covered by the  
23 proposed collective bargaining agreement, or unless the increased cost required to  
24 maintain the percentage contribution by the municipal employer to the municipal  
25 employes' existing fringe benefit costs and to maintain all fringe benefits provided

1 to the municipal employes, as determined under sub. (4) (cm) 8s., in addition to the  
2 increased cost of providing such a salary increase, exceeds 3.8% of the total  
3 compensation and fringe benefit costs for all municipal employes in the collective  
4 bargaining unit for any 12-month period covered by the collective bargaining  
5 agreement, in which case the offer shall include provision for a salary increase for  
6 each such period for the municipal employes covered by the agreement at least  
7 equivalent to an average of that percentage, if any, for each such period of the  
8 prorated portion of 2.1% of the total compensation and fringe benefit costs for all  
9 municipal employes in the collective bargaining unit that remains, if any, after the  
10 increased cost of such maintenance exceeding 1.7% of the total compensation and  
11 fringe benefit costs for all municipal employes in the collective bargaining unit for  
12 each 12-month period and the cost of a salary increase of at least one full step for each  
13 municipal employe in the collective bargaining unit who is eligible for a within range  
14 salary increase for each 12-month period is subtracted from that total cost.

15 2. "Qualified economic offer" may include a proposal to provide for an average  
16 salary decrease for any 12-month period covered by a proposed collective bargaining  
17 agreement, beginning with the expiration date of any previous collective bargaining  
18 agreement, for the municipal employes covered by the agreement, in an amount  
19 equivalent to the average percentage increased cost of maintenance of the  
20 percentage contribution by the municipal employer to the municipal employes'  
21 existing fringe benefit costs, as determined under sub. (4) (cm) 8s., and the average  
22 percentage increased cost of maintenance of all fringe benefits provided to the  
23 municipal employes represented by a labor organization, as such costs and benefits  
24 existed on the 90th day prior to commencement of negotiations, exceeding 3.8% of the  
25 total compensation and fringe benefit costs for all municipal employes in the

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1 collective bargaining unit required for maintenance of those contributions and  
2 benefits for that 12-month period if the increased cost of maintenance of those costs  
3 and benefits exceeds 3.8% of the total compensation and fringe benefit costs for all  
4 municipal employees in the collective bargaining unit for that 12-month period.

5 **SECTION 3794am.** 111.70 (1) (ne) of the statutes is amended to read:

6 111.70 (1) (ne) "School district professional employe" means a municipal  
7 employe who is a professional employe and who is employed by to perform services  
8 for a school district, who holds a license issued by the state superintendent of public  
9 instruction under s. 115.28 (7), and whose employment requires that license.

10 **SECTION 3794c.** 111.70 (1) (nm) of the statutes, as affected by 1993 Wisconsin  
11 Act 16, is repealed is recreated to read:

12 111.70 (1) (nm) "Strike" includes any strike or other concerted stoppage of work  
13 by municipal employes, and any concerted slowdown or other concerted interruption  
14 of operations or services by municipal employes, or any concerted refusal to work or  
15 perform their usual duties as municipal employes, for the purpose of enforcing  
16 demands upon a municipal employer. Such conduct by municipal employes which  
17 is not authorized or condoned by a labor organization constitutes a "strike", but does  
18 not subject such labor organization to the penalties under this subchapter. This  
19 paragraph does not apply to collective bargaining units composed of municipal  
20 employes of any county or municipal employes who are engaged in law enforcement  
21 or fire fighting functions.

22 **SECTION 3794d.** 111.70 (3) (a) 4. of the statutes is amended to read:

23 111.70 (3) (a) 4. To refuse to bargain collectively with a representative of a  
24 majority of its employes in an appropriate collective bargaining unit. Such refusal  
25 shall include action by the employer to issue or seek to obtain contracts, including

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1 those provided for by statute, with individuals in the collective bargaining unit while  
2 collective bargaining, mediation or fact-finding concerning the terms and conditions  
3 of a new collective bargaining agreement is in progress, unless such individual  
4 contracts contain express language providing that the contract is subject to  
5 amendment by a subsequent collective bargaining agreement. Where the employer  
6 has a good faith doubt as to whether a labor organization claiming the support of a  
7 majority of its employees in an appropriate bargaining unit does in fact have that  
8 support, it may file with the commission a petition requesting an election to that  
9 claim. An employer shall not be deemed to have refused to bargain until an election  
10 has been held and the results thereof certified to the employer by the commission.  
11 The violation shall include, though not be limited thereby, to the refusal to execute  
12 a collective bargaining agreement previously agreed upon. A violation also includes  
13 a failure to advise a labor organization whether the municipal employer accepts or  
14 rejects a fact-finder's recommendations under sub. (4) (ce) 2. The term of any  
15 collective bargaining agreement shall not exceed 3 years.

16 **SECTION 3794e.** 111.70 (3) (a) 7. of the statutes, as affected by 1993 Wisconsin  
17 Act 16, is repealed and recreated to read:

18 111.70 (3) (a) 7. To refuse or otherwise fail to implement an arbitration decision  
19 lawfully made under sub. (4) (cm).

20 **SECTION 3794f.** 111.70 (3) (b) 3. of the statutes is amended to read:

21 111.70 (3) (b) 3. To refuse to bargain collectively with the duly authorized officer  
22 or agent of a municipal employer, provided it is the recognized or certified exclusive  
23 collective bargaining representative of employees in an appropriate collective  
24 bargaining unit. Such refusal to bargain shall include, but not be limited to, the  
25 refusal to execute a collective bargaining agreement previously agreed upon. A

1 violation also includes a failure by a labor organization to advise a municipal  
2 employer whether it accepts or rejects a fact-finder's recommendations under sub.  
3 (4) (ce) 2.

4 **SECTION 3794g.** 111.70 (3) (b) 6. of the statutes, as affected by 1993 Wisconsin  
5 Act 16, is repealed and recreated to read:

6 111.70 (3) (b) 6. To refuse or otherwise fail to implement an arbitration decision  
7 lawfully made under sub. (4) (cm).

8 **SECTION 3794gg.** 111.70 (3) (b) 7. of the statutes is created to read:

9 111.70 (3) (b) 7. In the case of municipal employes of a county, other than those  
10 engaged in law enforcement or fire fighting functions, to engage in, or induce or  
11 encourage any municipal employes to engage in a strike or other concerted refusal  
12 to perform their usual duties as municipal employes.

13 **SECTION 3794h.** 111.70 (4) (c) (title) of the statutes is amended to read:

14 111.70 (4) (c) (title) *Methods for peaceful settlement of disputes; law enforcement*  
15 *and fire fighting personnel.*

16 **SECTION 3794i.** 111.70 (4) (c) 4. of the statutes, as affected by 1993 Wisconsin  
17 Act 16, is repealed and recreated to read:

18 111.70 (4) (c) 4. 'Applicability.' This paragraph applies only to municipal  
19 employes who are engaged in law enforcement or fire fighting functions.

20 **SECTION 3794j.** 111.70 (4) (ce) of the statutes is created to read:

21 111.70 (4) (ce) *Methods for peaceful settlement of disputes; nonprotective county*  
22 *employes.* 1. 'Mediation.' The commission may function as a mediator in any labor  
23 dispute. Such mediation may be carried on by a person designated to act by the  
24 commission upon request of one or both of the parties or upon initiation of the  
25 commission. The function of the mediator shall be to bring the parties together

1 voluntarily under such favorable auspices as will tend to effectuate settlement of the  
2 dispute, but neither the commission nor a mediator shall have the power of  
3 compulsion.

4 2. 'Fact-finding.' a. If a dispute has not been settled after a reasonable period  
5 of negotiation and after the settlement procedures, if any, established by the parties  
6 have been exhausted, the parties jointly may petition the commission, in writing, to  
7 initiate fact-finding and to make recommendations to resolve the dispute.

8 b. Upon receipt of a petition to initiate fact-finding, the commission shall make  
9 an investigation with or without a formal hearing, to determine whether a deadlock  
10 exists. After its investigation the commission shall certify the results thereof. If the  
11 commission certifies that a deadlock exists, it shall appoint a qualified, disinterested  
12 person or, if jointly requested by the parties, a 3-member panel to function as a fact  
13 finder.

14 c. The fact finder may establish dates and places of hearings, and shall conduct  
15 the hearings pursuant to rules established by the commission. Upon request, the  
16 commission shall issue subpoenas for hearings conducted by the fact finder. The fact  
17 finder may administer oaths. Upon completion of the hearing, the fact finder shall  
18 make written findings of fact and recommendations for resolution of the dispute and  
19 shall cause them to be served on the parties and the commission. Costs of  
20 fact-finding proceedings shall be divided equally between the parties. At the time  
21 the fact finder submits a statement of his or her costs to the parties, the fact finder  
22 shall submit a copy thereof to the commission at its Madison office.

23 d. Any fact finder may endeavor to mediate the dispute in which the fact finder  
24 is involved at any time prior to the issuance of the fact finder's recommendations.

1 e. Within the time period mutually agreed upon by the parties, or if no time  
2 period is agreed to within 30 days after receipt of the fact-finder's recommendations,  
3 each party shall advise the other, in writing, as to its acceptance or rejection, in whole  
4 or in part, of the fact finder's recommendations and, at the same time, transmit a  
5 copy of such notice to the commission at its Madison office.

6 3. 'Remedies in event of strike.' Upon establishing that a strike is in progress,  
7 the employer may either seek an injunction or file a prohibited practice charge with  
8 the commission under sub. (3) (b) 7. or both. The existence of an administrative  
9 remedy does not constitute grounds for denial of injunctive relief. The occurrence of  
10 a strike and the participation therein by municipal employes do not affect the rights  
11 of the municipal employer, in law or in equity, to deal with the strike, including:

12 a. The right to impose discipline, including discharge, or suspension without  
13 pay, of any municipal employe participating in the strike.

14 b. The right to cancel the reinstatement eligibility of any municipal employe  
15 engaging in the strike.

16 c. The right of the municipal employer to request the imposition of fines, either  
17 against the labor organization or against any municipal employe engaging in the  
18 strike, or to sue for damages because of such strike activity.

19 4. 'Application.' This paragraph applies only to municipal employes of a county,  
20 other than municipal employes who are engaged in law enforcement or fire fighting  
21 functions.

22 **SECTION 3794k.** 111.70 (4) (cm) of the statutes, as affected by 1993 Wisconsin  
23 Act 16, is repealed and recreated to read:

24 111.70 (4) (cm) *Methods for peaceful settlement of disputes; other personnel.* 1.  
25 'Notice of commencement of contract negotiations.' For the purpose of advising the

1 commission of the commencement of contract negotiations, whenever either party  
2 requests the other to reopen negotiations under a binding collective bargaining  
3 agreement, or the parties otherwise commence negotiations if no such agreement  
4 exists, the party requesting negotiations shall immediately notify the commission in  
5 writing. Upon failure of the requesting party to provide such notice, the other party  
6 may so notify the commission. The notice shall specify the expiration date of the  
7 existing collective bargaining agreement, if any, and shall set forth any additional  
8 information the commission may require on a form provided by the commission.

9 2. 'Presentation of initial proposals; open meetings.' The meetings between  
10 parties to a collective bargaining agreement or proposed collective bargaining  
11 agreement under this subchapter which are held for the purpose of presenting initial  
12 bargaining proposals, along with supporting rationale, shall be open to the public.  
13 Each party shall submit its initial bargaining proposals to the other party in writing.  
14 Failure to comply with this subdivision is not cause to invalidate a collective  
15 bargaining agreement under this subchapter.

16 3. 'Mediation.' The commission or its designee shall function as mediator in  
17 labor disputes involving municipal employes upon request of one or both of the  
18 parties, or upon initiation of the commission. The function of the mediator shall be  
19 to encourage voluntary settlement by the parties. No mediator has the power of  
20 compulsion.

21 4. 'Grievance arbitration.' Parties to a dispute pertaining to the meaning or  
22 application of the terms of a written collective bargaining agreement may agree in  
23 writing to have the commission or any other appropriate agency serve as arbitrator  
24 or may designate any other competent, impartial and disinterested person to so  
25 serve.

1           5. 'Voluntary impasse resolution procedures.' In addition to the other impasse  
2 resolution procedures provided in this paragraph, a municipal employer and labor  
3 organization may at any time, as a permissive subject of bargaining, agree in writing  
4 to a dispute settlement procedure, including authorization for a strike by municipal  
5 employees or binding interest arbitration, which is acceptable to the parties for  
6 resolving an impasse over terms of any collective bargaining agreement under this  
7 subchapter. A copy of such agreement shall be filed by the parties with the  
8 commission. If the parties agree to any form of binding interest arbitration, the  
9 arbitrator shall give weight to the factors enumerated under subd. 7.

10           5s. 'Issues subject to arbitration.' In a collective bargaining unit consisting of  
11 school district professional employees, the municipal employer or the labor  
12 organization may petition the commission to determine whether the municipal  
13 employer has submitted a qualified economic offer. The commission shall appoint an  
14 investigator for that purpose. If the investigator finds that the municipal employer  
15 has submitted a qualified economic offer, the investigator shall determine whether  
16 a deadlock exists between the parties with respect to all economic issues. If the  
17 municipal employer submits a qualified economic offer applicable to any period  
18 beginning on or after July 1, 1993, no economic issues are subject to interest  
19 arbitration under subd. 6. for that period. In such a collective bargaining unit,  
20 economic issues concerning the wages, hours or conditions of employment of the  
21 school district professional employees in the unit for any period prior to July 1, 1993,  
22 are subject to interest arbitration under subd. 6. for that period. In such a collective  
23 bargaining unit, noneconomic issues applicable to any period on or after July 1, 1993,  
24 are subject to interest arbitration after the parties have reached agreement and  
25 stipulate to agreement on all economic issues concerning the wages, hours or

1 conditions of employment of the school district professional employes in the unit for  
2 that period. In such a collective bargaining unit, if the commission's investigator  
3 finds that the municipal employer has submitted a qualified economic offer and that  
4 a deadlock exists between the parties with respect to all economic issues, the parties  
5 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 economic issues, or of all provisions of any existing collective  
8 bargaining agreement concerning economic issues if the parties have reopened  
9 negotiations under an existing agreement, as modified by the terms of the qualified  
10 economic offer and as otherwise modified by the parties. In such a collective  
11 bargaining unit, a municipal employer that unilaterally implements the terms of a  
12 stipulation under this subdivision does not violate sub. (3) (a) 4. Any such unilateral  
13 implementation after August 11, 1993, operates as a full, final and complete  
14 settlement of all economic issues between the parties for the period included within  
15 the qualified economic offer. The failure of a labor organization to recognize the  
16 validity of such a lawful qualified economic offer does not affect the obligation of the  
17 municipal employer to submit economic issues to arbitration under subd. 6.

18 6. 'Interest arbitration.' a. If in any collective bargaining unit a dispute  
19 relating to one or more issues, qualifying for interest arbitration under subd. 5s. in  
20 a collective bargaining unit to which subd. 5s. applies, has not been settled after a  
21 reasonable period of negotiation and after mediation by the commission under subd.  
22 3. and other settlement procedures, if any, established by the parties have been  
23 exhausted, and the parties are deadlocked with respect to any dispute between them  
24 over wages, hours and conditions of employment to be included in a new collective  
25 bargaining agreement, either party, or the parties jointly, may petition the

1 commission, in writing, to initiate compulsory, final and binding arbitration, as  
2 provided in this paragraph. At the time the petition is filed, the petitioning party  
3 shall submit in writing to the other party and the commission its preliminary final  
4 offer containing its latest proposals on all issues in dispute. Within 14 calendar days  
5 after the date of that submission, the other party shall submit in writing its  
6 preliminary final offer on all disputed issues to the petitioning party and the  
7 commission. If a petition is filed jointly, both parties shall exchange their  
8 preliminary final offers in writing and submit copies to the commission at the time  
9 the petition is filed.

10 am. Upon receipt of a petition to initiate arbitration, the commission shall  
11 make an investigation, with or without a formal hearing, to determine whether  
12 arbitration should be commenced. If in determining whether an impasse exists the  
13 commission finds that the procedures set forth in this paragraph have not been  
14 complied with and such compliance would tend to result in a settlement, it may order  
15 such compliance before ordering arbitration. The validity of any arbitration award  
16 or collective bargaining agreement shall not be affected by failure to comply with  
17 such procedures. Prior to the close of the investigation each party shall submit in  
18 writing to the commission its single final offer containing its final proposals on all  
19 issues in dispute that are subject to interest arbitration under this subdivision or  
20 under subd. 5s. in collective bargaining units to which subd. 5s. applies. If a party  
21 fails to submit a single, ultimate final offer, the commission shall close the  
22 investigation based on the last written position of the party. The municipal employer  
23 may not submit a qualified economic offer under subd. 5s. after the close of the  
24 investigation. Such final offers may include only mandatory subjects of bargaining,  
25 except that a permissive subject of bargaining may be included by a party if the other

1 party does not object and shall then be treated as a mandatory subject. No later than  
2 such time, the parties shall also submit to the commission a stipulation, in writing,  
3 with respect to all matters which are agreed upon for inclusion in the new or  
4 amended collective bargaining agreement. The commission, after receiving a report  
5 from its investigator and determining that arbitration should be commenced, shall  
6 issue an order requiring arbitration and immediately submit to the parties a list of  
7 7 arbitrators. Upon receipt of such list, the parties shall alternately strike names  
8 until a single name is left, who shall be appointed as arbitrator. The petitioning party  
9 shall notify the commission in writing of the identity of the arbitrator selected. Upon  
10 receipt of such notice, the commission shall formally appoint the arbitrator and  
11 submit to him or her the final offers of the parties. The final offers shall be considered  
12 public documents and shall be available from the commission. In lieu of a single  
13 arbitrator and upon request of both parties, the commission shall appoint a tripartite  
14 arbitration panel consisting of one member selected by each of the parties and a  
15 neutral person designated by the commission who shall serve as a chairperson. An  
16 arbitration panel has the same powers and duties as provided in this section for any  
17 other appointed arbitrator, and all arbitration decisions by such panel shall be  
18 determined by majority vote. In lieu of selection of the arbitrator by the parties and  
19 upon request of both parties, the commission shall establish a procedure for  
20 randomly selecting names of arbitrators. Under the procedure, the commission shall  
21 submit a list of 7 arbitrators to the parties. Each party shall strike one name from  
22 the list. From the remaining 5 names, the commission shall randomly appoint an  
23 arbitrator. Unless both parties to an arbitration proceeding otherwise agree in  
24 writing, every individual whose name is submitted by the commission for  
25 appointment as an arbitrator shall be a resident of this state at the time of

1 submission and every individual who is designated as an arbitration panel  
2 chairperson shall be a resident of this state at the time of designation.

3 b. The arbitrator shall, within 10 days of his or her appointment, establish a  
4 date and place for the conduct of the arbitration hearing. Upon petition of at least  
5 5 citizens of the jurisdiction served by the municipal employer, filed within 10 days  
6 after the date on which the arbitrator is appointed, the arbitrator shall hold a public  
7 hearing in the jurisdiction for the purpose of providing the opportunity to both  
8 parties to explain or present supporting arguments for their positions and to  
9 members of the public to offer their comments and suggestions. The final offers of  
10 the parties, as transmitted by the commission to the arbitrator, shall serve as the  
11 basis for continued negotiations, if any, between the parties with respect to the issues  
12 in dispute. At any time prior to the arbitration hearing, either party, with the consent  
13 of the other party, may modify its final offer in writing.

14 c. Prior to the arbitration hearing, either party may, within a time limit  
15 established by the arbitrator, withdraw its final offer and mutually agreed upon  
16 modifications thereof, if any, and shall immediately provide written notice of such  
17 withdrawal to the other party, the arbitrator and the commission. If both parties  
18 withdraw their final offers and mutually agreed upon modifications, the labor  
19 organization, after giving 10 days' written advance notice to the municipal employer  
20 and the commission, may strike. Unless both parties withdraw their final offers and  
21 mutually agreed upon modifications, the final offer of neither party shall be deemed  
22 withdrawn and the arbitrator shall proceed to resolve the dispute by final and  
23 binding arbitration as provided in this paragraph.

24 d. Before issuing his or her arbitration decision, the arbitrator shall, on his or  
25 her own motion or at the request of either party, conduct a meeting open to the public

1 for the purpose of providing the opportunity to both parties to explain or present  
2 supporting arguments for their complete offer on all matters to be covered by the  
3 proposed agreement. The arbitrator shall adopt without further modification the  
4 final offer of one of the parties on all disputed issues submitted under subd. 6. am.,  
5 except those items that the commission determines not to be mandatory subjects of  
6 bargaining and those items which have not been treated as mandatory subjects by  
7 the parties, and including any prior modifications of such offer mutually agreed upon  
8 by the parties under subd. 6. b., which decision shall be final and binding on both  
9 parties and shall be incorporated into a written collective bargaining agreement.  
10 The arbitrator shall serve a copy of his or her decision on both parties and the  
11 commission.

12 e. Arbitration proceedings shall not be interrupted or terminated by reason of  
13 any prohibited practice complaint filed by either party at any time.

14 f. The costs of arbitration shall be divided equally between the parties. The  
15 arbitrator shall submit a statement of his or her costs to both parties and to the  
16 commission.

17 g. If a question arises as to whether any proposal made in negotiations by either  
18 party is a mandatory, permissive or prohibited subject of bargaining, the commission  
19 shall determine the issue pursuant to par. (b). If either party to the dispute petitions  
20 the commission for a declaratory ruling under par. (b), the proceedings under subd.  
21 6. c. and d. shall be delayed until the commission renders a decision in the matter,  
22 but not during any appeal of the commission order. The arbitrator's award shall be  
23 made in accordance with the commission's ruling, subject to automatic amendment  
24 by any subsequent court reversal thereof.

1           7. 'Factors considered.' In making any decision under the arbitration  
2 procedures authorized by this paragraph, the arbitrator shall give weight to the  
3 following factors:

4           a. The lawful authority of the municipal employer.

5           b. Stipulations of the parties.

6           c. The interests and welfare of the public and the financial ability of the unit  
7 of government to meet the costs of any proposed settlement.

8           d. Comparison of wages, hours and conditions of employment of the municipal  
9 employes involved in the arbitration proceedings with the wages, hours and  
10 conditions of employment of other employes performing similar services.

11           e. Comparison of the wages, hours and conditions of employment of the  
12 municipal employes involved in the arbitration proceedings with the wages, hours  
13 and conditions of employment of other employes generally in public employment in  
14 the same community and in comparable communities.

15           f. Comparison of the wages, hours and conditions of employment of the  
16 municipal employes involved in the arbitration proceedings with the wages, hours  
17 and conditions of employment of other employes in private employment in the same  
18 community and in comparable communities.

19           g. The average consumer prices for goods and services, commonly known as the  
20 cost of living.

21           h. The overall compensation presently received by the municipal employes,  
22 including direct wage compensation, vacation, holidays and excused time, insurance  
23 and pensions, medical and hospitalization benefits, the continuity and stability of  
24 employment, and all other benefits received.

1 hm. Any state law or directive lawfully issued by a state legislative or  
2 administrative officer, body or agency which places limitations on expenditures that  
3 may be made or revenues that may be collected by a municipal employer.

4 i. Changes in any of the foregoing circumstances during the pendency of the  
5 arbitration proceedings.

6 j. Such other factors, not confined to the foregoing, which are normally or  
7 traditionally taken into consideration in the determination of wages, hours and  
8 conditions of employment through voluntary collective bargaining, mediation,  
9 fact-finding, arbitration or otherwise between the parties, in the public service or in  
10 private employment.

11 8. 'Rule making.' The commission shall adopt rules for the conduct of all  
12 arbitration proceedings under subd. 6., including, but not limited to, rules for:

13 a. The appointment of tripartite arbitration panels when requested by the  
14 parties.

15 b. The expeditious rendering of arbitration decisions, such as waivers of briefs  
16 and transcripts.

17 c. The removal of individuals who have repeatedly failed to issue timely  
18 decisions from the commission's list of qualified arbitrators.

19 d. Proceedings for the enforcement of arbitration decisions.

20 8m. 'Term of agreement; reopening of negotiations.' a. Except for the initial  
21 collective bargaining agreement between the parties and except as the parties  
22 otherwise agree, every collective bargaining agreement covering municipal  
23 employes subject to this paragraph other than school district professional employes  
24 shall be for a term of 2 years. No collective bargaining agreement for any collective

1 bargaining unit consisting of municipal employees subject to this paragraph other  
2 than school district professional employees shall be for a term exceeding 3 years.

3 b. Except for the initial collective bargaining agreement between the parties,  
4 every collective bargaining agreement covering municipal employees who are school  
5 district professional employees shall be for a term of 2 years expiring on June 30 of  
6 the odd-numbered year. An initial collective bargaining agreement between parties  
7 covering municipal employees who are school district professional employees shall be  
8 for a term ending on June 30 following the effective date of the agreement, if that date  
9 is in an odd-numbered year, or otherwise on June 30 of the following year.

10 c. No arbitration award may contain a provision for reopening of negotiations  
11 during the term of a collective bargaining agreement, unless both parties agree to  
12 such a provision. The requirement for agreement by both parties does not apply to  
13 a provision for reopening of negotiations with respect to any portion of an agreement  
14 that is declared invalid by a court or administrative agency or rendered invalid by  
15 the enactment of a law or promulgation of a federal regulation.

16 8p. 'Professional school employe salaries.' In every collective bargaining unit  
17 covering municipal employees who are school district professional employees in which  
18 the municipal employe positions were, on the effective date of this subdivision ...  
19 [revisor inserts date], assigned to salary ranges with steps that determine the levels  
20 of progression within each salary range, unless the parties otherwise agree, no new  
21 or modified collective bargaining agreement may contain any provision altering the  
22 salary range structure, the number of steps or the requirements for attaining a step  
23 or assignment of a position to a salary range, except that if the cost of funding the  
24 attainment of a step is greater than the amount required for the municipal employer  
25 to submit a qualified economic offer, the agreement may contain a provision altering

1 the requirements for attaining a step to no greater extent than is required for the  
2 municipal employer to submit a qualified economic offer at the minimum possible  
3 cost to the municipal employer.

4 8s. 'Forms for determining costs.' The commission shall prescribe forms for  
5 calculating the total increased cost to the municipal employer of compensation and  
6 fringe benefits provided to school district professional employes. The cost shall be  
7 determined based upon the total cost of compensation and fringe benefits provided  
8 to school district professional employes who are represented by a labor organization  
9 on the 90th day before expiration of any previous collective bargaining agreement  
10 between the parties, or who were so represented if the effective date is retroactive,  
11 or the 90th day prior to commencement of negotiations if there is no previous  
12 collective bargaining agreement between the parties, without regard to any change  
13 in the number, rank or qualifications of the school district professional employes. For  
14 purposes of such determinations, any cost increase that is incurred on any day other  
15 than the beginning of the 12-month period commencing with the effective date of the  
16 agreement or any succeeding 12-month period commencing on the anniversary of  
17 that effective date shall be calculated as if the cost increase were incurred as of the  
18 beginning of the 12-month period beginning on the effective date or anniversary of  
19 the effective date in which the cost increase is incurred. In each collective bargaining  
20 unit to which subd. 5s. applies, the municipal employer shall transmit to the  
21 commission and the labor organization a completed form for calculating the total  
22 increased cost to the municipal employer of compensation and fringe benefits  
23 provided to the school district professional employes covered by the agreement as  
24 soon as possible after the effective date of the agreement.

1           9. 'Application.' a. Chapter 788 does not apply to arbitration proceedings under  
2 this paragraph.

3           b. This paragraph does not apply to labor disputes involving municipal  
4 employes of any county or municipal employes who are engaged in law enforcement  
5 or fire fighting functions.

6           **SECTION 3794m.** 111.70 (4) (cn) of the statutes, as created by 1993 Wisconsin  
7 Act 16, is repealed and recreated to read:

8           111.70 (4) (cn) *Term of professional school employe agreements.* Except for the  
9 initial collective bargaining agreement between the parties, every collective  
10 bargaining agreement covering municipal employes who are school district  
11 professional employes shall be for a term of 2 years expiring on June 30 of the  
12 odd-numbered year. An initial collective bargaining agreement between parties  
13 covering municipal employes who are school district professional employes shall be  
14 for a term ending on June 30 following the effective date of the agreement, if that date  
15 is in an odd-numbered year, or otherwise on June 30 of the following year.

16           **SECTION 3800am.** 111.70 (4) (d) 2. a. of the statutes is amended to read:

17           111.70 (4) (d) 2. a. The commission shall determine the appropriate collective  
18 bargaining unit for the purpose of collective bargaining and shall whenever possible,  
19 unless otherwise required under this subchapter, avoid fragmentation by  
20 maintaining as few collective bargaining units as practicable in keeping with the size  
21 of the total municipal work force. In making such a determination, the commission  
22 may decide whether, in a particular case, the municipal employes in the same or  
23 several departments, divisions, institutions, crafts, professions or other  
24 occupational groupings constitute a collective bargaining unit. Before making its  
25 determination, the commission may provide an opportunity for the municipal

**SECTION  
3800am**

1 employes concerned to determine, by secret ballot, whether or not they desire to be  
2 established as a separate collective bargaining unit. The commission shall not  
3 decide, however, that any ~~unit is~~ group of municipal employes constitutes an  
4 appropriate collective bargaining unit if the ~~unit group~~ includes both municipal  
5 employes who are school district professional employes and municipal employes who  
6 are not school district professional employes. The commission shall not decide that  
7 any other group of municipal employes constitutes an appropriate collective  
8 bargaining unit if the group includes both professional employes and  
9 nonprofessional employes, unless a majority of the professional employes vote for  
10 inclusion in the unit. The commission shall not decide that any ~~unit is~~ group of  
11 municipal employes constitutes an appropriate collective bargaining unit if the ~~unit~~  
12 group includes both craft employes and noncraft employes unless a majority of the  
13 craft employes vote for inclusion in the unit. The commission shall place the  
14 professional employes who are assigned to perform any services at a charter school,  
15 as defined in s. 115.001 (1), in a separate collective bargaining unit from a unit that  
16 includes any other professional employes whenever at least 30% of those  
17 professional employes request an election to be held to determine that issue and a  
18 majority of the professional employes at the charter school who cast votes in the  
19 election decide to be represented in a separate collective bargaining unit. Any vote  
20 taken under this subsection shall be by secret ballot.

21 **SECTION 3800m.** 111.70 (4) (L) of the statutes, as affected by 1993 Wisconsin  
22 Act 16, is repealed and recreated to read:

23 111.70 (4) (L) *Strikes prohibited.* Except as authorized under par. (cm) 5. and  
24 6. c., nothing contained in this subchapter constitutes a grant of the right to strike  
25 by any municipal employe or labor organization, and such strikes are hereby

**SECTION 3800m**

1 expressly prohibited. Paragraph (cm) does not authorize any strike after an  
2 injunction has been issued against such strike under sub. (7m).

3 **SECTION 3801.** 111.70 (4) (m) of the statutes is created to read:

4 111.70 (4) (m) *Prohibited subjects of bargaining.* In a school district, the  
5 municipal employer is prohibited from bargaining collectively with respect to:

6 1. Reassignment of municipal employes who perform services for a board of  
7 school directors under ch. 119, with or without regard to seniority, as a result of a  
8 decision of the board of school directors to contract with an individual or group to  
9 operate a school as a charter school, as defined in s. 115.001 (1), or to convert a school  
10 to a charter school, or the impact of any such reassignment on the wages, hours or  
11 conditions of employment of the municipal employes who perform those services.

12 2. Reassignment of municipal employes who perform services for a board of  
13 school directors, with or without regard to seniority, as a result of the decision of the  
14 board to close or reopen a school under s. 119.18 (23), or the impact of any such  
15 reassignment on the wages, hours or conditions of employment of the municipal  
16 employes who perform those services.

17 4. Any decision of a board of school directors to contract with a school or agency  
18 to provide educational programs under s. 119.235, or the impact of any such decision  
19 on the wages, hours or conditions of employment of the municipal employes who  
20 perform services for the board.

21 5. Any decision of a school board or board of school directors to contract for the  
22 establishment of a charter school under s. 118.40, in which one or more of the  
23 employes of the charter school is not a school district employe, or the impact of any  
24 such decision on the wages, hours or conditions of employment of the municipal  
25 employes who perform services for the school board or board of school directors.

**SECTION  
3801am**

1           **SECTION 3801am.** 111.70 (4) (n) of the statutes is created to read:

2           111.70 (4) (n) *Permissive subjects of collective bargaining.* The municipal  
3 employer is not required to bargain collectively with the representative of a collective  
4 bargaining unit consisting of school district professional employees with respect to the  
5 identity of any group health care benefits provider.

6           **SECTION 3801b.** 111.70 (7) of the statutes, as affected by 1993 Wisconsin Act  
7 16, is renumbered 111.70 (7) (a).

8           **SECTION 3801d.** 111.70 (7) (b) of the statutes, as affected by 1993 Wisconsin Act  
9 16, is repealed and recreated to read:

10          111.70 (7) (b) This subsection applies only to municipal employees who are  
11 engaged in law enforcement or fire fighting functions.

12          **SECTION 3801f.** 111.70 (7m) of the statutes, as affected by 1993 Wisconsin Act  
13 16, is repealed and recreated to read:

14          111.70 (7m) INJUNCTIVE RELIEF; PENALTIES; CIVIL LIABILITY. (a) *Injunction;*  
15 *prohibited strike.* At any time after the commencement of a strike which is prohibited  
16 under sub. (4) (L), the municipal employer or any citizen directly affected by such  
17 strike may petition the circuit court for an injunction to immediately terminate the  
18 strike. If the court determines that the strike is prohibited under sub. (4) (L), it shall  
19 issue an order immediately enjoining the strike, and in addition shall impose the  
20 penalties provided in par. (c).

21          (b) *Injunction; threat to public health or safety.* At any time after a labor  
22 organization gives advance notice of a strike under sub. (4) (cm) which is expressly  
23 authorized under sub. (4) (cm), the municipal employer or any citizen directly  
24 affected by such strike may petition the circuit court to enjoin the strike. If the court  
25 finds that the strike poses an imminent threat to the public health or safety, the court

1 shall, within 48 hours after the receipt of the petition but after notice to the parties  
2 and after holding a hearing, issue an order immediately enjoining the strike, and in  
3 addition shall order the parties to submit a new final offer on all disputed issues to  
4 the commission for final and binding arbitration as provided in sub. (4) (cm). The  
5 commission, upon receipt of the final offers of the parties, shall transmit them to the  
6 arbitrator or a successor designated by the commission. The arbitrator shall omit  
7 preliminary steps and shall commence immediately to arbitrate the dispute.

8 (c) *Penalties.* 1. 'Labor organizations.' a. Any labor organization which  
9 violates sub. (4) (L) shall be penalized by the suspension of any dues check-off  
10 agreement and fair-share agreement between the municipal employer and such  
11 labor organization for a period of one year. At the end of the period of suspension,  
12 any such agreement shall be reinstated unless the labor organization is no longer  
13 authorized to represent the municipal employes covered by such dues check-off or  
14 fair-share agreement or the agreement is no longer in effect.

15 b. Any labor organization which violates sub. (4) (L) after an injunction has  
16 been issued shall be required to forfeit \$2 per member per day, but not more than  
17 \$10,000 per day. Each day of continued violation constitutes a separate offense.

18 2. 'Individuals.' Any individual who violates sub. (4) (L) after an injunction  
19 against a strike has been issued shall be fined \$10. Each day of continued violation  
20 constitutes a separate offense. After the injunction has been issued, any municipal  
21 employe who is absent from work because of purported illness is presumed to be on  
22 strike unless the illness is verified by a written report from a physician to the  
23 municipal employer. The court shall order that any fine imposed under this  
24 subdivision be paid by means of a salary deduction at a rate to be determined by the  
25 court.

1           3. 'Strike in violation of award.' Any person who authorizes or otherwise  
2 participates in a strike after the issuance of any final and binding arbitration award  
3 or decision under sub. (4) (cm) and prior to the end of the term of the agreement which  
4 the award or decision amends or creates shall forfeit not less than \$15. Each day of  
5 continued violation constitutes a separate offense.

6           4. 'Contempt of court.' The penalties provided in this paragraph do not preclude  
7 the imposition by the court of any penalty for contempt provided by law.

8           (d) *Compensation forfeited.* No municipal employe may be paid wages or  
9 salaries by the municipal employer for the period during which he or she engages in  
10 any strike.

11           (e) *Civil liability.* Any party refusing to include an arbitration award or  
12 decision under sub. (4) (cm) in a written collective bargaining agreement or failing  
13 to implement the award or decision, unless good cause is shown, shall be liable for  
14 attorney fees, interest on delayed monetary benefits, and other costs incurred in any  
15 action by the nonoffending party to enforce the award or decision.

16           (f) *Application.* This subsection does not apply to strikes involving municipal  
17 employes of any county or municipal employes who are engaged in law enforcement  
18 or fire fighting functions.

19           **SECTION 3801h.** 111.70 (8) (a) of the statutes, as affected by 1993 Wisconsin Act  
20 16, is repealed and recreated to read:

21           111.70 (8) (a) This section, except subs. (1) (nm), (4) (cm) and (7m), applies to  
22 law enforcement supervisors employed by a 1st class city. This section, except subs.  
23 (1) (nm), (4) (cm) and (jm) and (7m), applies to law enforcement supervisors employed  
24 by a county having a population of 500,000 or more. For purposes of such application,  
25 the term "municipal employe" includes such a supervisor.

**SECTION 3803d**

1           **SECTION 3803d.** 111.71 (1) of the statutes is amended to read:

2           111.71 (1) The commission may adopt reasonable rules relative to the exercise  
3 of its powers and authority and proper rules to govern its proceedings and to regulate  
4 the conduct of all elections and hearings. The commission shall, upon request,  
5 provide a transcript of a proceeding to any party to the proceeding for a fee  
6 ~~prescribed, established by rule,~~ by the commission at a uniform rate of ~~not less than~~  
7 ~~60 cents per page.~~ All transcript fees shall be ~~deposited into the general fund~~ credited  
8 to the appropriation account under s. 20.425 (1) (i), except that fees collected in excess  
9 of ~~60 cents~~ the uniform rate per page for any transcript produced by a reporter who  
10 is not employed by the commission shall be ~~deposited under~~ credited to the  
11 appropriation in account under s. 20.425 (1) (g).

12           **SECTION 3803p.** 111.71 (2) of the statutes, as affected by 1993 Wisconsin Act  
13 16, is repealed and recreated to read:

14           111.71 (2) The commission shall assess and collect a filing fee of \$25 from the  
15 party or parties filing a complaint alleging that a prohibited practice has been  
16 committed under s. 111.70 (3). The commission shall assess and collect a filing fee  
17 of \$25 from the party or parties filing a request that the commission act as an  
18 arbitrator to resolve a dispute involving the interpretation or application of a  
19 collective bargaining agreement under s. 111.70 (4) (c) 2. or (cm) 4. If such a request  
20 concerns issues arising as a result of more than one unrelated event or occurrence,  
21 each such separate event or occurrence shall be treated as a separate request. Fees  
22 required to be paid under this subsection shall be paid at the time of filing the  
23 complaint or the request for arbitration. A complaint or request for arbitration is not  
24 filed until the date such fee or fees are paid. Fees collected under this subsection  
25 shall be deposited as general purpose revenue-earned.

1           **SECTION 3803t.** 111.71 (2) of the statutes, as affected by 1993 Wisconsin Act 16  
2 and 1995 Wisconsin Act .... (this act), is repealed and recreated to read:

3           111.71 (2) The commission shall assess and collect a filing fee for filing a  
4 complaint alleging that a prohibited practice has been committed under s. 111.70 (3).  
5 The commission shall assess and collect a filing fee for filing a request that the  
6 commission act as an arbitrator to resolve a dispute involving the interpretation or  
7 application of a collective bargaining agreement under s. 111.70 (4) (c) 2. or (cm) 4.  
8 The commission shall assess and collect a filing fee for filing a request that the  
9 commission initiate fact-finding under s. 111.70 (4) (c) 3. The commission shall  
10 assess and collect a filing fee for filing a request that the commission act as a  
11 mediator under s. 111.70 (4) (c) 1. The commission shall assess and collect a filing  
12 fee for filing a request that the commission initiate compulsory, final and binding  
13 arbitration under s. 111.70 (4) (jm) or 111.77 (3). For the performance of commission  
14 actions under ss. 111.70 (4) (c) 1., 2. and 3., (jm) and 111.77 (3), the commission shall  
15 require that the parties to the dispute equally share in the payment of the fee and,  
16 for the performance of commission actions involving a complaint alleging that a  
17 prohibited practice has been committed under s. 111.70 (3), the commission shall  
18 require that the party filing the complaint pay the entire fee. If any party has paid  
19 a filing fee requesting the commission to act as a mediator for a labor dispute and the  
20 parties do not enter into a voluntary settlement of the dispute, the commission may  
21 not subsequently assess or collect a filing fee to initiate fact-finding or arbitration  
22 to resolve the same labor dispute. If any request for the performance of commission  
23 actions concerns issues arising as a result of more than one unrelated event or  
24 occurrence, each such separate event or occurrence shall be treated as a separate  
25 request. The commission shall promulgate rules establishing a schedule of filing fees

1 to be paid under this subsection, except that the commission may not require a filing  
2 fee that exceeds \$225 per request or case. Fees required to be paid under this  
3 subsection shall be paid at the time of filing the complaint or the request for  
4 fact-finding, mediation or arbitration. A complaint or request for fact-finding,  
5 mediation or arbitration is not filed until the date such fee or fees are paid, except  
6 that the failure of the respondent party to pay the filing fee for having the  
7 commission initiate compulsory, final and binding arbitration under s. 111.70 (4) (jm)  
8 or 111.77 (3) shall not prohibit the commission from initiating such arbitration. The  
9 commission may initiate collection proceedings against the respondent party for the  
10 payment of the filing fee. Fees collected under this subsection shall be credited to  
11 the appropriation account under s. 20.425 (1) (i).

12 **SECTION 3803u.** 111.71 (3) (c) of the statutes, as affected by 1993 Wisconsin Act  
13 16, section 2213p, is repealed and recreated to read:

14 111.71 (3) (c) The council on municipal collective bargaining shall continuously  
15 review the operation of the dispute settlement procedures under s. 111.70 (4) (cm)  
16 and (7m). The council shall submit its recommendations with respect to any  
17 amendment to s. 111.70 (4) (cm) or (7m) to the chief clerk of each house of the  
18 legislature under s. 13.172 (2) at the commencement of each legislative session.

19 **SECTION 3803v.** 111.71 (3) (d) of the statutes, as affected by 1993 Wisconsin Act  
20 16, is repealed and recreated to read:

21 111.71 (3) (d) The council on municipal collective bargaining shall review each  
22 pending legislative proposal relating to modification of the dispute settlement  
23 procedures under s. 111.70 (4) (cm) or (7m) and shall report its findings and  
24 recommendations relating to the proposal to the chief clerk of each house of the  
25 legislature for referral to the appropriate standing committees under s. 13.172 (3).

1           **SECTION 3803w.** 111.71 (4) of the statutes, as affected by 1993 Wisconsin Act  
2 16, is repealed and recreated to read:

3           111.71 (4) The commission shall collect on a systematic basis information on  
4 the operation of the arbitration law under s. 111.70 (4) (cm). The commission shall  
5 report on the operation of the law to the legislature on an annual basis. The report  
6 shall be submitted to the chief clerk of each house of the legislature for distribution  
7 to the legislature under s. 13.172 (2).

8           **SECTION 3803x.** 111.71 (5) of the statutes, as affected by 1993 Wisconsin Act  
9 16, is repealed and recreated to read:

10           111.71 (5) The commission shall, on a regular basis, provide training programs  
11 to prepare individuals for service as arbitrators or arbitration panel members under  
12 s. 111.70 (4) (cm). The commission shall engage in appropriate promotional and  
13 recruitment efforts to encourage participation in the training programs by  
14 individuals throughout the state, including at least 10 residents of each  
15 congressional district. The commission may also provide training programs to  
16 individuals and organizations on other aspects of collective bargaining, including on  
17 areas of management and labor cooperation directly or indirectly affecting collective  
18 bargaining. The commission may charge a reasonable fee for participation in the  
19 programs.

20           **SECTION 3805m.** 111.77 (9) of the statutes, as affected by 1993 Wisconsin Act  
21 16, is repealed and recreated to read:

22           111.77 (9) Section 111.70 (4) (c) 3., (ce) and (cm) shall not apply to employments  
23 covered by this section.

24           **SECTION 3806.** 111.80 (1) of the statutes is amended to read:

1           111.80 (1) It recognizes that there are 3 major interests involved: that of the  
2 public, that of the state employe and that of the state ~~as an~~ employer. These 3  
3 interests are to a considerable extent interrelated. It is the policy of this state to  
4 protect and promote each of these interests with due regard to the situation and to  
5 the rights of the others.

6           **SECTION 3807.** 111.80 (2) of the statutes is amended to read:

7           111.80 (2) Orderly and constructive employment relations for state employes  
8 and the efficient administration of state government are promotive of all these  
9 interests. They are largely dependent upon the maintenance of fair, friendly and  
10 mutually satisfactory employe management relations in state employment, and the  
11 availability of suitable machinery for fair and peaceful adjustment of whatever  
12 controversies may arise. It is recognized that whatever may be the rights of  
13 disputants with respect to each other in any controversy regarding state  
14 employment relations, neither party has any right to engage in acts or practices  
15 which jeopardize the public safety and interest and interfere with the effective  
16 conduct of public business.

17           **SECTION 3808.** 111.80 (3) of the statutes is amended to read:

18           111.80 (3) Where permitted under this subchapter, negotiations of terms and  
19 conditions of state employment should result from voluntary agreement between the  
20 state and its agents as an employer, and its employes. For that purpose a state an  
21 employe may, if the employe desires, associate with others in organizing and in  
22 bargaining collectively through representatives of the employe's own choosing  
23 without intimidations or coercion from any source.

24           **SECTION 3809.** 111.80 (4) of the statutes is amended to read:

**SECTION 3809**

1           111.80 (4) It is the policy of this state, in order to preserve and promote the  
2 interests of the public, the state employe and the state ~~as an~~ employer alike, to  
3 encourage the practices and procedures of collective bargaining in state employment  
4 subject to the requirements of the public service and related laws, rules and policies  
5 governing state employment, by establishing standards of fair conduct in state  
6 employment relations and by providing a convenient, expeditious and impartial  
7 tribunal in which these interests may have their respective rights determined.

8           **SECTION 3810.** 111.81 (7) (d) of the statutes is created to read:

9           111.81 (7) (d) Individuals employed by the University of Wisconsin Hospitals  
10 and Clinics Authority who hold positions that would be included in the classified  
11 service if the individuals were employed by the state, except supervisors,  
12 management employes and individuals who are privy to confidential matters  
13 affecting the employer-employe relationship.

14           **SECTION 3811.** 111.81 (7) (d) of the statutes, as created by 1995 Wisconsin Act  
15 .... (this act), is repealed.

16           **SECTION 3812.** 111.81 (12) (intro.) of the statutes is amended to read:

17           111.81 (12) (intro.) "Labor organization" means any employe organization  
18 whose purpose is to represent state employes in collective bargaining with the state  
19 employer, or its agents, on matters pertaining to terms and conditions of  
20 employment; but the term shall not include any organization:

21           **SECTION 3815.** 111.81 (15) (a) (intro.) of the statutes is amended to read:

22           111.81 (15) (a) (intro.) Any employe in the classified service or any employe of  
23 the University of Wisconsin Hospitals and Clinics Authority who is engaged in work:

24           **SECTION 3816.** 111.81 (15) (a) (intro.) of the statutes, as affected by 1995  
25 Wisconsin Act .... (this act), is repealed and recreated to read:

1           111.81 (15) (a) (intro.) Any employe in the classified service who is engaged in  
2 work:

3           **SECTION 3817.** 111.81 (15) (b) (intro.) of the statutes is amended to read:

4           111.81 (15) (b) (intro.) Any employe in the classified service or any employe of  
5 the University of Wisconsin Hospitals and Clinics Authority who:

6           **SECTION 3818.** 111.81 (15) (b) (intro.) of the statutes, as affected by 1995  
7 Wisconsin Act .... (this act), is repealed and recreated to read:

8           111.81 (15) (b) (intro.) Any employe in the classified service who:

9           **SECTION 3819.** 111.815 (1) of the statutes is amended to read:

10           111.815 (1) In the furtherance of this subchapter, the state shall be considered  
11 as a single employer and employment relations policies and practices throughout the  
12 state service shall be as consistent as practicable. The department shall negotiate  
13 and administer collective bargaining agreements. To coordinate the employer  
14 position in the negotiation of agreements, the executive branch shall maintain close  
15 liaison with the legislature relative to the negotiation of agreements and the fiscal  
16 ramifications thereof. The department is responsible for the employer functions of  
17 the executive branch under this subchapter, and shall coordinate its collective  
18 bargaining activities with operating state agencies and the University of Wisconsin  
19 Hospitals and Clinics Authority on matters of agency concern to the agencies or the  
20 authority. The legislative branch shall act upon those portions of tentative  
21 agreements negotiated by the executive branch which require legislative action.

22           **SECTION 3820.** 111.815 (1) of the statutes, as affected by 1995 Wisconsin Act ....  
23 (this act), is repealed and recreated to read:

24           111.815 (1) In the furtherance of this subchapter, the state shall be considered  
25 as a single employer and employment relations policies and practices throughout the

**SECTION 3820**

1 state service shall be as consistent as practicable. The department shall negotiate  
2 and administer collective bargaining agreements. To coordinate the employer  
3 position in the negotiation of agreements, the department shall maintain close  
4 liaison with the legislature relative to the negotiation of agreements and the fiscal  
5 ramifications thereof. Except with respect to the collective bargaining units  
6 specified in s. 111.825 (1m), the department is responsible for the employer functions  
7 of the executive branch under this subchapter, and shall coordinate its collective  
8 bargaining activities with operating state agencies on matters of agency concern.  
9 The legislative branch shall act upon those portions of tentative agreements  
10 negotiated by the department which require legislative action. With respect to the  
11 collective bargaining units specified in s. 111.825 (1m), the University of Wisconsin  
12 Hospitals and Clinics Board is responsible for the employer functions under this  
13 subchapter.

14 **SECTION 3820b.** 111.815 (2) of the statutes is amended to read:

15 111.815 (2) In the furtherance of the policy under s. 111.80 (4), the secretary  
16 of the department shall establish a collective bargaining capability within the  
17 department outside of the division of merit recruitment and selection and shall,  
18 together with the appointing authorities or their representatives, represent the state  
19 in its responsibility as an employer under this subchapter except with respect to  
20 negotiations in the collective bargaining units specified in s. 111.825 (1m). The  
21 secretary of the department shall establish and maintain, wherever practicable,  
22 consistent employment relations policies and practices throughout the state service.

23 **SECTION 3821.** 111.82 of the statutes is amended to read:

24 **111.82 (title) Rights of state employees.** ~~State employees~~ Employees shall have  
25 the right of self-organization and the right to form, join or assist labor organizations,

**SECTION 3821**

1 to bargain collectively through representatives of their own choosing under this  
2 subchapter, and to engage in lawful, concerted activities for the purpose of collective  
3 bargaining or other mutual aid or protection. ~~Such employes~~ Employes shall also  
4 have the right to refrain from any or all of such activities.

5 **SECTION 3822.** 111.825 (1) (intro.) of the statutes is amended to read:

6 111.825 (1) (intro.) It is the legislative intent that in order to foster meaningful  
7 collective bargaining, units must be structured in such a way as to avoid excessive  
8 fragmentation whenever possible. In accordance with this policy, collective  
9 bargaining units for employes in the classified service of the state and for employes  
10 of the University of Wisconsin Hospitals and Clinics Authority are structured on a  
11 statewide basis with one collective bargaining unit for each of the following  
12 occupational groups:

13 **SECTION 3823.** 111.825 (1) (intro.) of the statutes, as affected by 1995 Wisconsin  
14 Act .... (this act), is repealed and recreated to read:

15 111.825 (1) (intro.) It is the legislative intent that in order to foster meaningful  
16 collective bargaining, units must be structured in such a way as to avoid excessive  
17 fragmentation whenever possible. In accordance with this policy, collective  
18 bargaining units for employes in the classified service of the state, except employes  
19 in the collective bargaining units specified in s. 111.825 (1m), are structured on a  
20 statewide basis with one collective bargaining unit for each of the following  
21 occupational groups:

22 **SECTION 3823b.** 111.825 (1m) of the statutes is created to read:

23 111.825 (1m) Collective bargaining units for employes in the classified service  
24 of the state who are employed by the University of Wisconsin Hospitals and Clinics

1 Board are structured with one collective bargaining unit for each of the following  
2 occupational groups:

- 3 (a) Clerical and related.  
4 (b) Blue collar and nonbuilding trades.  
5 (c) Building trades crafts.  
6 (d) Security and public safety.  
7 (e) Technical.

8 **SECTION 3823c.** 111.825 (3) of the statutes is amended to read:

9 111.825 (3) The commission shall assign employes to the appropriate collective  
10 bargaining units set forth in subs. (1), (1m) and (2).

11 **SECTION 3823d.** 111.825 (4) of the statutes is amended to read:

12 111.825 (4) Any labor organization may petition for recognition as the exclusive  
13 representative of a collective bargaining unit specified in sub. (1), (1m) or (2) in  
14 accordance with the election procedures set forth in s. 111.83, provided the petition  
15 is accompanied by a 30% showing of interest in the form of signed authorization  
16 cards. Each additional labor organization seeking to appear on the ballot shall file  
17 petitions within 60 days of the date of filing of the original petition and prove,  
18 through signed authorization cards, that at least 10% of the employes in the  
19 collective bargaining unit want it to be their representative. ~~An original petition to  
20 serve as the initial representative of the collective bargaining unit specified in sub.  
21 (2) (d) may only be filed during the period commencing on July 2, 1990, and ending  
22 on December 31, 1990.~~

23 **SECTION 3823e.** 111.825 (4m) of the statutes is created to read:

24 111.825 (4m) If a single representative is recognized or certified to represent  
25 more than one of the collective bargaining units specified in sub. (1m), that

**SECTION 3823e**

1 representative and the employer may jointly agree to combine the collective  
2 bargaining units, subject to the right of the employees in any of the collective  
3 bargaining units that were combined to petition for an election under s. 111.83 (6)  
4 and (7). Any agreement under this subsection is effective upon written notice of the  
5 agreement by the parties to the commission and terminates upon written notice of  
6 termination by the parties to the commission or upon decertification of the  
7 representative entering into the agreement as representative of one of the combined  
8 collective bargaining units, whichever occurs first.

9 **SECTION 3824m.** 111.83 (7) of the statutes is created to read:

10 111.83 (7) Notwithstanding subs. (1), (3) and (6) and s. 111.825 (4), if on July  
11 1, 1997, there is a representative recognized or certified to represent the employees  
12 in any of the collective bargaining units specified in s. 111.825 (1) (a) to (e), that  
13 representative shall become the representative of the employees in the corresponding  
14 collective bargaining units specified in s. 111.825 (1m) (a) to (e), without the necessity  
15 of filing a petition or conducting an election, subject to the right of any person to file  
16 a petition under this section during October 1998 or at any subsequent time when  
17 sub. (6) applies.

18 **SECTION 3825.** 111.84 (1) (a) of the statutes is amended to read:

19 111.84 (1) (a) To interfere with, restrain or coerce state employees in the exercise  
20 of their rights guaranteed in s. 111.82.

21 **SECTION 3826.** 111.84 (1) (b) of the statutes is amended to read:

22 111.84 (1) (b) Except as otherwise provided in this paragraph, to initiate,  
23 create, dominate or interfere with the formation or administration of any labor or  
24 employe organization or contribute financial support to it. Except as provided in ss.  
25 40.02 (22) (e) and 40.23 (1) (f) 4., no change in any law affecting the Wisconsin

**SECTION 3826**

1 retirement system under ch. 40 and no action by the employer that is authorized by  
2 such a law constitutes a violation of this paragraph unless an applicable collective  
3 bargaining agreement specifically prohibits the change or action. No such change  
4 or action affects the continuing duty to bargain collectively regarding the Wisconsin  
5 retirement system under ch. 40 to the extent required by s. 111.91. It is not an unfair  
6 labor practice for the employer to reimburse ~~state employes at their~~ an employe at  
7 his or her prevailing wage rate for the time spent during the employe's regularly  
8 scheduled hours conferring with the employer's officers or agents and for attendance  
9 at commission or court hearings necessary for the administration of this subchapter.  
10 Professional supervisory or craft personnel may maintain membership in  
11 professional or craft organizations; however, as members of such organizations they  
12 shall be prohibited from those activities related to collective bargaining in which the  
13 organizations may engage.

14 **SECTION 3827.** 111.84 (1) (e) of the statutes is amended to read:

15 111.84 (1) (e) To violate any collective bargaining agreement previously agreed  
16 upon by the parties with respect to wages, hours and conditions of employment  
17 affecting ~~state employes~~, including an agreement to arbitrate or to accept the terms  
18 of an arbitration award, where previously the parties have agreed to accept such  
19 award as final and binding upon them.

20 **SECTION 3828.** 111.85 (4) of the statutes is amended to read:

21 111.85 (4) The commission may, under rules adopted for that purpose, appoint  
22 as its agent an official of ~~the a state department or agency involved~~ or the University  
23 of Wisconsin Hospitals and Clinics Authority whose employes are entitled to vote in  
24 a referendum to conduct ~~the referenda~~ a referendum provided for herein.

1           **SECTION 3829.** 111.85 (4) of the statutes, as affected by 1995 Wisconsin Act ...  
2 (this act), is repealed and recreated to read:

3           111.85 (4) The commission may, under rules adopted for that purpose, appoint  
4 as its agent an official of a state agency whose employees are entitled to vote in a  
5 referendum to conduct a referendum provided for herein.

6           **SECTION 3829m.** 111.85 (5) of the statutes is created to read:

7           111.85 (5) Notwithstanding sub. (1), if on July 1, 1997, there is a fair-share or  
8 maintenance of membership agreement in effect in any of the collective bargaining  
9 units specified in s. 111.825 (1) (a) to (e), that fair-share or maintenance of  
10 membership agreement shall apply to the corresponding collective bargaining unit  
11 under s. 111.825 (1m) (a) to (e) without the necessity of filing a petition or conducting  
12 a referendum, subject to the right of the employees in each collective bargaining unit  
13 to file a petition requesting a referendum under sub. (2) (a).

14           **SECTION 3830.** 111.86 of the statutes is renumbered 111.86 (1) and amended to  
15 read:

16           111.86 (1) Parties to the dispute pertaining to the interpretation of a collective  
17 bargaining agreement may agree in writing to have the commission or any other  
18 appointing state agency or the University of Wisconsin Hospitals and Clinics  
19 Authority serve as arbitrator or may designate any other competent, impartial and  
20 disinterested persons to so serve. Such arbitration proceedings shall be governed by  
21 ch. 788.

22           **SECTION 3831.** 111.86 (1) of the statutes, as affected by 1995 Wisconsin Act ...  
23 (this act), is repealed and recreated to read:

24           111.86 (1) Parties to the dispute pertaining to the interpretation of a collective  
25 bargaining agreement may agree in writing to have the commission or any other

1 appointing state agency serve as arbitrator or may designate any other competent,  
2 impartial and disinterested persons to so serve. Such arbitration proceedings shall  
3 be governed by ch. 788.

4 **SECTION 3832.** 111.86 (2) of the statutes is created to read:

5 111.86 (2) The department shall charge a state department or agency the  
6 employer's share of the cost related to grievance arbitration under sub. (1) for any  
7 arbitration that involves one or more employes of the state department or agency.  
8 Each state department or agency so charged shall pay the amount that the  
9 department charges from the appropriation account or accounts used to pay the  
10 salary of the grievant. Funds received under this subsection shall be credited to the  
11 appropriation account under s. 20.512 (1) (km).

12 **SECTION 3835.** 111.89 (2) (intro.) of the statutes is amended to read:

13 111.89 (2) (intro.) The occurrence of a strike and the participation therein by  
14 a state an employe do not affect the rights of the employer, in law or in equity, to deal  
15 with the strike, including:

16 **SECTION 3836.** 111.90 (1) of the statutes is amended to read:

17 111.90 (1) Carry out the statutory mandate and goals assigned to the a state  
18 agency utilizing personnel, or the University of Wisconsin Hospitals and Clinics  
19 Authority by the most appropriate and efficient methods and means and utilize  
20 personnel in the most appropriate and efficient manner possible.

21 **SECTION 3837.** 111.90 (1) of the statutes, as affected by 1995 Wisconsin Act ....  
22 (this act), is repealed and recreated to read:

23 111.90 (1) Carry out the statutory mandate and goals assigned to a state agency  
24 by the most appropriate and efficient methods and means and utilize personnel in  
25 the most appropriate and efficient manner possible.

1           **SECTION 3838.** 111.90 (2) of the statutes is amended to read:

2           111.90 (2) Manage the employes of the a state agency or the University of  
3 Wisconsin Hospitals and Clinics Authority; hire, promote, transfer, assign or retain  
4 employes in positions within the agency or authority; and in that regard establish  
5 reasonable work rules.

6           **SECTION 3839.** 111.90 (2) of the statutes, as affected by 1995 Wisconsin Act ...  
7 (this act), is repealed and recreated to read:

8           111.90 (2) Subject to s. 111.91 (1) (am), manage the employes of a state agency;  
9 hire, promote, transfer, assign or retain employes in positions within the agency; and  
10 in that regard establish reasonable work rules.

11           **SECTION 3839m.** 111.91 (1) (am) of the statutes is created to read:

12           111.91 (1) (am) In collective bargaining units specified in s. 111.825 (1m), the  
13 right of the employer to transfer employes from one position to another position and  
14 the right of employes to be transferred from one position to another position is a  
15 subject of bargaining.

16           **SECTION 3840.** 111.91 (2) (a) of the statutes is amended to read:

17           111.91 (2) (a) The mission and goals of state agencies and the University of  
18 Wisconsin Hospitals and Clinics Authority as set forth in the statutes.

19           **SECTION 3841.** 111.91 (2) (a) of the statutes, as affected by 1995 Wisconsin Act  
20 .... (this act), is repealed and recreated to read:

21           111.91 (2) (a) The mission and goals of state agencies as set forth in the  
22 statutes.

23           **SECTION 3841m.** 111.91 (4) of the statutes is amended to read:

24           111.91 (4) The secretary of the department, in connection with the development  
25 of tentative collective bargaining agreements to be submitted under s. 111.92 (1) (a),

**SECTION 3841m**

1 shall endeavor to obtain tentative agreements with each recognized or certified labor  
2 organization representing employes or supervisors of employes specified in s. 111.81  
3 (7) (a) and with each certified labor organization representing employes specified in  
4 s. 111.81 (7) (b) or (c) which do not contain any provision for the payment to any  
5 employe of a cumulative or noncumulative amount of compensation in recognition  
6 of or based on the period of time an employe has been employed by the state.

7 **SECTION 3841n.** 111.92 (1) of the statutes is renumbered 111.92 (1) (a) and  
8 amended to read:

9 111.92 (1) (a) Any tentative agreement reached between the department,  
10 acting for the ~~executive branch~~ state, and any labor organization representing a  
11 collective bargaining unit specified in s. 111.825 (1) or (2) shall, after official  
12 ratification by the labor organization, be submitted by the department to the joint  
13 committee on employment relations, which shall hold a public hearing before  
14 determining its approval or disapproval. If the committee approves the tentative  
15 agreement, it shall introduce in a bill or companion bills, to be put on the calendar  
16 or referred to the appropriate scheduling committee of each house, that portion of the  
17 tentative agreement which requires legislative action for implementation, such as  
18 salary and wage adjustments, changes in fringe benefits, and any proposed  
19 amendments, deletions or additions to existing law. Such bill or companion bills are  
20 not subject to ss. 13.093 (1), 13.50 (6) (a) and (b) and 16.47 (2). The committee may,  
21 however, submit suitable portions of the tentative agreement to appropriate  
22 legislative committees for advisory recommendations on the proposed terms. The  
23 committee shall accompany the introduction of such proposed legislation with a  
24 message that informs the legislature of the committee's concurrence with the  
25 matters under consideration and which recommends the passage of such legislation

**SECTION 3841n**

1 without change. If the joint committee on employment relations does not approve  
2 the tentative agreement, it shall be returned to the parties for renegotiation. If the  
3 legislature does not adopt without change that portion of the tentative agreement  
4 introduced by the joint committee on employment relations, the tentative agreement  
5 shall be returned to the parties for renegotiation.

6 **SECTION 3841p.** 111.92 (1) (b) of the statutes is created to read:

7 111.92 (1) (b) Any tentative agreement reached between the University of  
8 Wisconsin Hospitals and Clinics Board, acting for the state, and any labor  
9 organization representing a collective bargaining unit specified in s. 111.825 (1m)  
10 shall, after official ratification by the labor organization, be executed by the parties.

11 **SECTION 3842.** 111.92 (5) of the statutes is amended to read:

12 111.92 (5) Notwithstanding any other provision of the statutes, all  
13 compensation adjustments for state employes shall be effective on the beginning  
14 date of the pay period nearest the statutory or administrative date.

15 **SECTION 3843e.** 111.94 (1) of the statutes is amended to read:

16 111.94 (1) The commission may adopt reasonable and proper rules relative to  
17 the exercise of its powers and authority and proper rules to govern its proceedings  
18 and to regulate the conduct of all elections and hearings. The commission shall, upon  
19 request, provide a transcript of a proceeding to any party to the proceeding for a fee  
20 ~~prescribed, established by rule,~~ by the commission at a uniform rate of ~~not less than~~  
21 60 cents per page. All transcript fees shall be ~~deposited into the general fund~~ credited  
22 to the appropriation account under s. 20.425 (1) (i), except that fees collected in excess  
23 of ~~60 cents~~ the uniform rate per page for any transcript produced by a reporter who  
24 is not employed by the commission shall be ~~deposited under~~ credited to the  
25 appropriation ~~in~~ account under s. 20.425 (1) (g).

1           **SECTION 3843s.** 111.94 (2) of the statutes is amended to read:

2           111.94 (2) The commission shall assess and collect a filing fee of \$25 from the  
3 party or parties for filing a complaint alleging that an unfair labor practice has been  
4 committed under s. 111.84. The commission shall assess and collect a filing fee of \$25  
5 from the party or parties for filing a request that the commission act as an arbitrator  
6 to resolve a dispute involving the interpretation or application of a collective  
7 bargaining agreement under s. 111.86. The commission shall assess and collect a  
8 filing fee for filing a request that the commission initiate fact-finding under s.  
9 111.88. The commission shall assess and collect a filing fee for filing a request that  
10 the commission act as a mediator under s. 111.87. For the performance of  
11 commission actions under s. 111.86, 111.87 and 111.88, the commission shall require  
12 that the parties to the dispute equally share in the payment of the fee and, for the  
13 performance of commission actions involving a complaint alleging that an unfair  
14 labor practice has been committed under s. 111.84, the commission shall require that  
15 the party filing the complaint pay the entire fee. If such a any party has paid a filing  
16 fee requesting the commission to act as a mediator for a labor dispute and the parties  
17 do not enter into a voluntary settlement of the labor dispute, the commission may not  
18 subsequently assess or collect a filing fee to initiate fact-finding to resolve the same  
19 labor dispute. If any request concerns issues arising as a result of more than one  
20 unrelated event or occurrence, each such separate event or occurrence shall be  
21 treated as a separate request. The commission shall promulgate rules establishing  
22 a schedule of filing fees to be paid under this subsection, except that the commission  
23 may not require a filing fee that exceeds \$225 per request or case. Fees required to  
24 be paid under this subsection shall be paid at the time of filing the complaint or the  
25 request for fact-finding, mediation or arbitration. A complaint or request for

1 ~~fact-finding, mediation or~~ arbitration is not filed until the date such fee or fees are  
2 paid. Fees collected under this subsection shall be deposited as general purpose  
3 revenue—earned credited to the appropriation account under s. 20.425 (1) (i).

4 **SECTION 3844.** 112.07 (1) of the statutes is amended to read:

5 112.07 (1) Notwithstanding any other provision of the statutes, any fiduciary,  
6 as defined in s. 112.01 (1) (b), who is holding securities in a fiduciary capacity, any  
7 bank or trust company holding securities as a custodian or managing agent, and any  
8 bank or trust company holding securities as custodian for a fiduciary may deposit or  
9 arrange for the deposit of such securities in a clearing corporation as defined in s.  
10 408.102 (1) (c). When the securities are so deposited, certificates representing  
11 securities of the same class of the same issuer may be merged and held in bulk in the  
12 name of the nominee of the clearing corporation with any other such securities  
13 deposited in that clearing corporation by any person regardless of the ownership of  
14 the securities, and certificates of small denomination may be merged into one or more  
15 certificates of larger denomination. The records of the fiduciary and the records of  
16 the bank or trust company acting as custodian, as managing agent or as custodian  
17 for a fiduciary shall at all times show the name of the party for whose account the  
18 securities are so deposited. Ownership of, and other interests in, the securities may  
19 be transferred by bookkeeping entry on the books of the clearing corporation without  
20 physical delivery of certificates representing the securities. A bank or trust company  
21 which deposits securities pursuant to this section shall be subject to such rules and  
22 regulations as, in the case of state chartered institutions, the ~~commissioner~~ division  
23 of banking and, in the case of national banking associations, the comptroller of the  
24 currency may from time to time issue. A bank or trust company acting as custodian  
25 for a fiduciary shall, on demand by the fiduciary, certify in writing to the fiduciary

**SECTION 3844**

1 the securities deposited by the bank or trust company in a clearing corporation  
2 pursuant to this section for the account of the fiduciary. A fiduciary shall, on demand  
3 by any party to a judicial proceeding for the settlement of the fiduciary's account or  
4 on demand by the attorney for such a party, certify in writing to the party the  
5 securities deposited by the fiduciary in the clearing corporation for its account as  
6 such fiduciary.

7 **SECTION 3844mc.** 114.002 (4) of the statutes is repealed.

8 **SECTION 3844me.** 114.002 (11) of the statutes is amended to read:

9 114.002 (11) "Antique aircraft" means an aircraft ~~more than 35 years old as~~  
10 ~~determined by the~~ which has a date of manufacture of 1944 or earlier and which is  
11 used solely for recreational or display purposes.

12 **SECTION 3844mg.** 114.002 (13) of the statutes is repealed.

13 **SECTION 3844mj.** 114.20 (1) (title) of the statutes is amended to read:

14 114.20 (1) (title) ~~ANNUAL REGISTRATION~~ REGISTRATION REQUIRED.

15 **SECTION 3844mm.** 114.20 (1) (a) of the statutes is amended to read:

16 114.20 (1) (a) Except as provided under sub. (2), all aircraft based in this state  
17 shall be registered by the owner of the aircraft with the department annually on or  
18 before November 1 or, for aircraft with a maximum gross weight of not more than  
19 3,000 pounds that are not subject to sub. (10), biennially on or before the first  
20 November 1. Annual registration fees shall be determined in accordance with sub.  
21 (9) or (10). Biennial registration fees shall be determined in accordance with sub.  
22 (9m).

23 **SECTION 3844mp.** 114.20 (1) (b) of the statutes is amended to read:

24 114.20 (1) (b) Aircraft determined by the department to be based in this state  
25 shall be subject to the annual or biennial registration fees under sub. (9) or (9m).

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3844mp**

1 Aircraft which are determined to be not based in this state shall be exempt from the  
2 annual or biennial registration fees.

3 **SECTION 3844mr.** 114.20 (2) (intro.) of the statutes is amended to read:

4 114.20 (2) (title) EXCEPTIONS TO ~~ANNUAL~~ REGISTRATION REQUIREMENTS. (intro.)

5 The ~~annual~~ registration requirements under sub. (1) do not apply to aircraft based  
6 in this state that are:

7 **SECTION 3844mt.** 114.20 (2) (c) of the statutes is repealed.

8 **SECTION 3844mw.** 114.20 (5) of the statutes is amended to read:

9 114.20 (5) UNAIRWORTHY AIRCRAFT. Any person desiring to have an aircraft  
10 designated as an unairworthy aircraft may apply to the department in the manner  
11 the department prescribes. No application may be acted upon unless all information  
12 requested is supplied. Upon receipt of an application and a registration fee of ~~\$5~~ to  
13 be established by rule and after determining from the facts submitted and  
14 investigation that the aircraft qualifies as an unairworthy aircraft, the department  
15 shall issue an unairworthy aircraft certificate. The certificate shall expire upon  
16 transfer of ownership or restoration. An aircraft is presumed restored if it is capable  
17 of operation. The annual registration fee is due on the date of restoration. Operation  
18 of the aircraft is conclusive evidence of restoration. An ~~additional administrative fee~~  
19 ~~of \$5~~ A late payment charge to be established by rule shall be charged assessed on  
20 all applications filed later than 30 days after the date of restoration.

21 **SECTION 3844mx.** 114.20 (5) of the statutes, as affected by 1995 Wisconsin Act  
22 .... (this act), is repealed and recreated to read:

23 114.20 (5) UNAIRWORTHY AIRCRAFT. Any person desiring to have an aircraft  
24 designated as an unairworthy aircraft may apply to the department in the manner  
25 the department prescribes. No application may be acted upon unless all information

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3844mx**

1 requested is supplied. Upon receipt of an application and a registration fee to be  
2 established by rule and after determining from the facts submitted and investigation  
3 that the aircraft qualifies as an unairworthy aircraft, the department shall issue an  
4 unairworthy aircraft certificate. The certificate shall expire upon transfer of  
5 ownership or restoration. An aircraft is presumed restored if it is capable of  
6 operation. The annual or biennial registration fee is due on the date of restoration.  
7 Operation of the aircraft is conclusive evidence of restoration. A late payment charge  
8 to be established by rule shall be assessed on all applications filed later than 30 days  
9 after the date of restoration.

10 **SECTION 3844pc.** 114.20 (7) of the statutes is repealed.

11 **SECTION 3844pe.** 114.20 (9) (a) to (c) of the statutes are renumbered 114.20  
12 (9m) (a) to (c) and amended to read:

13	114.20 (9m) (a) Not more than	2,000	.....	\$ <del>30</del> <u>\$ 60</u>
14	(b) Not more than	2,500	.....	<del>39</del> <u>78</u>
15	(c) Not more than	3,000	.....	<del>50</del> <u>100</u>

16 **SECTION 3844pg.** 114.20 (9) (d) of the statutes is amended to read:

17	114.20 (9) (d) Not more than	3,500	.....	<del>70</del> <u>\$ 70</u>
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18 **SECTION 3844pj.** 114.20 (9m) (intro.) of the statutes is created to read:

19 114.20 (9m) BIENNIAL REGISTRATION FEES. (intro.) Except as provided in sub.  
20 (10), the owner of an aircraft subject to the biennial registration requirements under  
21 sub. (1) shall pay a biennial registration fee established in accordance with the  
22 following gross weight schedule:

23	[Maximum gross			[Annual
24	Weight in pounds]			fee]

25 **SECTION 3844pm.** 114.20 (12) of the statutes is amended to read:

1           114.20 (12) (title) INITIAL ANNUAL REGISTRATION. For new aircraft, aircraft not  
2 previously registered in this state or unregistered aircraft for which annual  
3 registration is required under sub. (9), the fee for the initial year of registration shall  
4 be computed from the date of purchase, restoration, completed construction or entry  
5 of the aircraft into this state on the basis of one-twelfth of the registration fee  
6 specified in sub. (9) multiplied by the remaining number of months in the current  
7 registration year which are not fully expired. For new aircraft, aircraft not  
8 previously registered in this state or unregistered aircraft for which biennial  
9 registration is required under sub. (9m), the fee for the initial 2-year period of  
10 registration shall be computed from the date of purchase, restoration, completed  
11 construction or entry of the aircraft into this state on the basis of one twenty-fourth  
12 of the registration fee specified in sub. (9m) multiplied by the remaining number of  
13 months in the current 2-year registration period which are not fully expired.  
14 Application for registration shall be filed within 30 days from the date of purchase,  
15 restoration, completed construction or entry of the aircraft into this state and if filed  
16 after that date an additional administrative fee of \$5 shall be charged. If the date  
17 of purchase, restoration, completed construction or entry into this state is not  
18 provided by the applicant, the full annual or biennial registration fee provided in sub.  
19 (9) or (9m) shall be charged for registering the aircraft.

20           **SECTION 3844pp.** 114.20 (13) (b) 1. of the statutes is amended to read:

21           114.20 (13) (b) 1. If an annual registration fee is not paid by November 1, from  
22 November 2 to April 30, the department shall add a late payment charge of \$50 or  
23 10% of the amount specified for the registration under sub. (9) or (10), whichever is  
24 greater, to the fee.

**SECTION 3844pr**

1           **SECTION 3844pr.** 114.20 (13) (b) 1. of the statutes, as affected by 1995  
2 Wisconsin Act .... (this act), is repealed and recreated to read:

3           114.20 **(13)** (b) 1. If an annual or biennial registration fee is not paid by  
4 November 1, from November 2 to the following April 30, the department shall add  
5 a late payment charge of \$50 or 10% of the amount specified for the registration  
6 under sub. (9), (9m) or (10), whichever is greater, to the fee.

7           **SECTION 3844ps.** 114.20 (13) (b) 2. of the statutes is amended to read:

8           114.20 **(13)** (b) 2. If an annual registration fee is not paid by April 30, from May  
9 1 to October 31, the department shall add a late payment charge of \$50 or 20% of the  
10 amount specified for the registration under sub. (9) or (10), whichever is greater, to  
11 the fee.

12           **SECTION 3844pt.** 114.20 (13) (b) 2. of the statutes, as affected by 1995 Wisconsin  
13 Act .... (this act), is repealed and recreated to read:

14           114.20 **(13)** (b) 2. If an annual or biennial registration fee is not paid by the  
15 following April 30, from May 1 to October 31 or, for a biennial registration, the end  
16 of the biennial period, the department shall add a late payment charge of \$50 or 20%  
17 of the amount specified for the registration under sub. (9), (9m) or (10), whichever  
18 is greater, to the fee.

19           **SECTION 3844pv.** 114.20 (13) (b) 3. of the statutes is repealed.

20           **SECTION 3844pw.** 114.20 (13) (b) 5. of the statutes is amended to read:

21           114.20 **(13)** (b) 5. This paragraph applies after October 31, ~~1989~~ 1995.

22           **SECTION 3844py.** 114.20 (15) (b) of the statutes is amended to read:

23           114.20 **(15)** (b) The lien against the aircraft for the original registration fee  
24 shall attach at the time the fee is first payable, ~~and the lien for all renewals of annual~~  
25 registration shall attach on November 1 of each year thereafter and the lien for all

1 renewals of biennial registration shall attach on the first November of the  
2 registration period and every 2 years thereafter.

3 **SECTION 3845.** Chapter 115 (title) of the statutes is amended to read:

4 **CHAPTER 115**

5 **STATE SUPERINTENDENT DEPARTMENT**

6 **OF EDUCATION; GENERAL**

7 **CLASSIFICATIONS AND DEFINITIONS;**

8 **SECTION 3846.** 115.001 (13m) of the statutes is created to read:

9 115.001 (13m) SECRETARY. "Secretary" means the secretary of education.

10 **SECTION 3847.** Subchapter II (title) of chapter 115 [precedes 115.28] of the  
11 statutes is amended to read:

12 **CHAPTER 115**

13 **SUBCHAPTER II**

14 **STATE SUPERINTENDENT DEPARTMENT**

15 **OF PUBLIC INSTRUCTION EDUCATION**

16 **SECTION 3847g.** 115.28 (3m) of the statutes is renumbered 115.28 (3m) (a) and  
17 amended to read:

18 115.28 (3m) (a) Supervise and audit the receipts and expenditures of the  
19 cooperative educational service agencies, conduct program review of the agencies,  
20 approve agency evaluations, supervise boundary reorganization where necessary,  
21 advise the administrators of the agencies and provide assistance in organizing the  
22 agencies throughout the state. ~~The state superintendent shall adopt~~

23 (b) Promulgate rules establishing procedures for the reorganization of  
24 cooperative educational service agencies and boundary appeals.

25 **SECTION 3847r.** 115.28 (3m) (c) of the statutes is created to read:

1           115.28 (3m) (c) Every 3rd year as scheduled by the department, report to the  
2 appropriate standing committees of the legislature under s. 13.172 (3) on all  
3 cooperative educational service agency programs and services. The report shall  
4 include information on the efficiency and effectiveness of the programs and services.

5           **SECTION 3848.** 115.28 (7) (a) of the statutes is amended to read:

6           115.28 (7) (a) License all teachers for the public schools of the state, make rules  
7 establishing standards of attainment and procedures for the examination and  
8 licensing of teachers within the limits prescribed in ss. 118.19 (2) and (3), 118.192 and  
9 118.195, prescribe by rule standards and procedures for the approval of teacher  
10 preparatory programs leading to licensure, file in ~~his or her~~ the secretary's office all  
11 papers relating to state teachers' licenses and register each such license.

12           **SECTION 3849.** 115.28 (7m) of the statutes is amended to read:

13           115.28 (7m) CERTIFICATION OF SCHOOL NURSES. Certify school nurses, make  
14 rules for the examination and certification of school nurses and file in the  
15 superintendent's secretary's office all papers relating to school nurses certification  
16 and register each such certification.

17           **SECTION 3849m.** 115.28 (20) (intro.) of the statutes is amended to read:

18           115.28 (20) COUNCIL FOR MILWAUKEE PUBLIC SCHOOLS GRANT PROGRAMS. (intro.)  
19 ~~Appoint~~ At the commencement of each gubernatorial term of office, appoint a council  
20 under s. 15.04 (1) (c) composed of residents of the school district established under  
21 ch. 119 who are selected to reflect the pluralistic nature of the school district. The  
22 council shall:

23           **SECTION 3850.** 115.28 (20) (a) of the statutes is amended to read:

1           115.28 (20) (a) Advise the ~~state superintendent~~ secretary on funding criteria  
2 and evaluation plans for grant programs for the school district operating under ch.  
3 119.

4           **SECTION 3851.** 115.28 (20) (b) of the statutes is amended to read:

5           115.28 (20) (b) Advise the ~~state superintendent~~ secretary on the programs that  
6 meet or do not meet the funding criteria.

7           **SECTION 3852.** 115.28 (20) (c) of the statutes is amended to read:

8           115.28 (20) (c) Assist the ~~state superintendent~~ secretary in monitoring the  
9 progress of funded programs.

10          **SECTION 3853.** 115.28 (20) (d) of the statutes is amended to read:

11          115.28 (20) (d) Recommend to the ~~state superintendent~~ secretary needed  
12 changes in statutes or rules relating to grant programs.

13          **SECTION 3854.** 115.28 (20) (e) of the statutes is amended to read:

14          115.28 (20) (e) Submit to the ~~state superintendent~~ secretary an annual report  
15 detailing the council's activities, accomplishments and projected needs.

16          **SECTION 3854m.** 115.28 (21) of the statutes is amended to read:

17          115.28 (21) YOUTH INITIATIVES PROGRAM. Administer grants to local community  
18 organizations for standardized assessment and programs for instruction in basic  
19 skills and work experience under the youth initiatives program. The state  
20 superintendent may require a school board to provide matching funds at any  
21 percentage. The match may be in the form of money or in-kind services or both. The  
22 state superintendent shall establish, by rule, performance standards for the youth  
23 initiatives program and shall monitor performances by grantees. This subsection  
24 does not apply after June 30, 1996.

25          **SECTION 3855.** 115.28 (24) of the statutes is amended to read:

1           115.28 **(24)** PRIORITY IN AWARDING GRANTS. Give priority in awarding grants to  
2 local community organizations under sub. (21), and to school boards under s. ss.  
3 115.36, and 115.362 and ~~118.019 (6)~~ and to cooperative educational service agencies  
4 under s. ~~118.019 (6)~~, and in awarding grants from federal funds received under 20  
5 USC 2301 to 2471, 20 USC 4601 to 4665 and 29 USC 1602 (b) (1), to programs that  
6 provide more than one of the educational services specified under sub. (21), s. 115.36,  
7 115.362, 115.915, 118.01 (2) (d) 7. or 8., ~~118.019 (6)~~ or 118.153 or 20 USC 2301 to 2471,  
8 20 USC 4601 to 4665 or 29 USC 1602 (b) (1).

9           **SECTION 3855m.** 115.28 (25) of the statutes is repealed.

10          **SECTION 3856.** 115.28 (27) of the statutes is amended to read:

11           115.28 **(27)** WISCONSIN GEOGRAPHY ALLIANCE. Annually allocate the amount in  
12 the appropriation under s. 20.255 ~~(1)~~ (3) (ec) to the Wisconsin geography alliance to  
13 train teachers and develop curricula for primary and secondary education in  
14 geography. This subsection does not apply after June 30, 1996.

15          **SECTION 3857m.** 115.28 (35) of the statutes is amended to read:

16           115.28 **(35)** GRANTS FOR COLLABORATIVE PROJECTS. From the appropriation under  
17 s. 20.255 (2) (ef), award a \$300,000 grant to a rural school district, a suburban school  
18 district and an urban school district, other than the school district operating under  
19 ch. 119, for projects, conducted in collaboration with the county social services  
20 department or the county human services department, that integrate social services  
21 and school responsibilities as they relate to pupils and their parents. One-third of  
22 the total grant amount shall be paid in each of 3 consecutive school years. The state  
23 superintendent shall give preference in awarding grants to projects that provide for  
24 the delivery of services in a single location. No grant may be awarded under this  
25 subsection after June 30, 1996.

1           **SECTION 3858.** 115.28 (38) of the statutes is amended to read:

2           115.28 **(38)** (title) REPORTING OF PUPILS ATTENDING VOCATIONAL SCHOOLS  
3           TECHNICAL COLLEGES. In consultation with the technical college system board of  
4           vocational, technical and adult education, promulgate rules establishing a uniform  
5           format for school boards to use in reporting the number of pupils attending  
6           vocational, technical and adult education college districts under ss. 118.15 (1) (b),  
7           (cm) and (d) and 118.37 and in reporting pupil participation in technical preparation  
8           programs under s. 118.34, including the number of courses taken for advanced  
9           standing in a vocational, technical and adult education college district's associate  
10          degree program and for vocational, technical and adult education college credit. The  
11          format shall be identical to the format established by the technical college system  
12          board of vocational, technical and adult education under s. 38.04 (11) (a) 2.

13          **SECTION 3858m.** 115.28 (39) of the statutes is created to read:

14          115.28 **(39)** ADULT LITERACY. Designate an employe of the department as the  
15          adult literacy advocate to establish a statewide program to improve adult literacy.

16          **SECTION 3859.** 115.29 (intro.) of the statutes is amended to read:

17          **115.29 General powers.** (intro.) The state superintendent secretary may:

18          **SECTION 3860.** 115.29 (1) of the statutes is amended to read:

19          115.29 **(1)** DESIGNATE REPRESENTATIVE. Designate the deputy state  
20          superintendent secretary or another employe of the department as the state  
21          superintendent's secretary's representative on any body on which the state  
22          superintendent secretary is required to serve, except the board of regents of the  
23          university of Wisconsin system.

24          **SECTION 3861.** 115.29 (2) of the statutes is amended to read:

**SECTION 3861**

1           115.29 (2) EDUCATIONAL MEETINGS. Attend such educational meetings and make  
2 such investigations as the ~~state superintendent~~ secretary deems important and as  
3 will acquaint the ~~state superintendent~~ secretary with the different systems of public  
4 schools in the United States.

5           **SECTION 3863.** 115.29 (4) of the statutes is amended to read:

6           115.29 (4) HIGH SCHOOL GRADUATION EQUIVALENCY. Grant declarations of  
7 equivalency of high school graduation to persons, if in the ~~state superintendent's~~  
8 secretary's judgment they have presented satisfactory evidence of having completed  
9 a recognized high school course of study or its equivalent. The ~~state superintendent~~  
10 secretary may establish the standards by which high school graduation equivalency  
11 is determined. Such standards may consist of evidence of high school courses  
12 completed in high schools recognized by the proper authorities as accredited, results  
13 of examinations given by or at the request of the ~~state superintendent~~ secretary,  
14 successful completion of correspondence study courses given by acceptable  
15 correspondence study schools, a general educational development certificate of high  
16 school equivalency issued by an agency of the U.S. government, course credits  
17 received in schools meeting the approval of the ~~state superintendent~~ secretary or  
18 other standards established by the ~~state superintendent~~ secretary.

19           **SECTION 3864.** 115.30 (4) (a) of the statutes is amended to read:

20           115.30 (4) (a) The condition of all schools under the ~~state superintendent's~~  
21 department's supervision.

22           **SECTION 3865.** 115.30 (4) (c) of the statutes is amended to read:

23           115.30 (4) (c) The ~~state superintendent's~~ secretary's visits to educational  
24 institutions.

25           **SECTION 3866.** 115.30 (4) (f) of the statutes is amended to read:

1           115.30 (4) (f) A summary of the receipts and disbursements of all schools under  
2 the state superintendent's department's jurisdiction.

3           **SECTION 3866m.** 115.32 of the statutes is created to read:

4           **115.32 Certification of athletic associations; appeals. (1)** Beginning July  
5 1, 1996, the department shall certify school athletic associations. No athletic  
6 association may be certified unless it allows private schools to join the association  
7 and to participate as members of a conference during regular season play and in  
8 postseason tournaments. No public school or school district may be a member of an  
9 athletic association that is not certified under this subsection. Nothing in this  
10 subsection prevents an athletic association from adopting uniform rules governing  
11 its affairs, including suspending schools or their pupils from the athletic association  
12 for violations of those rules.

13           **(2)** A school board or governing body of a private school that is a member of an  
14 athletic association certified under sub. (1) may appeal to the department under s.  
15 115.28 (5) any decision made by the governing body of the association that adversely  
16 affects the school district or private school. A school board or private school may not  
17 commence an action relating to a decision made by the governing body of a certified  
18 athletic association until the final decision of the department is issued.

19           **SECTION 3867.** 115.33 (2) (a) (intro.) of the statutes is amended to read:

20           115.33 **(2)** (a) (intro.) The state superintendent may request the department  
21 of ~~industry, labor and human relations~~ development to inspect a public school if any  
22 of the following occurs:

23           **SECTION 3868.** 115.33 (2) (b) of the statutes is amended to read:

1           115.33 (2) (b) The department of industry, labor and human relations  
2           development shall inspect the school within 30 days after receiving a request from  
3           the state superintendent under par. (a).

4           **SECTION 3869.** 115.33 (3) (a) of the statutes is amended to read:

5           115.33 (3) (a) If the state superintendent determines that a school is not in  
6           compliance, and the department of industry, labor and human relations  
7           development, based on its inspection of the school, concurs in the determination, the  
8           state superintendent may order the school board to repair, improve, remodel or close  
9           the school by a stated date. An order issued under this paragraph constitutes a  
10          preliminary finding of noncompliance with the standard under s. 121.02 (1) (i).

11          **SECTION 3870.** 115.33 (3) (b) 1. of the statutes is amended to read:

12          115.33 (3) (b) 1. If the state superintendent determines that a school is not in  
13          compliance and is not worth repairing, and the department of industry, labor and  
14          ~~human relations~~ development, based on its inspection of the school, concurs in the  
15          determination, the state superintendent may order the school board to develop a  
16          plan that describes how the school board will achieve compliance with the standard  
17          under s. 121.02 (1) (i). The plan shall specify the time within which compliance with  
18          the standard under s. 121.02 (1) (i) shall be achieved. The state superintendent shall  
19          hold a public hearing on the plan in the school district and may, as a result of the  
20          hearing, recommend changes to the plan. The state superintendent may withhold  
21          up to 25% of the school district's state aid if the school district fails to achieve  
22          compliance with the standard under s. 121.02 (1) (i) within the period specified in the  
23          plan.

24          **SECTION 3871.** 115.345 (1) to (4) of the statutes are amended to read:

1           115.345 (1) Any school district approved by the ~~superintendent~~ department  
2 may establish a system to provide the opportunity for authorized elderly persons to  
3 participate in its school lunch program. If a school board desires to establish such  
4 a service, it shall develop a plan for the provision of food services for elderly persons  
5 and submit the plan to the ~~superintendent~~ department. Upon petition of 5% of the  
6 voters in the school district who voted in the last school board election, the school  
7 board shall formulate a food services plan, provided that hot food service facilities  
8 are available to school children in the district.

9           (2) Each plan shall provide at least one meal per day for each day that school  
10 is in regular session. The school board may provide additional service at other times  
11 in its discretion, if the number of eligible persons in the district or adjacent districts  
12 is of sufficient size, in the opinion of the ~~superintendent~~ department, so that  
13 unwarranted production expense is not incurred.

14           (3) Any school board which operates a food services plan for elderly persons  
15 under this section shall make facilities available for service to elderly persons at  
16 every high school and junior high school in the district which provides hot food  
17 service to its students. Upon application, the ~~superintendent~~ department may grant  
18 exceptions from compliance with this subsection for reasons of safety, convenience  
19 or insufficient interest in a given neighborhood. The school board may, in addition,  
20 provide service at elementary schools if desired.

21           (4) Meals may be served at schools where they are served to students or at any  
22 site more convenient to the majority of authorized elderly persons interested in the  
23 service. Food may be transported to authorized elderly persons who are unable to  
24 leave their homes or distributed to nonprofit organizations for such purposes.  
25 However, no state funds under this section may be used for food delivery to individual

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1 homes. The ~~superintendent~~ department may require consolidation of programs  
2 between districts and between schools if such a procedure will be convenient and  
3 economical.

4 **SECTION 3871r.** 115.345 (6) to (8) of the statutes are amended to read:

5 115.345 (6) All meals served must meet the approval of the ~~superintendent who~~  
6 department which shall establish minimum nutritional standards not inconsistent  
7 with federal standards and reasonable expenditure limits such that the average cost  
8 per meal is not excessive. The ~~superintendent~~ department shall give special  
9 consideration to dietary problems of elderly persons in formulating a nutritional  
10 plan. However, no school board shall be required to provide special foods for  
11 individual persons with allergies or medical disorders.

12 (7) Participants in a program under this section may be required to document  
13 their Wisconsin residency in a manner approved by the department. The  
14 ~~superintendent~~ department may issue identification cards to such persons if  
15 necessary.

16 (7m) A private school may establish a food services plan for elderly persons.  
17 If the plan meets all of the requirements of this section and is approved by the state  
18 ~~superintendent~~ department, the private school is eligible for reimbursement in the  
19 same manner as school districts under sub. (5).

20 (8) The ~~superintendent~~ department shall adopt reasonable rules necessary to  
21 implement this section.

22 **SECTION 3872.** 115.347 of the statutes is amended to read:

23 **115.347 Direct certification of eligibility for school nutrition**  
24 **programs.** (1) Beginning in the 1994-95 school year, a school board may submit  
25 enrollment data to the department of ~~health and social services~~ industry, labor and

1 human relations for the purpose of directly certifying children as eligible for free or  
2 reduced-price meals under the federal school nutrition programs. The department  
3 of ~~health and social services~~ industry, labor and human relations shall prescribe a  
4 format for the report.

5 (2) Whenever a school district that is located in whole or in part in a county that  
6 has converted to the client assistance for reemployment and economic support data  
7 system submits a report under sub. (1) in the prescribed format, the department of  
8 ~~health and social services~~ industry, labor and human relations shall determine  
9 which children enrolled in the school district are members of families receiving aid  
10 to families with dependent children or food stamps, or both, and shall provide the  
11 information to the school board as soon thereafter as possible. The school board shall  
12 use the information to directly certify children as eligible for free or reduced-price  
13 meals served by the school district under federal school nutrition programs,  
14 pursuant to 42 USC 1758 (b) (2) (C) (ii) and (iii).

15 (3) The state superintendent shall assist school boards in developing a method  
16 for submitting enrollment data to the department of ~~health and social services~~  
17 industry, labor and human relations under sub. (1).

18 **SECTION 3873.** 115.35 (5) (c) of the statutes is amended to read:

19 115.35 (5) (c) As to the ~~state superintendent's~~ department's recommendations  
20 to improve such programs and cooperation.

21 **SECTION 3873m.** 115.36 (2) (e) of the statutes is amended to read:

22 115.36 (2) (e) ~~Create~~ At the commencement of each gubernatorial term of office,  
23 create a council under s. 15.04 (1) (c) to advise the department concerning the  
24 administration of this section.

25 **SECTION 3874.** 115.361 (5) (c) 3. of the statutes is amended to read:

1           b115.361 (5) (c) 3. Annually by July 1, evaluate the programs funded under this  
2 subsection and submit a report describing ~~his or her~~ its conclusions and  
3 recommendations to the chief clerk of each house of the legislature for distribution  
4 to the appropriate standing committees under s. 13.172 (3).

5           **SECTION 3874g.** 115.362 (1) of the statutes is amended to read:

6           115.362 (1) The department shall make grants to school districts and  
7 ~~cooperative educational service agencies~~ for alcohol and other drug abuse  
8 prevention, intervention and instruction programs. The department shall award at  
9 least 30 grants each school year.

10          **SECTION 3874r.** 115.362 (3) of the statutes is amended to read:

11          115.362 (3) Except for grants under sub. (2) (a), no school district ~~or cooperative~~  
12 ~~educational service agency~~ may receive more than one grant under this section.  
13 Grants awarded under sub. (2) (a) shall not be used to supplant or replace funds  
14 otherwise available for the program.

15          **SECTION 3875.** 115.363 of the statutes is repealed.

16          **SECTION 3876.** 115.364 of the statutes is repealed.

17          **SECTION 3877.** 115.366 of the statutes is repealed.

18          **SECTION 3878m.** 115.375 of the statutes is repealed.

19          **SECTION 3881.** 115.392 of the statutes is repealed.

20          **SECTION 3881m.** 115.395 of the statutes is repealed.

21          **SECTION 3882.** 115.40 (4) (a) of the statutes is amended to read:

22          115.40 (4) (a) The ~~state superintendent~~ secretary and the secretary of health  
23 and social services shall provide technical assistance to and consult with applicants  
24 regarding the preparation of their applications.

25          **SECTION 3883.** 115.40 (4) (b) of the statutes is amended to read:

1           115.40 (4) (b) The ~~state superintendent~~ secretary and the secretary of health  
2 and social services shall review the applications and jointly determine the grant  
3 recipients and the amount of each grant. A grant may not be awarded to a school  
4 board, agency or organization unless the percentage of the participating school  
5 district's membership in the previous school year for whom aid to families with  
6 dependent children was being received under s. 49.19 was greater than 5%. In this  
7 paragraph, "membership" has the meaning given in s. 121.004 (5).

8           **SECTION 3884.** 115.40 (4) (c) (intro.) of the statutes is amended to read:

9           115.40 (4) (c) (intro.) The ~~state superintendent~~ secretary and the secretary of  
10 health and social services shall give preference in awarding grants under this section  
11 to all of the following:

12           **SECTION 3884m.** 115.40 (7) of the statutes is created to read:

13           115.40 (7) No grant may be awarded under this section after June 30, 1996.

14           **SECTION 3885.** 115.43 (2) (b) of the statutes is amended to read:

15           115.43 (2) (b) From the appropriation under s. 20.255 (1) ~~(3)~~ (fz), award  
16 precollege scholarships, on a competitive basis, to minority group pupils who enroll  
17 in a technical college or in college or university classes or programs designed to  
18 improve academic skills that are essential for success in postsecondary school  
19 education. The state superintendent shall give preference to minority group pupils  
20 who are inadequately represented in the technical college and university of  
21 Wisconsin systems.

22           **SECTION 3886.** 115.45 (2) (b) of the statutes is amended to read:

23           115.45 (2) (b) The council for Milwaukee public schools grant programs under  
24 s. 115.28 (20) shall review the applications submitted under par. (a) and make  
25 recommendations to the ~~state superintendent~~ secretary regarding the schools to be

1 selected and amounts of the grants to be awarded. The council's recommendations  
2 shall be based upon and include information regarding the degree to which the  
3 proposed projects will effectively meet the requirements under sub. (4).

4 **SECTION 3887.** 115.45 (6) (b) of the statutes is amended to read:

5 115.45 (6) (b) By March 1, 1986, and annually thereafter, submit to the joint  
6 committee on finance and the chief clerk of each house of the legislature, for  
7 distribution to the appropriate standing committees under s. 13.172 (3), a budget  
8 report detailing the grants ~~he or she~~ the department intends to award under this  
9 section in the next fiscal year. The report shall provide summary data on the results  
10 of the annual testing required under sub. (4) (b) and include a description of the  
11 guidelines used to determine the individual schools and private service providers  
12 that will receive funds under this section and the types of expenditures eligible for  
13 such funds.

14 **SECTION 3888.** 115.47 of the statutes is amended to read:

15 **115.47 Designated state official under agreement.** The "designated state  
16 official" for this state under s. 115.46 shall be the ~~state superintendent of public~~  
17 ~~instruction~~ secretary.

18 **SECTION 3889.** 115.48 of the statutes is amended to read:

19 **115.48 Contracts under agreement.** True copies of all contracts made on  
20 behalf of this state pursuant to the agreement shall be kept on file in the department  
21 of ~~public instruction~~ and in the office of the secretary of state. The department of  
22 ~~public instruction~~ shall publish all such contracts in convenient form.

23 **SECTION 3890.** 115.52 (5) of the statutes is amended to read:

24 115.52 (5) The state superintendent may grant approval for the maintenance  
25 of a summer school at the school for the deaf whenever it will be to the advantage of

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1 deaf persons and may grant approval for the maintenance of a summer school at the  
2 school for the visually handicapped whenever it will be to the advantage of visually  
3 handicapped minors. There shall be a summer school each year at the school for the  
4 visually handicapped for ~~adult~~ visually handicapped persons. ~~There is no age~~  
5 ~~limitation on summer school admissions~~ adults.

6 **SECTION 3891.** 115.53 (4) (intro.) of the statutes is amended to read:

7 115.53 (4) (intro.) Apply to the board of regents of the university of Wisconsin  
8 ~~system~~ directors of the University of Wisconsin Hospitals and Clinics Authority for  
9 admission to the ~~university of Wisconsin hospital and clinics~~ University of Wisconsin  
10 Hospitals and Clinics of any pupil in the state schools.

11 **SECTION 3892.** 115.53 (4) (b) of the statutes is amended to read:

12 115.53 (4) (b) The net cost of hospital treatment shall be at the rate established  
13 under s. ~~142.07~~ 233.40 (1) and shall be chargeable to the appropriation for operating  
14 the patient's school. The state superintendent likewise may authorize payment for  
15 the expense of transporting patients to and from the hospital. The state  
16 superintendent shall make payments for the treatment to the ~~board of regents~~  
17 University of Wisconsin Hospitals and Clinics Authority. Funds collected by the  
18 state superintendent on account of the hospitalization shall be deposited in the  
19 appropriation under s. 20.255 (1) (b) for the school concerned.

20 **SECTION 3893m.** 115.745 of the statutes is repealed.

21 **SECTION 3894.** 115.77 (1) of the statutes is amended to read:

22 115.77 (1) APPOINTMENT OF ADMINISTRATOR. ~~The state superintendent~~ secretary  
23 shall appoint the administrator.

24 **SECTION 3895.** 115.77 (2) (intro.) of the statutes is amended to read:

**SECTION 3895**

1           115.77 (2) DUTIES OF ADMINISTRATOR. (intro.) Subject to the direction of the state  
2 superintendent secretary, the administrator:

3           **SECTION 3896.** 115.79 (1) (intro.) of the statutes is amended to read:

4           115.79 (1) (intro.) The ~~state superintendent~~ secretary shall consult with the  
5 council on exceptional education concerning:

6           **SECTION 3897.** 115.79 (1) (d) of the statutes is amended to read:

7           115.79 (1) (d) Any other matters upon which the ~~state superintendent~~  
8 secretary wishes the council's opinion.

9           **SECTION 3898.** 115.81 (7) of the statutes is amended to read:

10           115.81 (7) (title) ~~APPEAL TO STATE SUPERINTENDENT DEPARTMENT~~. Within 45 days  
11 after the decision of the hearing officer under sub. (6), either party may appeal the  
12 decision to the ~~state superintendent~~ department. An appeal under this subsection  
13 shall be initiated by filing a written request for review with the ~~state superintendent~~  
14 department. The request for review shall contain a brief statement of the grounds  
15 on which the review is requested and shall be served on all parties. The state  
16 superintendent secretary shall appoint an impartial reviewing officer to conduct the  
17 appeal. The reviewing officer shall review the record established at the hearing  
18 under sub. (6) and issue a written decision within 30 days of receipt of the request  
19 for review. A reviewing officer may receive additional testimony and may grant  
20 specific extensions of time for cause at the request of either party.

21           **SECTION 3899.** 115.81 (8) of the statutes is amended to read:

22           115.81 (8) APPEAL TO COURT. Within 45 days after the decision of the reviewing  
23 officer appointed by the ~~state superintendent~~ secretary under sub. (7), either party  
24 may appeal the decision to the circuit court for the county in which the child resides.

25           **SECTION 3900.** 115.83 (1) (b) of the statutes is amended to read:

1           115.83 (1) (b) ~~Employ, for~~ For a special education program, employ or contract  
2 under s. 120.13 (26) for either full- or part-time licensed teachers, licensed  
3 coordinators of special education, licensed school social workers, licensed school  
4 psychologists, paraprofessionals, licensed consulting teachers to work with any  
5 teacher of regular education programs who has a child with exceptional educational  
6 needs in a class and any other personnel approved by the department.

7           **SECTION 3901.** 115.85 (2) (c) 2. (intro.) of the statutes is amended to read:

8           115.85 (2) (c) 2. (intro.) The ~~state superintendent~~ department shall approve a  
9 placement in a public special education program located in another state if ~~he or she~~  
10 the department determines that ~~it~~ the program is appropriate to meet the child's  
11 exceptional educational needs and that:

12           **SECTION 3902.** 115.85 (2m) of the statutes is amended to read:

13           115.85 (2m) PLACEMENT DISPUTES. If a dispute arises between the school board  
14 and the department of health and social services, the department of corrections or  
15 a county department under s. 46.215, 46.22 or 46.23, or between school boards under  
16 s. 115.815 (4) (c), over the placement of a child in an appropriate program under sub.  
17 (2), the state superintendent shall resolve the dispute. This subsection applies only  
18 to placements in nonresidential educational programs made under ss. s. 48.48 (4)  
19 ~~and, 48.553 (3) or 48.57 (1) (c)~~ and to placements in child caring institutions made  
20 under s. 115.815.

21           **SECTION 3907.** 115.89 of the statutes is amended to read:

22           **115.89 Noncomplying school district; remedies.** (1) If, after a public  
23 hearing in the school district or as the result of a monitoring procedure or a complaint  
24 investigation, the ~~state superintendent~~ department finds that a school board has  
25 violated this subchapter or the rules promulgated under this subchapter, ~~he or she~~

1 the department may make recommendations to the school board to remedy the  
2 violation and may require the school board to submit a remedial plan incorporating  
3 such recommendations.

4 (3) If, after consultation with the school board, the ~~state superintendent~~  
5 department finds that the remedial plan has not incorporated ~~his or her~~ the  
6 department's recommendations, or that its implementation has been inadequate to  
7 ensure compliance with this subchapter and the rules promulgated under this  
8 subchapter, ~~he or she~~ the department shall request the attorney general to proceed  
9 against the school district for injunctive or other appropriate relief.

10 **SECTION 3909.** 115.93 (1) of the statutes is amended to read:

11 115.93 (1) Except as provided under sub. (2), if upon receipt of the reports  
12 under s. 115.92 (2) the ~~state superintendent~~ department is satisfied that the school  
13 age parents program has been maintained during the preceding school year in  
14 accordance with the rules under s. 115.92 (3), ~~he or she~~ the department shall certify  
15 to the department of administration in favor of each school district maintaining the  
16 program a sum equal to ~~63%~~ of the amount expended by the school district during  
17 the preceding school year for salaries of teachers and instructional aids aides, special  
18 transportation, costs of contracts under s. 120.13 (26) and other expenses approved  
19 by the ~~state superintendent~~ department. The department of administration shall  
20 pay such amounts to the school district from the appropriation under s. 20.255 (2)  
21 (b).

22 **SECTION 3914e.** 116.01 of the statutes is amended to read:

23 **116.01 Purpose.** The organization of school districts in Wisconsin is such that  
24 the legislature recognizes the need for a service unit between the school district and  
25 the state superintendent. The cooperative educational service agencies are designed

**SECTION 3914e**

1 to serve educational needs in all areas of Wisconsin by serving as a link both between  
2 school districts and between school districts and the state. Cooperative educational  
3 service agencies may provide leadership and, coordination ~~services for~~ and education  
4 services to school districts, ~~including such programs as curriculum development~~  
5 ~~assistance, school district management development, coordination of vocational~~  
6 ~~education and exceptional education, research, special student classes, human~~  
7 ~~growth and development, data collection, processing and dissemination and~~  
8 ~~in-service programs~~ University of Wisconsin System institutions and centers and  
9 technical colleges. Cooperative educational service agencies may facilitate  
10 communication and cooperation among all public and private schools, agencies and  
11 organizations that provide services to pupils.

12 **SECTION 3914m.** 116.02 (1) (a) of the statutes is amended to read:

13 116.02 (1) (a) Each agency shall be governed by a board of control composed of  
14 members of school boards of school districts within the agency. ~~There shall be no~~  
15 ~~more than one member from the same school board. There shall be no more than one~~  
16 ~~member from the territory comprising a union high school district and its underlying~~  
17 ~~elementary school districts. Annually on or after the 4th Monday in April, the school~~  
18 ~~board of each~~ school district in the agency shall appoint one of its members as its  
19 representative for the purpose of determining the composition of the board of control.  
20 For the purpose of determining membership on the board of control, a school district  
21 operating elementary grades only and lying in more than one union high school  
22 district shall be considered part of the union high school district territory in which  
23 the major portion of its equalized valuation lies. The board of control shall hold an  
24 annual organizational meeting on or after the 2nd Monday in August, ~~unless, at the~~  
25 ~~direction of the convention under par. (c), the board of control at the annual~~

**SECTION 3914m**

1 ~~organizational meeting in any year determines to thereafter hold the annual~~  
2 ~~organizational meeting on an earlier date May. No annual organizational meeting~~  
3 ~~may be held prior to after the 2nd Monday in May. If the board of control at the~~  
4 ~~annual organizational meeting determines to thereafter hold the annual~~  
5 ~~organizational meeting prior to the 2nd Monday in August, it shall within 30 days~~  
6 ~~of that decision give notice in writing of the decision to the clerk of each district within~~  
7 ~~the agency and the state superintendent August.~~

8 **SECTION 3914s.** 116.02 (1) (c) of the statutes is amended to read:

9 116.02 (1) (c) The state superintendent shall cause to convene annually on the  
10 day that the board of control holds its annual organizational meeting under par. (a)  
11 a convention composed of the representative from each school board in the agency.  
12 ~~The secretary to the board of control of the agency shall act as nonvoting secretary~~  
13 ~~to the convention. In the secretary's absence the convention shall appoint an acting~~  
14 ~~secretary from among the representatives to the convention. Upon the convening of~~  
15 ~~the convention the representatives from all school boards within each union high~~  
16 ~~school district territory, meeting separately, shall elect a single representative to~~  
17 ~~represent the territory in the election of members of the board of control. After the~~  
18 ~~meeting for election of a single representative from each union high school district~~  
19 ~~territory, the convention shall elect the members of the board of control, not to exceed~~  
20 ~~11 in number, in accordance with the plan of representation for the agency adopted~~  
21 ~~under par. (d). The members of the board of control shall be elected for staggered~~  
22 ~~3-year terms and shall be chosen from among the representatives elected to~~  
23 ~~represent each union high school district territory and the representatives appointed~~  
24 ~~by the school boards of districts operating both elementary and high school grades.~~  
25 There shall be no more than one representative from each union high school district.

1 The convention may direct the board of control to determine a different date for the  
2 annual organizational meeting.

3 **SECTION 3915e.** 116.02 (1) (d) of the statutes is repealed.

4 **SECTION 3915m.** 116.02 (2) of the statutes is repealed and recreated to read:

5 116.02 (2) The annual convention shall establish bylaws for governing the  
6 agency, including bylaws for all of the following:

7 (a) Subject to sub. (1) (a), setting the date of the annual convention and  
8 establishing procedures for calling a special meeting.

9 (b) Providing for regular meetings of the board of control.

10 (c) Establishing an initial plan of representation for the agency and specifying  
11 how the plan may be amended.

12 (d) Specifying the number of members on the board of control.

13 (e) Specifying what constitutes a vacancy on the board of control and  
14 establishing procedures for filling a vacancy on the board of control.

15 (f) Specifying the officers on the board of control, establishing procedures for  
16 choosing those officers, specifying their terms of office and their duties and  
17 establishing procedures for removing them from office.

18 (g) Providing for the establishment of fiscal control, responsibility and  
19 accountability requirements.

20 (h) Designating a public depository.

21 **SECTION 3915s.** 116.02 (3) of the statutes is repealed.

22 **SECTION 3916e.** 116.03 (3) of the statutes is repealed.

23 **SECTION 3916m.** 116.03 (6) of the statutes is repealed.

24 **SECTION 3916s.** 116.03 (7) of the statutes is repealed.

25 **SECTION 3917m.** 116.03 (8) of the statutes is repealed.

**SECTION 3919**

1           **SECTION 3919.** 116.03 (10) of the statutes is amended to read:

2           116.03 (10) Authorize the expenditure of money for the purposes set forth in  
3 this chapter and for the actual and necessary expenses of the board of control and  
4 agency administrator and for the acquisition of equipment, space and personnel. All  
5 accounts of the agency shall be paid by check, share draft or other draft signed by the  
6 chairperson and secretary to the board of control.

7           **SECTION 3920.** 116.03 (11) of the statutes is amended to read:

8           116.03 (11) Establish the salaries of the agency administrator and other  
9 professional and nonprofessional employes. State reimbursement for the cost of the  
10 salary of the agency administrator shall be equal to the actual salary paid or the  
11 maximum of the salary range for ~~public instruction~~ supervisors ~~under the state~~  
12 ~~superintendent~~ in the department, whichever is less.

13           **SECTION 3920m.** 116.03 (12m) of the statutes is created to read:

14           116.03 (12m) Every 3rd year as scheduled by the department, provide to the  
15 school board of each school district in the agency an accountability plan that  
16 addresses both the efficiency and effectiveness of all agency programs and services.

17           **SECTION 3921.** 116.03 (13) of the statutes is amended to read:

18           116.03 (13) Every 3rd year, as scheduled by the ~~state superintendent~~  
19 ~~department~~, submit to the ~~state superintendent~~ department for ~~his or her~~ its  
20 approval an evaluation of agency programs and services.

21           **SECTION 3921m.** 116.03 (13s) of the statutes is created to read:

22           116.03 (13s) Upon request of 2 or more school districts served by the board of  
23 control, apply for a state trust fund loan under s. 24.66 on behalf of the school districts  
24 to carry out a distance education project. The board of control shall expend the  
25 proceeds or transfer the proceeds to each school district in the amounts determined

1 under s. 24.61 (7) as directed by each school district and shall accept from each school  
2 district repayments of principal and payments of interest and promptly remit such  
3 payments to the board of commissioners of public lands.

4 **SECTION 3922c.** 116.032 of the statutes is created to read:

5 **116.032 Contracts for services. (1)** Subject to subs. (2) to (5), for the purpose  
6 of providing services to pupils a board of control may contract with school districts,  
7 University of Wisconsin System institutions and centers, technical college district  
8 boards, private schools, and agencies or organizations that provide services to pupils.

9 **(2)** A board of control may not contract with any person for the purpose of  
10 providing services to any entity specified under sub. (1) unless the entity specified  
11 under sub. (1) is authorized to contract directly with that person for those services.

12 **(3) (a)** A board of control may contract with a private school or private agency  
13 or organization to provide a service or program to that private school or private  
14 agency or organization only if all of the following apply:

15 1. The service or program was developed for and has been provided to public  
16 schools.

17 2. Providing the service or program will not have a negative effect on the  
18 agency's ability to serve school districts.

19 **(b)** Any contract with an entity specified under sub. (1) other than a school  
20 district shall require payment for at least the full cost of the service or program  
21 provided.

22 **(4)** A board of control may contract with a school district that is not in the  
23 agency to provide a service or program to that school district only if the agency in  
24 which the school district participates does not offer the service or program or the  
25 latter agency authorizes the school district to do so.

1           (5) No contract may be for a term that is longer than 20 years.

2           **SECTION 3922g.** 116.04 of the statutes, as affected by 1993 Wisconsin Act 355,  
3 is repealed and recreated to read:

4           **116.04 Agency administrator.** The board of control shall appoint an  
5 individual who is licensed by the department as a school administrator or is eligible  
6 to be licensed by the department as a school administrator to serve as agency  
7 administrator. The agency administrator shall implement the policies of the board  
8 of control.

9           **SECTION 3923m.** 116.05 of the statutes is amended to read:

10           **116.05** (title) ~~Professional advisory committee~~ **Advisory committees.**  
11 In each agency there shall be a professional advisory committee, composed of the  
12 school district administrator of each school district in the agency, which shall meet  
13 at the request of the board of control or the agency administrator to advise them. The  
14 board of control may appoint additional advisory committees that are representative  
15 of the users of the agency's services and programs.

16           **SECTION 3924m.** 116.055 of the statutes is amended to read:

17           **116.055 Real property.** The board of control may purchase, hold, encumber  
18 and dispose of real property, in the name of the agency, for use as its office or for any  
19 educational service provided by the agency if a resolution to do so is adopted by a  
20 ~~two-thirds vote of the members of the board of control~~ majority of the delegates at  
21 the annual convention or at a special meeting and then approved, within 60 days  
22 after the convention or special meeting, by three-fourths ~~two-thirds~~ of the school  
23 boards in the agency by majority vote of each school board. Aid received under s.  
24 116.08 may be used for the acquisition and maintenance of real property under this

1 section. In addition, the board of control may assess the costs of acquisition and  
2 maintenance against each school district in the agency.

3 **SECTION 3924r.** 116.08 (3m) (intro.) and (b) of the statutes are consolidated,  
4 renumbered 116.08 (3m) and amended to read:

5 116.08 (3m) The school board of a school district that has withdrawn from  
6 cooperative educational service agency no. 1 under s. 116.065 and is not in any other  
7 agency may: ~~(b) Contract~~ contract with the department for other programs and  
8 services the school district would be receiving if it were in an agency.

9 **SECTION 3924t.** 116.08 (3m) (a) of the statutes is repealed.

10 **SECTION 3925m.** 116.09 of the statutes is created to read:

11 **116.09 State and federal grants. (1)** Except as provided under sub. (2), the  
12 board of control is eligible for and may apply for any state or federal grant for which  
13 a school district is eligible.

14 **(2)** If a school district in the agency applies for a grant the board of control is  
15 eligible for that grant only on behalf of one or more school districts in the agency.

16 **SECTION 3926.** 117.03 (2) of the statutes is amended to read:

17 117.03 (2) "Appeal panel" means a panel appointed by the ~~state superintendent~~  
18 secretary under s. 117.05 (1).

19 **SECTION 3927.** 117.05 (1) of the statutes is amended to read:

20 117.05 (1) APPEAL PANELS. The ~~state superintendent~~ secretary shall appoint 3  
21 members of the board to hear appeals filed under ss. 117.12 (4) and 117.13 (3). No  
22 2 members of the appeal panel may be board members from any of the following kinds  
23 of school districts: those with small enrollments, those with medium enrollments or  
24 those with large enrollments.

25 **SECTION 3928.** 117.05 (1m) of the statutes is amended to read:

1           117.05 (1m) BOARD AND APPEAL PANEL MEETINGS. The ~~state superintendent~~  
2 secretary shall set the time and place for meetings of the board under ss. 117.10,  
3 117.12 (5) and 117.132 and for meetings of appeal panels under ss. 117.12 (4) and  
4 117.13.

5           **SECTION 3929.** 117.05 (2) (a) of the statutes is amended to read:

6           117.05 (2) (a) *Board.* The ~~state superintendent~~ secretary shall appoint 7  
7 members of the board to perform any review under ss. 117.10, 117.12 (5) and 117.132.  
8 The 7 members shall include the ~~state superintendent~~ secretary or his or her  
9 designee on the board, 2 board members from school districts with small  
10 enrollments, 2 board members from school districts with medium enrollments and  
11 2 board members from school districts with large enrollments. Any action of the  
12 board under this chapter requires the affirmative vote of at least 4 of the 7 members  
13 appointed under this paragraph.

14           **SECTION 3930.** 117.05 (10) of the statutes is amended to read:

15           117.05 (10) (title) ~~STATE SUPERINTENDENT~~ SECRETARY TO ADVISE. The ~~state~~  
16 ~~superintendent~~ secretary shall advise and consult with school boards regarding  
17 school district organization and reorganization. If, in the ~~state superintendent's~~  
18 ~~secretary's~~ opinion, one or more school districts should be altered, consolidated or  
19 dissolved, he or she may make recommendations to the school boards.

20           **SECTION 3931.** 118.001 of the statutes is created to read:

21           **118.001 Duties and powers of school boards; construction of statutes.**

22           The statutory duties and powers of school boards shall be broadly construed to  
23 authorize any school board action that is within the comprehensive meaning of the  
24 terms of the duties and powers, if the action is not prohibited by the laws of the  
25 federal government or of this state.

**SECTION 3933**

1           **SECTION 3933.** 118.01 (1) of the statutes is amended to read:

2           118.01 (1) PURPOSE. Public education is a fundamental responsibility of the  
3 state. The constitution vests in the state superintendent the supervision of public  
4 instruction and directs the legislature to provide for the establishment of district  
5 schools. The effective operation of the public schools is dependent upon a common  
6 understanding of what public schools should be and do. Establishing such goals and  
7 expectations is a necessary and proper complement to the state's financial  
8 contribution to education. Each school board should provide curriculum, course  
9 requirements and instruction consistent with the goals and expectations established  
10 under sub. (2). Parents and guardians of pupils enrolled in the school district share  
11 with the state and school board the responsibility for pupils meeting the goals and  
12 expectations under sub. (2).

13           **SECTION 3934.** 118.013 (3) (a) of the statutes is amended to read:

14           118.013 (3) (a) A school board on its own initiative or upon receipt of an  
15 application from the principal of a school located in the school district may apply to  
16 the state superintendent department for a grant to assist in developing or  
17 implementing a management restructuring program. ~~The state superintendent~~ At  
18 the commencement of each gubernatorial term of office, the secretary shall appoint  
19 a 12-member council under s. 15.04 (1) (c) to review the applications and make  
20 recommendations to the state superintendent department. The council shall consist  
21 of the governor or his or her designee and at least one member representing school  
22 boards, one member representing school administrators, one member representing  
23 parents of pupils enrolled in the school district and one member representing  
24 teachers. The state superintendent secretary may also appoint members  
25 representing other groups. Grants shall be awarded from the appropriation under

1 s. 20.255 (2) (ds). The ~~state superintendent~~ department shall give preference in  
2 awarding grants under this paragraph to applications submitted by school boards in  
3 collaboration with an organization of professional educators or persons concerned  
4 with educational administration. To the extent possible, the ~~state superintendent~~  
5 department shall ensure that grants are equally distributed on a statewide basis.

6 **SECTION 3935.** 118.015 (2) of the statutes is repealed.

7 **SECTION 3936.** 118.015 (3) of the statutes is repealed.

8 **SECTION 3936m.** 118.019 (5) of the statutes is amended to read:

9 118.019 (5) ADVISORY COMMITTEE. ~~Each~~ In any school district that offers a  
10 human growth and development curriculum, the school board shall appoint an  
11 advisory committee composed of parents, teachers, school administrators, pupils,  
12 health care professionals, members of the clergy and other residents of the school  
13 district. The advisory committee shall develop a the human growth and  
14 development curriculum and advise the school board on the design, review and  
15 implementation of the advisory committee's human growth and development  
16 curriculum. The advisory committee shall review the curriculum at least every 3  
17 years ~~and shall file a written report with the department indicating it has done so.~~

18 **SECTION 3937.** 118.019 (6) of the statutes is repealed.

19 **SECTION 3938.** 118.07 (2) (b) of the statutes is amended to read:

20 118.07 (2) (b) Annually the person having direct charge of any public or private  
21 school shall file a report pertaining to such drills on forms furnished by the  
22 department of ~~industry, labor and human relations~~ development. Such reports shall  
23 be made to the department of ~~industry, labor and human relations~~ development and,  
24 in each community having a recognized fire department, to the chief of the fire

1 department. When no fire drill is held during any month, the person having direct  
2 charge of the school shall state the reasons therefor in the report.

3 **SECTION 3939.** 118.125 (2) (i) of the statutes is amended to read:

4 118.125 (2) (i) ~~The technical college district board in which the public school~~  
5 ~~is located, or the department of health and social services or a county department~~  
6 ~~under s. 46.215, 46.22 or 46.23 for verification of eligibility for public assistance~~  
7 ~~under ch. 49, shall, upon~~ Upon request, be provided by the school district clerk with  
8 shall provide the names of pupils who have withdrawn from the public school prior  
9 to graduation under s. 118.15 (1) (c) to the technical college district board in which  
10 the public school is located or, for verification of eligibility for public assistance under  
11 ch. 49, to the department of health and social services, the department of industry,  
12 labor and human relations or a county department under s. 46.215, 46.22 or 46.23.

13 **SECTION 3940.** 118.125 (3) of the statutes is amended to read:

14 118.125 (3) MAINTENANCE OF RECORDS. Each school board shall adopt rules in  
15 writing specifying the content of pupil records and the time during which pupil  
16 records shall be maintained. No behavioral records may be maintained for more than  
17 one year after the pupil ceases to be enrolled in the school, unless the pupil specifies  
18 in writing that his or her behavioral records may be maintained for a longer period.  
19 A pupil's progress records shall be maintained for at least 5 years after the pupil  
20 ceases to be enrolled in the school. A school board may maintain the records on  
21 microfilm, ~~or optical disk~~ or in electronic format if authorized under s. 19.21 (4) (c),  
22 or in such other form as the school board deems appropriate. A school board shall  
23 maintain peace officers' records obtained under s. 48.396 (1m) separately from a  
24 pupil's other pupil records. Rules adopted under this subsection shall be published  
25 by the school board as a class 1 notice under ch. 985.

**SECTION 3941m**

1           **SECTION 3941m.** 118.15 (1) (bm) of the statutes is created to read:

2           118.15 (1) (bm) Upon the child's request and with the written approval of the  
3 child's parent or guardian, any child who is 16 years of age or over shall be excused  
4 by the school board from regular school attendance if the child presents evidence  
5 satisfactory to the school board that he or she is employed full-time or is  
6 participating in an apprenticeship program under ch. 106. The excuse applies only  
7 while the child is employed full-time or is participating in an apprenticeship  
8 program under ch. 106.

9           **SECTION 3945.** 118.15 (5) (b) of the statutes is amended to read:

10           118.15 (5) (b) Paragraph (a) does not apply to a person who has under his or  
11 her control a child who has been sanctioned under s. 49.50 (7) (h) 49.26 (1) (h).

12           **SECTION 3947.** 118.16 (4) (e) of the statutes is amended to read:

13           118.16 (4) (e) ~~A~~ Except as provided under s. 119.55, a school board may  
14 establish one or more youth service centers for the counseling of children who are  
15 taken into custody under s. 48.19 (1) (d) 9. or 10. for being absent from school without  
16 an acceptable excuse under s. 118.15.

17           **SECTION 3949.** 118.165 (2) of the statutes is amended to read:

18           118.165 (2) An institution may request the state superintendent department  
19 to approve the institution's educational program as a private school. The state  
20 superintendent department shall base his or her its approval solely on the criteria  
21 under sub. (1).

22           **SECTION 3950.** 118.167 of the statutes is amended to read:

23           **118.167 (title) Private school determination by state superintendent**  
24 **department.** If an association that regulates or accredits private educational  
25 institutions in this state submits an affidavit to the state superintendent

1 department attesting that the institution meets or exceeds all of the criteria under  
2 s. 118.165 and the ~~state superintendent~~ department finds that the institution does  
3 meet or exceed all of the criteria under s. 118.165, the ~~state superintendent~~  
4 department shall determine that the institution is a private school. If at any time  
5 the ~~state superintendent~~ department finds that an institution determined to be a  
6 private school under this section no longer meets the criteria under s. 118.165, ~~he or~~  
7 ~~she~~ the department may withdraw the determination.

8 **SECTION 3951.** 118.17 of the statutes is amended to read:

9 **118.17 Indigent children.** The principal or teacher in charge of any public  
10 school shall report to the ~~authority administering general relief~~ county department  
11 under s. 46.215, 46.22 or 46.23 for the county wherein the school is situated the name  
12 and address of any child in the school whose parent, guardian or other person having  
13 control, charge or custody of the child is without sufficient means to furnish the child  
14 with food or clothing necessary to enable the child to attend school.

15 **SECTION 3951m.** 118.19 (11) of the statutes is created to read:

16 118.19 (11) The department may promulgate rules establishing requirements  
17 for licensure as a school principal. A school principal license shall authorize the  
18 individual to serve as a school principal for any grade level.

19 **SECTION 3951s.** 118.19 (12) of the statutes is created to read:

20 118.19 (12) Beginning on July 1, 1998, the department may not issue or renew  
21 a license that authorizes the holder to teach reading or language arts to pupils in any  
22 prekindergarten class or in any of the grades from kindergarten to 8 unless the  
23 applicant has successfully completed instruction preparing the applicant to teach  
24 reading and language arts using intensive systematic phonics. In this subsection,  
25 “intensive systematic phonics” means a method of teaching beginners to read and

1 pronounce words by learning the phonetic value of letters, letter groups and  
2 syllables.

3 **SECTION 3952.** 118.192 (5) of the statutes is repealed.

4 **SECTION 3953.** 118.195 (1) of the statutes is amended to read:

5 118.195 (1) No person otherwise qualified may be denied a certificate or license  
6 from the state superintendent under s. 118.19 (1) because the person is totally or  
7 partially blind, deaf or physically handicapped nor may any school district refuse to  
8 employ or contract with a teacher on such grounds, if such handicapped teacher is  
9 able to carry out the duties of the position which the person seeks.

10 **SECTION 3954.** 118.20 (1) and (2) of the statutes are amended to read:

11 118.20 (1) No discrimination because of sex, except where sex is a bona fide  
12 occupational qualification as defined in s. 111.36 (2), race, nationality or political or  
13 religious affiliation may be practiced in the employment of or contracting with  
14 teachers or administrative personnel in public schools or in their assignment or  
15 reassignment. No questions of any nature or form relative to sex, except where sex  
16 is a bona fide occupational qualification as defined in s. 111.36 (2), race, nationality  
17 or political or religious affiliation may be asked applicants for teaching or  
18 administrative positions in the public schools either by public school officials or  
19 employes or by teachers agencies or placement bureaus.

20 (2) ~~The state superintendent or a person designated by the superintendent~~  
21 department may receive and investigate complaints charging discrimination in  
22 employment, assignment or reassignment of or contracting with teachers or  
23 administrative personnel in the public schools and the ~~superintendent or designee~~  
24 department may hold hearings, subpoena witnesses and take testimony to effectuate  
25 the purposes of this section.

1           **SECTION 3955.** 118.20 (4) to (7) of the statutes are amended to read:

2           118.20 (4) After hearing, if the ~~state superintendent~~ department finds that the  
3 respondent has engaged in discrimination prohibited by this section the ~~state~~  
4 ~~superintendent~~ department shall make written findings and recommend such action  
5 by the respondent as shall satisfy the purposes of this section and shall serve a  
6 certified copy of the findings and recommendations on the respondent together with  
7 an order requiring the respondent to comply with the recommendations. Any person  
8 aggrieved by noncompliance with the order shall be entitled to have the order  
9 enforced specifically by suit in equity. If the ~~state superintendent~~ department finds  
10 that the respondent has not engaged in the alleged discrimination, the ~~state~~  
11 ~~superintendent~~ department shall serve a certified copy of the ~~state superintendent's~~  
12 department's findings on the complainant together with an order dismissing the  
13 complaint.

14           (5) If any public school official, employe, teachers agency or placement bureau  
15 violates sub. (1) or fails or refuses to obey any lawful order made by the  
16 ~~superintendent~~ department pursuant to this section, such person shall forfeit and  
17 pay into the state treasury not less than \$25 nor more than \$50, or be imprisoned not  
18 less than 5 nor more than 30 days. Such violation or failure or refusal to obey an order  
19 shall be grounds for the removal of any school district administrator, member of a  
20 school board or other public school official. Findings and orders of the  
21 ~~superintendent~~ department under this section shall be subject to judicial review  
22 under ch. 227

23           (6) Upon request of the ~~superintendent~~ department, the attorney general or  
24 district attorney of the county in which any investigation, hearing or trial under this  
25 section is pending, shall aid and prosecute under supervision of the ~~superintendent~~

1 department, all necessary actions or proceedings for the enforcement of this section  
2 and for the punishment of all violations thereof.

3 (7) In administering this section the ~~superintendent~~ department shall have  
4 authority to make, amend and rescind rules necessary to carry out the purposes of  
5 this section.

6 **SECTION 3957.** 118.24 (1) of the statutes is amended to read:

7 118.24 (1) A school board may employ a school district administrator, a  
8 business manager and school principals and assistants to such persons. The term  
9 of each initial employment contract shall ~~expire on June 30 of an odd-numbered year~~  
10 ~~and may not exceed~~ be for a term of at least 2 years.

11 **SECTION 3958.** 118.24 (2) (e) of the statutes is amended to read:

12 118.24 (2) (e) The school district administrator shall attend annually one  
13 convention called by the ~~state superintendent~~ department for the purpose of  
14 consultation upon matters pertaining to the supervision and management of the  
15 schools. The administrator shall be reimbursed for actual and necessary expenses  
16 incurred for travel, board and lodging because of attendance at such convention.  
17 Bills for such expenses shall be audited and allowed by the school board upon  
18 presentation of an itemized statement of expense accompanied by a certificate of  
19 attendance signed by the ~~state superintendent~~ secretary.

20 **SECTION 3959.** 118.24 (6) of the statutes is amended to read:

21 118.24 (6) The employment contract of any person described under sub. (1)  
22 shall be in writing and filed with the school district clerk. At least 4 months prior  
23 to the expiration of the employment contract, the employing school board shall give  
24 notice in writing of either renewal of the contract or of refusal to renew such person's  
25 contract. If no such notice is given, the contract then in force shall continue in force

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1 for a term that expires on June 30 of an odd-numbered year and that does not exceed  
2 2 years. Any such person who receives notice of renewal or who does not receive  
3 notice of renewal or refusal to renew the person's contract at least 4 months before  
4 the contract expiration shall accept or reject the contract in writing on or before a  
5 date 3 months prior to the contract expiration. No such person may be employed or  
6 dismissed except by a majority vote of the full membership of the school board.  
7 Nothing in this section prevents the modification or termination of an employment  
8 contract by mutual agreement of the parties. No school board may enter into a  
9 contract of employment with any such person for a period of time as to which such  
10 person is then under a contract of employment with another school board.

11 **SECTION 3960.** 118.24 (8) of the statutes is amended to read:

12 118.24 (8) Personnel administrators and supervisors, curriculum  
13 administrators and assistants to such administrative personnel, when employed by  
14 the school board of any school district to perform administrative duties only, may be  
15 initially employed for a term that expires on June 30 of an odd-numbered year and  
16 ~~that does not exceed of at least 2 years. The term shall coincide with the state fiscal~~  
17 ~~biennium.~~ Subsections (5) to (7) are applicable to such persons when they are  
18 employed to perform administrative duties only.

19 **SECTION 3963b.** 118.245 (2) of the statutes is repealed.

20 **SECTION 3964g.** 118.245 (3) of the statutes is amended to read:

21 118.245 (3) No school district may ~~grant~~ provide to its professional employes  
22 for any 12-month period ending on June 30 an average increase for all such employes  
23 in the total cost to the school district of compensation during the period beginning  
24 on August 12, 1993, and ending on June 30, 1996, and fringe benefits for such  
25 employes having an average cost per employe exceeding ~~2.1%~~ 3.8% of the average

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1 total cost per employe of compensation and fringe benefits provided by the school  
2 district to its professional employes for any the preceding 12-month period ending  
3 on June 30, including. In this subsection, the cost of compensation includes the cost  
4 of any increase in compensation due to a promotion or the attainment of increased  
5 professional qualifications, ~~unless the increased cost required to maintain the~~  
6 ~~percentage contribution by the school district to the employes' existing fringe benefit~~  
7 ~~costs and to maintain all fringe benefits provided to the employes under sub. (2)~~  
8 ~~exceeds 1.7% of the average total cost per employe of compensation and fringe~~  
9 ~~benefits provided by the school district to its professional employes for any such~~  
10 ~~12-month period, in which case the school district shall not grant to its professional~~  
11 ~~employes an average increase for all such employes in compensation during that~~  
12 ~~period having a total cost per employe exceeding an average of that percentage, if~~  
13 ~~any, for each 12-month period ending on June 30, of the prorated portion of 2.1% of~~  
14 ~~the average total cost per employe of compensation and fringe benefits provided by~~  
15 ~~the school district to its professional employes that remains, if any, after the average~~  
16 ~~increased cost of such maintenance exceeding 1.7% of the average total cost per~~  
17 ~~employe of compensation and fringe benefits provided by the school district to its~~  
18 ~~professional employes for each 12-month period is subtracted from the average~~  
19 ~~increased cost of such a compensation increase.~~

20 **SECTION 3966.** 118.245 (4) of the statutes is amended to read:

21 118.245 (4) For purposes of determination of the increased cost of any fringe  
22 benefits or compensation provided to a professional employe, any cost increase that  
23 is incurred on any day other than the beginning of a 12-month period under sub. (2)  
24 or (3) shall be calculated as if the cost increase were incurred as of the beginning of  
25 the 12-month period.

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1           **SECTION 3967.** 118.25 (1) of the statutes is amended to read:

2           118.25 (1) In this section, “school employe” means a person employed by a  
3 school board, or under contract to a school board under s. 120.13 (26), who comes in  
4 contact with children or who handles or prepares food for children while they are  
5 under the supervision of school authorities.

6           **SECTION 3968.** 118.255 (3) of the statutes is amended to read:

7           118.255 (3) The school board, cooperative educational service agency or county  
8 handicapped children’s education board maintaining health treatment services shall  
9 report annually to the department of ~~public instruction~~, and at such other times as  
10 the department directs, such information as the department requires.

11           **SECTION 3969.** 118.255 (4) of the statutes is amended to read:

12           118.255 (4) If the ~~state superintendent~~ department is satisfied that the health  
13 treatment services program has been maintained during the preceding school year  
14 in accordance with law ~~he or she~~, the department shall certify to the department of  
15 administration in favor of each school board, cooperative educational service agency  
16 and county handicapped children’s education board maintaining such health  
17 treatment services, an amount equal to 63% of the amount expended for items listed  
18 in s. 115.88 (1) by the school board, cooperative educational service agency and  
19 county handicapped children’s education board during the preceding year for these  
20 health treatment services. The department of administration, upon such  
21 certification shall distribute the amounts to the appropriate school board,  
22 cooperative educational service agency and county handicapped children’s education  
23 board.

24           **SECTION 3970m.** 118.28 of the statutes is amended to read:

1           **118.28 Community action agencies.** The school board of a school district  
2 may appropriate funds for promoting and assisting any community action agency  
3 under s. 46.30 ~~49.37~~.

4           **SECTION 3971b.** 118.30 (1) of the statutes is repealed and recreated to read:

5           118.30 (1) The state superintendent shall adopt or approve examinations  
6 designed to measure pupil attainment of knowledge and concepts in the 4th, 8th and  
7 10th grades.

8           **SECTION 3971c.** 118.30 (1m) of the statutes is created to read:

9           118.30 (1m) Except as otherwise provided in this section, annually each school  
10 board shall do all of the following:

11           (a) Beginning in the 1996-97 school year, administer the 4th grade  
12 examination to all pupils enrolled in the school district, including pupils enrolled in  
13 charter schools located in the school district, in the 4th grade.

14           (am) Administer the 8th grade examination to all pupils enrolled in the school  
15 district, including pupils enrolled in charter schools located in the school district, in  
16 the 8th grade.

17           (b) Administer the 10th grade examination to all pupils enrolled in the school  
18 district, including pupils enrolled in charter schools located in the school district, in  
19 the 10th grade.

20           **SECTION 3971p.** 118.30 (2) (b) 3. of the statutes is amended to read:

21           118.30 (2) (b) 3. ~~Annually, the school board shall notify the parent or guardian~~  
22 ~~of each pupil enrolled in the 8th and 10th grades in the school district, including~~  
23 ~~pupils enrolled in charter schools located in the school district, that he or she may~~  
24 ~~request the school board to excuse the pupil from taking an examination~~  
25 ~~administered under this section.~~ Upon the request of a pupil's parent or guardian,

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1 the school board shall excuse the pupil from taking an examination administered  
2 under this section.

3 **SECTION 3971q.** 118.30 (2) (b) 4. of the statutes is repealed.

4 **SECTION 3971yd.** 118.30 (4) of the statutes is created to read:

5 118.30 (4) The department shall study the utility of administering  
6 technology-based performance assessments to pupils.

7 **SECTION 3979m.** 118.37 (3) (b) and (3m) (b) of the statutes are amended to read:

8 118.37 (3) (b) If the pupil specifies in the notice under par. (a) that he or she  
9 intends to take a course at an institution of higher education for high school credit,  
10 the school board shall determine whether the course is comparable to a course offered  
11 in the school district, and whether the course satisfies any of the high school  
12 graduation requirements under s. 118.33 and the number of high school credits to  
13 award the pupil for the course, if any. ~~The state superintendent~~ department shall  
14 develop guidelines to assist school districts in making the determinations. The  
15 school board shall notify the pupil of its determinations, in writing, before the end  
16 of the semester in which it received the notice under par. (a). If the pupil disagrees  
17 with the school board's decision regarding comparability of courses, satisfaction of  
18 high school graduation requirements or the number of high school credits to be  
19 awarded, the pupil may appeal the school board's decision to the state  
20 superintendent department within 30 days after the decision. The state  
21 superintendent's department's decision shall be final and is not subject to review  
22 under subch. III of ch. 227.

23 **(3m)** (b) ~~The state superintendent~~ department may waive the requirement  
24 under par. (a) if ~~he or she~~ the department determines that the requirement would  
25 impose too great a cost because of the lack of equipment or space.

1           **SECTION 3981.** 118.38 of the statutes is created to read:

2           **118.38 Waivers of laws and rules. (1)** (a) A school board may request the  
3 department to waive any school board or school district requirement in chs. 115 to  
4 121 or in the administrative rules promulgated by the department under the  
5 authority of those chapters, except for statutes or rules related to any of the  
6 following:

7           1. The health or safety of pupils.

8           2. Pupil discrimination under s. 118.13.

9           3. The pupil assessment program under s. 118.30 and the standardized reading  
10 test required under s. 121.02 (1) (r).

11           4. Pupil records under s. 118.125.

12           5. The collection of data by the department.

13           6. The uniform financial fund accounting system under ss. 115.28 (13) and  
14 115.30 (1) and audits of school district accounts under s. 120.14.

15           7. Licensure or certification under s. 115.28 (7) or (7m) other than the licensure  
16 of the school district administrator or business manager.

17           (b) Before requesting a waiver, the school board shall hold a public hearing in  
18 the school district on the request.

19           **(1m)** The school board shall specify in its request for a waiver its reason for  
20 requesting the waiver.

21           **(2)** In determining whether to grant the waiver, the department shall consider  
22 all of the following factors and may consider additional factors:

23           (a) Whether the requirement impedes progress toward achieving a local  
24 improvement plan developed under sec. 309 (a) (3) of P.L. 103-227.

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1 (b) If the school board has adopted educational goals for the school district,  
2 whether the requirement impedes progress toward achieving the goals.

3 **(2m)** Beginning on January 1, 1996, a school board shall submit a request for  
4 a waiver to the secretary. If the secretary denies a waiver, the school board may,  
5 within 30 days after the denial, appeal the denial to the commission. The commission  
6 shall issue a decision on the appeal within 30 days after receiving the appeal.

7 **(3)** A waiver is effective for 4 years. The secretary shall renew the waiver for  
8 additional 4-year periods if the school board has evaluated the educational and  
9 financial effects of the waiver over the previous 4-year period, except that the  
10 secretary is not required to renew a waiver if the secretary determines that the  
11 school district is not making adequate progress toward improving pupil academic  
12 performance.

13 **(4)** By July 1, 2000, the department shall submit a report to the governor, and  
14 to the appropriate standing committees of the legislature under s. 13.172 (3). The  
15 report shall specify the number of waivers requested under this section, a description  
16 of each waiver request, the reason given for each waiver request and the educational  
17 and financial effects on the school district of each waiver that was granted.

18 **SECTION 3983m.** 118.40 (1) of the statutes is repealed and recreated to read:

19 118.40 (1) NOTICE TO STATE SUPERINTENDENT. Whenever a school board intends  
20 to establish a charter school, it shall notify the state superintendent of its intention.  
21 The notice shall include a description of the proposed school.

22 **SECTION 3984m.** 118.40 (1m) (b) 16. of the statutes is created to read:

23 118.40 (1m) (b) 16. Quantifiable performance improvement standards.

24 **SECTION 3985.** 118.40 (2) (a) of the statutes is amended to read:

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1           118.40 (2) (a) ~~If a school board has received approval under sub. (1), within~~  
2           Within 30 days after receiving a petition under sub. (1m) the school board shall hold  
3           a public hearing on the petition. At the hearing, the school board shall consider the  
4           level of employe and parental support for the establishment of the charter school  
5           described in the petition. After the hearing, the school board may grant the petition.

6           **SECTION 3986.** 118.40 (2) (b) (intro.) of the statutes is amended to read:

7           118.40 (2) (b) (intro.) ~~Subject to sub. (1), a~~ A school board may grant a petition  
8           that would result in the conversion of all of the public schools in the school district  
9           to charter schools if all of the following apply:

10          **SECTION 3986m.** 118.40 (2) (c) of the statutes is created to read:

11          118.40 (2) (c) The school board of the school district operating under ch. 119  
12          shall either grant or deny the petition within 30 days after the public hearing. If the  
13          school board of the school district operating under ch. 119 denies a petition, the  
14          person seeking to establish the charter school may, within 30 days after the denial,  
15          appeal the denial to the department. The department shall issue a decision within  
16          30 days after receiving the appeal. The department's decision is final and not subject  
17          to judicial review under ch. 227.

18          **SECTION 3987.** 118.40 (2m) (a) of the statutes is amended to read:

19          118.40 (2m) (a) ~~If a school board has received approval under sub. (1), the~~ A  
20          school board may on its own initiative contract with an individual or group to operate  
21          a school as a charter school. The contract shall include all of the provisions specified  
22          under sub. (1m) (b) and may include other provisions agreed to by the parties.

23          **SECTION 3988.** 118.40 (3) (b) of the statutes is amended to read:

24          118.40 (3) (b) A contract under par. (a) or under sub. (2m) may be for any term  
25          not exceeding 5 school years and may be renewed for one or more terms not exceeding

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1 5 school years. The contract shall specify the amount to be paid by the school board  
2 to the charter school during each school year of the contract. ~~In any school year, the~~  
3 ~~school board may not spend on average more per pupil enrolled in the charter school~~  
4 ~~than the school board spends on average per pupil enrolled in the public schools,~~  
5 ~~excluding charter schools, as determined by the state superintendent.~~

6 **SECTION 3989.** 118.40 (3) (c) of the statutes is amended to read:

7 118.40 (3) (c) A school board may not enter into a contract for the establishment  
8 of a charter school located outside the school district ~~or, except that if 2 or more school~~  
9 boards enter into an agreement under s. 66.30 to establish a charter school, the  
10 charter school shall be located within one of the school districts. A school board, other  
11 than the school board of the school district operating under ch. 119, may not enter  
12 into a contract that would result in the conversion of a private school to a charter  
13 school.

14 **SECTION 3990.** 118.40 (3m) of the statutes is repealed.

15 **SECTION 3992m.** 118.40 (7) (a) of the statutes is amended to read:

16 118.40 (7) (a) A charter school is an instrumentality of the school district in  
17 which it is located ~~and the school board of that school district shall employ all~~  
18 personnel for the charter school. This paragraph does not apply to charter schools  
19 located in the school district operating under ch. 119.

20 **SECTION 3994m.** 118.43 of the statutes is created to read:

21 **118.43 Achievement guarantee contracts; state aid. (1) DEFINITIONS.** In  
22 this section:

23 (a) "Class size" means the number of pupils assigned to a regular classroom  
24 teacher on the 3rd Friday of September.

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1 (b) "Low income" means the measure of low income that is used by the school  
2 district under 20 USC 2723.

3 (2) ELIGIBILITY; APPLICATION. (a) The school board of any school district in which  
4 a school in the previous school year had an enrollment that was at least 50%  
5 low-income is eligible to participate in the program under this section.

6 (b) In the 1996-97 school year, the school board of an eligible school district may  
7 enter into a 5-year achievement guarantee contract with the department on behalf  
8 of one school in the school district if all of the following apply:

9 1. In the previous school year, the school had an enrollment that was at least  
10 30% low-income.

11 2. The school board is not receiving a grant under the preschool to grade 5  
12 program on behalf of the school under s. 115.45.

13 (c) Notwithstanding par. (b), the school board of the school district operating  
14 under ch. 119 may enter into an achievement guarantee contract on behalf of up to  
15 10 schools.

16 (d) If an eligible school district has more than one school that qualifies under  
17 par. (b), the school board shall apply on behalf of the school with the largest number  
18 of low-income pupils in grades kindergarten and one.

19 (e) 1. If the school board of an eligible school district does not enter into an  
20 achievement guarantee contract with the department, a school board that has  
21 entered into such a contract, other than the school board of the school district  
22 operating under ch. 119, may apply to the department to enter into such a contract  
23 on behalf of one additional school that meets the requirements under par. (b).

24 2. If more than one school board applies under subd. 1., the department shall  
25 determine which school board to contract with based on the number of low-income

1 pupils in grades kindergarten and one enrolled in the schools and on the balance of  
2 rural and urban school districts currently participating in the program.

3 (f) The department may not enter into an achievement guarantee contract with  
4 a school board on behalf of a school after June 30, 1997.

5 **(3) CONTRACT REQUIREMENTS.** An achievement guarantee contract shall require  
6 the school board to do all of the following in each participating school:

7 (a) *Class size.* Reduce each class size to 15 in the following manner:

8 1. In the 1996-97 school year, in at least grades kindergarten and one.

9 2. In the 1997-98 school year, in at least grades kindergarten to 2.

10 3. In the 1998-99 to 2000-01 school years, in at least grades kindergarten to

11 3.

12 (b) *Education and human services.* 1. Keep the school open every day from  
13 early in the morning until late in the day, as specified in the contract.

14 2. Collaborate with community organizations to make educational and  
15 recreational opportunities, as well as a variety of community and social services,  
16 available in the school to all school district residents.

17 (c) *Curriculum.* 1. Provide a rigorous academic curriculum designed to  
18 improve pupil academic achievement and to prepare pupils to live and work with  
19 people of all backgrounds, cultures and beliefs.

20 2. In consultation with the department and with the participation of the  
21 school's teachers and administrators and school district residents, review the  
22 school's current curriculum to determine how well it promotes pupil academic  
23 achievement and prepares pupils for life and work and the extent to which it includes  
24 the contributions of women and minorities to our history and culture.

1           3. If necessary, outline any changes necessary to make the curriculum more  
2 accurate and relevant to the lives of the pupils and provide a schedule for  
3 accomplishing those changes.

4           4. Encourage the school's teachers and administrators to participate in  
5 training designed to help them learn about multicultural education and how to  
6 infuse it into the curriculum to help improve pupil academic achievement.

7           (d) *Staff development and accountability.* 1. Develop a one-year program for  
8 all newly hired employes that helps them make the transition from their previous  
9 employment or school to their current employment.

10           2. Provide time for employes to collaborate and plan.

11           3. Require that each teacher and administrator submit to the school board a  
12 professional development plan that focuses on how the individual will help improve  
13 pupil academic achievement. The plan shall include a method by which the  
14 individual will receive evaluations on the success of his or her efforts from a variety  
15 of sources.

16           4. Regularly review staff development plans to determine if they are effective  
17 in helping to improve pupil academic achievement.

18           5. Establish an evaluation process for professional staff members that does all  
19 of the following:

20           a. Identifies individual strengths and weaknesses.

21           b. Clearly describes areas in need of improvement.

22           c. Includes a support plan that provides opportunities to learn and improve.

23           d. Systematically documents performance in accordance with the plan.

24           e. Allows professional staff members to comment on and contribute to revisions  
25 in the evaluation process.

1 f. Provides for the dismissal of professional staff members whose failure to  
2 learn and improve has been documented over a 2-year period.

3 (4) OTHER CONTRACT PROVISIONS. Each achievement guarantee contract shall  
4 include all of the following:

5 (a) A description of how the school will implement each of the elements under  
6 sub. (3), including any alternative class configurations for specific educational  
7 activities that may be used to meet the class size requirement under sub. (3) (a).

8 (b) A description of the method that the school district will use to evaluate the  
9 academic achievement of the pupils enrolled in the school.

10 (c) A description of the school's performance objectives for the academic  
11 achievement of the pupils enrolled in the school and the means that will be used to  
12 evaluate success in attaining the objectives. Performance objectives shall include all  
13 of the following:

14 1. Where applicable, improvement in the scores on the examination  
15 administered to pupils under s. 121.02 (1) (r).

16 2. The attainment of any educational goals adopted by the school board.

17 3. Professional development with the objective of improving pupil academic  
18 achievement.

19 4. Methods by which the school involves pupils, parents or guardians of pupils  
20 and other school district residents in decisions affecting the school.

21 (d) A description of any statute or rule that is waived under s. 118.38 if the  
22 waiver is related to the contract.

23 (e) A description of the means by which the department will monitor  
24 compliance with the terms of the contract.

1           **(5) ANNUAL REVIEW; NONCOMPLIANCE.** (a) At the end of the 1996-97 school year,  
2 the department may terminate a contract if the department determines that the  
3 school board has failed to fully implement the provisions under sub. (3).

4           (b) At the end of the 1997-98, 1998-99 and 1999-2000 school years, a  
5 committee consisting of the state superintendent, the chairpersons of the education  
6 committees in the senate and assembly and the individual chiefly responsible for the  
7 evaluation under sub. (7) shall review the progress made by each school for which  
8 an achievement guarantee contract has been entered into. The committee may  
9 recommend to the department that the department terminate a contract if the  
10 committee determines that the school board has violated the contract or if the school  
11 has made insufficient progress toward achieving its performance objectives under  
12 sub. (4) (c). The department may terminate the contract if it agrees with the  
13 committee's recommendation.

14           **(6) STATE AID.** (a) In this subsection, "amount appropriated" means the amount  
15 appropriated under s. 20.255 (2) (cu) in any fiscal year less \$250,000.

16           (b) From the appropriation under s. 20.255 (2) (cu), subject to par. (c), the  
17 department shall pay to each school district that has entered into a contract with the  
18 department under this section an amount determined as follows:

19           1. In the 1996-97 school year, divide the amount appropriated by the number  
20 of low-income pupils enrolled in grades kindergarten and one in each school in this  
21 state covered by contracts under this section and multiply the quotient by the  
22 number of pupils enrolled in those grades in each school in the school district covered  
23 by contracts under this section.

24           2. In the 1997-98 school year, divide the amount appropriated by the number  
25 of low-income pupils enrolled in grades kindergarten to 2 in each school in this state

1 covered by contracts under this section and multiply the quotient by the number of  
2 pupils enrolled in those grades in each school in the school district covered by  
3 contracts under this section.

4 3. In the 1998-99, 1999-2000 and 2000-01 school years, divide the amount  
5 appropriated by the number of low-income pupils enrolled in grades kindergarten  
6 to 3 in each school in this state covered by contracts under this section and multiply  
7 the quotient by the number of pupils enrolled in those grades in each school in the  
8 school district covered by contracts under this section.

9 (c) The amount paid to a school district in any school year under par. (b) may  
10 not exceed an amount equal to \$2,000 multiplied by the number of low-income pupils  
11 enrolled in grades eligible for funding in each school in the school district covered by  
12 contracts under this section.

13 (d) The school board shall use the aid under this section to satisfy the terms of  
14 the contract.

15 (e) The department shall cease payments under this section to any school  
16 district if the school board withdraws from the contract before the expiration of the  
17 contract.

18 **(7) EVALUATION.** Beginning in the 1996-97 school year, the department shall  
19 arrange for an evaluation of the program under this section and shall allocate from  
20 the appropriation under s. 20.255 (2) (cu) \$250,000 for that purpose.

21 **SECTION 3996.** 119.04 (title) of the statutes is amended to read:

22 **119.04 (title) ~~Public instruction~~ Education laws applicable.**

23 **SECTION 3997.** 119.04 (1) of the statutes is amended to read:

24 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c),  
25 115.01 (1) and (2), 115.28, 115.31, 115.32, 115.33, 115.34, 115.343, 115.345, 115.361,

1 ~~115.364, 115.366,~~ 115.38 (2), 115.40, 115.45, ~~118.01~~ 118.001 to 118.04, 118.06, 118.07,  
2 118.10, 118.12, 118.125 to 118.14, 118.15, 118.153, 118.16, 118.162, 118.163, 118.18,  
3 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.30  
4 to ~~118.42~~ 118.43, 120.12 (5) and (15) to (23), 120.125, 120.13 (1), (2) (b) to (g), (3), (14),  
5 (17) to (19), (26), and (34) and (35) to (36) and 120.14 are applicable to a 1st class city  
6 school district and board.

7 **SECTION 4000.** 119.18 (23) of the statutes is created to read:

8 119.18 **(23)** SCHOOL CLOSINGS. The board may close any school that it  
9 determines is low in performance by adopting a resolution to that effect. If the  
10 superintendent of schools recommends to the board that a school be closed, he or she  
11 shall state the reasons for the recommendation in writing. If the board closes a  
12 school, the superintendent of schools may reassign the school's staff members  
13 without regard to seniority in service. If the board reopens the school, the  
14 superintendent of schools may reassign staff members to the school without regard  
15 to seniority in service.

16 **SECTION 4002.** 119.23 (2) (a) (intro.), 2. and 3. of the statutes are amended to  
17 read:

18 119.23 **(2)** (a) (intro.) Subject to par. (b), beginning in the 1990-91 school year,  
19 any pupil in grades kindergarten to 12 who resides within the city may attend, at no  
20 charge, any nonsectarian private school located in the city if all of the following  
21 apply:

22 2. In the previous school year the pupil was enrolled in the school district  
23 operating under this chapter, was attending a private school under this section, was  
24 enrolled in grades kindergarten to 3 in a private school located in the city other than  
25 under this section or was not enrolled in school.

1           3. The private school notified the state superintendent of its intent to  
2 participate in the program under this section by May 1 of the previous school year.  
3 The notice shall specify the number of pupils participating in the program under this  
4 section for which the school has space.

5           **SECTION 4003.** 119.23 (2) (b) of the statutes is repealed and recreated to read:

6           119.23 (2) (b) In the 1995-96 school year, no more than 7% of the school  
7 district's membership may attend private schools under this section. Beginning in  
8 the 1996-97 school year, no more than 15% of the school district's membership may  
9 attend private schools under this section.

10          **SECTION 4004.** 119.23 (3) of the statutes is renumbered 119.23 (3) (a) and  
11 amended to read:

12          119.23 (3) (a) The pupil or the pupil's parent or guardian shall submit an  
13 application, on a form provided by the state superintendent, to the participating  
14 private school that the pupil wishes to attend by ~~June 30~~ of the school year  
15 immediately preceding the school year in which he or she wishes to enroll. Within  
16 60 days after receiving the application, the private school shall notify the applicant,  
17 in writing, whether the application has been accepted. The state superintendent  
18 shall ensure that the private school determines which pupils to accept on a random  
19 basis, except that the private school may give preference in accepting applications  
20 to siblings of pupils accepted on a random basis.

21          **SECTION 4005.** 119.23 (3) (b) of the statutes is created to read:

22          119.23 (3) (b) If the private school rejects an applicant because it has too few  
23 available spaces, the pupil may transfer his or her application to a participating  
24 private school that has space available.

25          **SECTION 4006m.** 119.23 (4) of the statutes is amended to read:

**SECTION 4006m**

1           119.23 (4) Upon receipt from the pupil's parent or guardian of proof of the  
2 pupil's enrollment in the private school, the state superintendent shall pay to the  
3 ~~private school parent or guardian~~, from the appropriation under s. 20.255 (2) (fu), an  
4 amount equal to the total amount to which the school district is entitled under s.  
5 121.08 divided by the school district membership, ~~or an amount equal to the private~~  
6 ~~school's operating and debt service cost per pupil that is related to educational~~  
7 ~~programming, as determined by the department, whichever is less.~~ The state  
8 superintendent shall pay 25% of the total amount in September, 25% in November,  
9 25% in February and 25% in May. The department shall send the check to the private  
10 school. The parent or guardian shall restrictively endorse the check for the use of the  
11 private school.

12           **SECTION 4007m.** 119.23 (5) (d) of the statutes is repealed.

13           **SECTION 4007r.** 119.23 (7) (am) of the statutes is created to read:

14           119.23 (7) (am) Each private school participating in the program under this  
15 section is subject to uniform financial accounting standards established by the  
16 department and annually shall submit to the department an independent financial  
17 audit of the private school.

18           **SECTION 4008e.** 119.23 (7) (c) of the statutes is created to read:

19           119.23 (7) (c) A private school may not require a pupil attending the private  
20 school under this section to participate in any religious activity if the pupil's parent  
21 or guardian submits to the pupil's teacher or the private school's principal a written  
22 request that the pupil be exempt from such activities.

23           **SECTION 4008m.** 119.23 (9) (a) of the statutes is repealed.

24           **SECTION 4008s.** 119.23 (9) (b) of the statutes is renumbered 119.23 (9) and  
25 amended to read:

1           119.23 (9) The legislative audit bureau shall perform a financial and  
2 performance evaluation audit on the program under this section. The bureau shall  
3 submit copies of the audit report to the chief clerk of each house of the legislature for  
4 distribution to the appropriate standing committees under s. 13.172 (3) by January  
5 15, ~~1995~~ 2000.

6           **SECTION 4009.** 119.23 (10) of the statutes is repealed.

7           **SECTION 4010.** 119.235 of the statutes is created to read:

8           **119.235 Contracts with private schools and agencies. (1)** The board may  
9 contract with any nonprofit, nonsectarian private school located in the city or any  
10 nonprofit, nonsectarian private agency located in the city to provide educational  
11 programs to pupils enrolled in the school district operating under this chapter. The  
12 board shall ensure that each private school or agency under contract with the board  
13 complies with ss. 118.125 and 118.13, 20 USC 1232g, 20 USC 1681 to 1688, 20 USC  
14 3171 to 3197, 29 USC 794, 42 USC 2000d and 42 USC 6101 to 6107, and all health  
15 and safety laws and rules that apply to public schools.

16           **(2)** Each private school or agency under contract with the board shall do all of  
17 the following:

18           (a) Offer a full school year educational program.

19           (b) Participate in the board's parent information program.

20           (c) Offer diverse opportunities for parents to participate in the school's  
21 programs.

22           (d) Meet insurance and financial requirements established by the board.

23           (e) Develop a pupil recruitment and enrollment plan that incorporates all of the  
24 following:

25           1. A good faith effort to achieve racial balance.

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1           2. A pupil selection process that gives preference to the siblings of enrolled  
2 pupils and that gives no other preferences except those approved by the board.

3           3. A statement describing how the plan will serve the needs of low-academic  
4 achievers and pupils from low-income families.

5           (f) Report to the board any information requested by the board.

6           **(3)** Any pupil enrolled in the school district operating under this chapter may  
7 attend, at no charge, any private school or agency with which the board has  
8 contracted under sub. (1) if space is available in the private school or agency.

9           **(4)** The board shall establish appropriate, quantifiable performance standards  
10 for pupils at each private school or agency with which it contracts in such areas as  
11 attendance, reading achievement, pupil retention, pupil promotion, parent surveys,  
12 credits earned and grade point average.

13           **(5)** Annually, the board shall monitor the performance of the program under  
14 this section. The board may use the results of standardized basic educational skills  
15 tests to do so. The board shall include a summary of its findings in its annual report  
16 to the state superintendent under s. 119.44.

17           **SECTION 4012.** 119.28 (5) of the statutes is amended to read:

18           119.28 **(5)** Any action under subs. (3) and (4) shall be subject to the direction  
19 of the ~~state superintendent~~ department and the division for learning support, equity  
20 and advocacy in the department of ~~public instruction~~ as provided by law.

21           **SECTION 4013.** 119.32 (title) of the statutes is amended to read:

22           **119.32 (title) Superintendent of schools; business manager.**

23           **SECTION 4014.** 119.32 (1) of the statutes is amended to read:

24           119.32 **(1)** The board shall elect by roll call vote at a regular meeting a  
25 superintendent of schools whenever that office becomes vacant. The superintendent

1 of schools shall be a person of suitable learning and experience in the art of  
2 instruction and shall have practical familiarity with the most approved methods of  
3 organizing and conducting a system of schools.

4 (7) Notwithstanding ss. 115.28 (7), 118.19 (1) and 121.02 (1) (a), ~~prior to July~~  
5 ~~1, 1999~~, the board may elect a superintendent of schools, and may employ a business  
6 manager, who is are not licensed ~~or certified~~ by the department.

7 **SECTION 4017g.** 119.46 (1) of the statutes is renumbered 119.46 and amended  
8 to read:

9 **119.46 Taxes for school operations fund.** As part of the budget transmitted  
10 annually to the common council under s. 119.16 (8) (b), the board shall report the  
11 amount of money required for the ensuing school year to operate all public schools  
12 in the city under this chapter, to repair and keep in order school buildings and  
13 equipment, to make material improvements to school property and to purchase  
14 necessary additions to school sites. The common council shall levy and collect a tax  
15 upon all the property subject to taxation in the city, which shall be equal to the  
16 amount of money required by the board for the purposes set forth in this ~~subsection~~  
17 section, at the same time and in the same manner as other taxes are levied and  
18 collected. Such taxes shall be in addition to all other taxes which the city is  
19 authorized to levy. The taxes so levied and collected, together with the other funds  
20 provided by law and placed at the disposal of the city for the same purposes, shall  
21 constitute the school operations fund.

22 **SECTION 4017r.** 119.46 (2) of the statutes is repealed.

23 **SECTION 4017t.** 119.55 (title) of the statutes is created to read:

24 **119.55 (title) Youth service centers, truancy abatement and burglary**  
25 **suppression.**

1           **SECTION 4017u.** 119.55 (1) (b) and (2) of the statutes are created to read:

2           119.55 (1) (b) Beginning on July 1, 1996, the board shall establish 2 youth  
3 service centers under par. (a).

4           (2) Beginning on July 1, 1996, the board shall pay the city a sum sufficient to  
5 pay the costs of salaries and fringe benefits of 4 law enforcement officers to work on  
6 truancy abatement and burglary suppression on a full-time basis.

7           **SECTION 4018.** 119.72 (2) (b) of the statutes is amended to read:

8           119.72 (2) (b) Children with a parent in need of child care services funded under  
9 s. 46.40 (3)-(a) (2).

10          **SECTION 4019.** 119.80 (1) of the statutes is amended to read:

11          119.80 (1) The board shall submit to the governor for his or her approval a  
12 proposal for the expenditure of the funds in the appropriation under s. 20.255 (2) (ec)  
13 in the ~~1993-94~~ 1995-96 school year. The governor may modify the plan.

14          **SECTION 4020.** 119.80 (2) (a) of the statutes is renumbered 119.80 (2) (am) and  
15 amended to read:

16          119.80 (2) (am) ~~By January~~ June 1, 1994 1996, and annually thereafter by June  
17 1, the governor ~~and the state superintendent~~ shall submit to the joint committee on  
18 finance and to the appropriate standing committees of the legislature under s. 13.172  
19 (3) a ~~joint~~ proposal for the expenditure of the funds in the appropriation under s.  
20 20.255 (2) (ec) in the ~~1994-95~~ following school year. ~~Within 30 days after receiving~~  
21 ~~the proposal~~ By June 15, each such standing committee may submit written  
22 recommendations on the proposal to the joint committee on finance.

23          **SECTION 4020g.** 119.80 (2) (a) of the statutes is created to read:

1           119.80 (2) (a) The board shall submit to the governor a proposal for the  
2 expenditure of the funds in the appropriation under s. 20.255 (2) (ec) in the 1996-97  
3 school year and in each school year thereafter.

4           **SECTION 4020r.** 119.80 (2) (b) of the statutes is repealed and recreated to read:

5           119.80 (2) (b) By June 30, the joint committee on finance may schedule a  
6 meeting to act on the proposal. At the meeting, the committee may approve, modify  
7 and approve as modified, or reject the proposal. If the committee does not schedule  
8 a meeting by June 30, the proposal shall be considered approved by the committee.

9           **SECTION 4021.** 119.82 (1) (a) 3. of the statutes is amended to read:

10           119.82 (1) (a) 3. Has been or is being sanctioned under s. ~~49.50 (7) (h)~~ 49.26 (1)  
11 (h) or is subject to the monthly attendance requirement under s. HSS 201.195 (4) (b)  
12 2., Wis. adm. code.

13           **SECTION 4022.** 119.84 of the statutes is amended to read:

14           **119.84 Professional development.** Annually, the state superintendent shall  
15 pay the amount appropriated in that fiscal year under s. 20.255 (2) (dc) to the board.  
16 The board shall use ~~67% of the funds to provide a mentor teacher program for~~  
17 ~~inexperienced teachers and a peer coaching program for experienced teachers.~~ The  
18 board shall use the balance of the funds for school administrator assessment and  
19 professional staff development activities. This subsection does not apply after June  
20 30, 1996.

21           **SECTION 4022g.** 120.105 of the statutes is repealed.

22           **SECTION 4022r.** 120.12 (3) (e) of the statutes is repealed.

23           **SECTION 4027.** 120.13 (26) of the statutes is repealed and recreated to read:

24           120.13 (26) CONTRACTS FOR TEACHING AND OTHER EDUCATIONAL SERVICES.  
25 Contract in writing with any person for teaching or other educational services if the

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1 individual who will be providing the services is appropriately licensed by the state  
2 superintendent under s. 115.28 (7) and the person entering into the contract files a  
3 copy of the individual's license with the school board. The contract may be for any  
4 term not exceeding 3 years. Except as provided in s. 118.25 (1), an individual who  
5 provides services under such a contract is not a school district employe for any  
6 purpose, including the purposes of ss. 118.21, 118.22 and 118.23.

7 **SECTION 4029.** 120.17 (8) (bm) of the statutes is amended to read:

8 120.17 (8) (bm) If the equalized valuation of that part of a municipality lying  
9 within a school district is reduced due to the removal of property from the tax roll  
10 because the imposition of the property tax on that property is found unconstitutional,  
11 the school district clerk shall notify the supervisor of equalization. The supervisor  
12 of equalization shall reduce the equalized valuation by the full value of the property  
13 so removed and certify the resulting equalized valuation to the ~~state superintendent~~  
14 department and the school district clerk for use in computing the tax levy  
15 certifications under this subsection. Corrections may be made under this paragraph  
16 only for the valuations used by the department of ~~public instruction~~  
17 school years.

18 **SECTION 4030m.** 120.44 (3) of the statutes is repealed.

19 **SECTION 4031.** 121.006 (1) (a) of the statutes is amended to read:

20 121.006 (1) (a) The ~~state superintendent~~ department may withhold state aid  
21 from any school district in which the scope and character of the work are not  
22 maintained in such manner as to meet the ~~state superintendent's~~ department's  
23 approval.

24 **SECTION 4033.** 121.006 (2) (b) of the statutes is amended to read:

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1           121.006 (2) (b) Employ or contract under s. 120.13 (26) for teachers qualified  
2 under s. 118.19.

3           **SECTION 4036.** 121.02 (1) (m) of the statutes is amended to read:

4           121.02 (1) (m) Provide access to an education for employment program  
5 approved by the state superintendent. Beginning in the 1997-98 school year, the  
6 program shall incorporate applied curricula; guidance and counseling services under  
7 par. (e); technical preparation under s. 118.34; college preparation; youth  
8 apprenticeship under s. ~~101.265~~ 106.13 or other job training and work experience;  
9 and instruction in skills relating to employment. The state superintendent shall  
10 assist school boards in complying with this paragraph.

11           **SECTION 4037.** 121.02 (1) (s) of the statutes is amended to read:

12           121.02 (1) (s) Beginning in the 1993-94 school year, administer the  
13 examinations required by the state superintendent under s. 118.30. ~~A school board~~  
14 ~~may administer additional examinations only if they are aligned with the school~~  
15 ~~district's curriculum (1m) (am) and (b), and beginning in the 1996-97 school year,~~  
16 administer the examination required by the state superintendent under s. 118.30  
17 (1m) (a).

18           **SECTION 4038.** 121.02 (2) of the statutes is amended to read:

19           121.02 (2) In order to ensure compliance with the standards under sub. (1), the  
20 state superintendent department shall annually conduct a ~~general on-site audit of~~  
21 ~~at least 10% of all school districts, selected by means of a stratified, random sample.~~  
22 ~~The state superintendent shall audit each school district at least once every 10 years~~  
23 ~~but may not audit a school district more than once every 6 years.~~ The state  
24 superintendent shall ensure that the audit process involves school board members,  
25 school district administrators, teachers, pupils, parents of pupils and other residents

1 of the school district. ~~Nothing in this subsection prohibits the state superintendent~~  
2 ~~from conducting an inquiry into compliance with the standards upon receipt of a~~  
3 ~~complaint and may, on its own initiative, conduct an audit of a school district.~~

4 **SECTION 4040x.** 121.05 (1) (a) 4. of the statutes is amended to read:

5 121.05 (1) (a) 4. Pupils enrolled in a private school under s. 119.23 ~~who, in the~~  
6 ~~school year prior to their initial enrollment in the private school, were enrolled in the~~  
7 ~~school district operating under ch. 119 or were not enrolled in school.~~

8 **SECTION 4042.** 121.05 (1) (a) 10. of the statutes is created to read:

9 121.05 (1) (a) 10. Pupils attending a private school or agency under contract  
10 with the board under s. 119.235.

11 **SECTION 4043.** 121.05 (1) (a) 11. of the statutes is created to read:

12 121.05 (1) (a) 11. Pupils taught by persons under contract with the school board  
13 under s. 120.13 (26).

14 **SECTION 4044.** 121.06 (1) of the statutes is amended to read:

15 121.06 (1) Annually on or before October 1, the full value of the taxable  
16 property in each part of each city, village and town in each school district shall be  
17 determined by the department of revenue according to its best judgment from all  
18 sources of information available to it and shall be certified by the department of  
19 revenue to the state superintendent department.

20 **SECTION 4046m.** 121.07 (1) (a) of the statutes is amended to read:

21 121.07 (1) (a) The membership of the school district in the previous school year  
22 and the shared cost for the previous school year shall be used in computing general  
23 aid, except that beginning with state aid paid in the 1995-96 school year the  
24 membership used to compute state aid to the school district operating under ch. 119  
25 shall include those pupils who are attending a private school under s. 119.23 in the

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1 current school year and were enrolled in grades kindergarten to 3 in a private school  
2 located in the city of Milwaukee other than under s. 119.23 in the previous school  
3 year. If a school district has a state trust fund loan as a result of s. 24.61 (3) (c) 2.,  
4 the school district's debt service costs shall be based upon current school year costs  
5 for the term of the loan and for one additional school year.

6 **SECTION 4048g.** 121.07 (6) (a) (intro.) of the statutes is amended to read:

7 121.07 (6) (a) (intro.) "Shared cost" is the sum of the net cost of the general fund  
8 and the net cost of the debt service fund, except that "shared cost" excludes any costs,  
9 including attorney fees, incurred by a school district as a result of its participation  
10 in a lawsuit commenced against the state, beginning with such costs incurred in the  
11 fiscal year in which the lawsuit is commenced. In this paragraph, "net cost of the debt  
12 service fund" includes all of the following amounts:

13 **SECTION 4048r.** 121.07 (6) (am) of the statutes is created to read:

14 121.07 (6) (am) 1. In calculating shared cost under par. (a) for the purpose of  
15 computing state aid paid under s. 121.08 in the 1997-98 to 2000-01 school years, if  
16 a school district's equalized valuation exceeds its tertiary guaranteed valuation, the  
17 department shall deduct an amount equal to the following percentages of the amount  
18 received by the school district under s. 121.85 (6) (b) 3. in the 1995-96 school year  
19 that is in addition to the amount received by the school district under s. 121.85 (6)  
20 (b) 2. in that school year:

- 21 a. In the 1997-98 school year, 100%.
- 22 b. In the 1998-99 school year, 75%.
- 23 c. In the 1999-2000 school year, 50%.
- 24 d. In the 2000-01 school year, 25%.

1           2. The amount deducted under subd. 1. may not exceed the amount by which  
2 the school district's shared cost, including the additional aid paid under s. 121.85 (6)  
3 (b) 3. in the 1995-96 school year, exceeds the school district's secondary ceiling cost  
4 per member multiplied by its membership.

5           **SECTION 4049.** 121.07 (6) (b) of the statutes is repealed and recreated to read:

6           121.07 (6) (b) The "primary ceiling cost per member" is \$1,000.

7           **SECTION 4050.** 121.07 (6) (c) of the statutes is amended to read:

8           121.07 (6) (c) The "primary shared cost" is that portion of a district's shared cost  
9 which is less than or equal to the primary ceiling cost per member multiplied by its  
10 membership.

11          **SECTION 4051.** 121.07 (6) (d) of the statutes is repealed and recreated to read:

12          121.07 (6) (d) 1. The "secondary ceiling cost per member" in the 1996-97 school  
13 year is an amount determined by multiplying the primary ceiling cost per member  
14 in the 1995-96 school year by 1.0 plus the rate certified under s. 73.03 (46) expressed  
15 as a decimal.

16          2. The "secondary ceiling cost per member" in the 1997-98 school year and in  
17 each school year thereafter is an amount determined by multiplying the secondary  
18 ceiling cost per member in the previous school year by 1.0 plus the rate certified  
19 under s. 73.03 (46) expressed as a decimal.

20          **SECTION 4052.** 121.07 (6) (dg) of the statutes is created to read:

21          121.07 (6) (dg) The "secondary shared cost" is that portion of a school district's  
22 shared cost which is greater than the primary ceiling cost per member multiplied by  
23 its membership and less than or equal to the secondary ceiling cost per member  
24 multiplied by its membership.

25          **SECTION 4053.** 121.07 (6) (dr) of the statutes is created to read:

1           121.07 (6) (dr) The “tertiary shared cost” is that portion of a school district’s  
2 shared cost which is greater than the secondary ceiling cost per member multiplied  
3 by its membership.

4           **SECTION 4054.** 121.07 (6) (e) of the statutes is amended to read:

5           121.07 (6) (e) For a school district created by a consolidation under s. 117.08  
6 or 117.09, in the school year in which the consolidation takes effect and in each of the  
7 subsequent 4 school years, the amounts under ~~par.~~ pars. (b) and (d) shall be  
8 multiplied by 1.1 and rounded to the next lowest dollar.

9           **SECTION 4056.** 121.07 (7) (a) of the statutes is repealed and recreated to read:

10          121.07 (7) (a) The “primary guaranteed valuation per member” is \$2,000,000.

11          **SECTION 4057.** 121.07 (7) (b) of the statutes is repealed and recreated to read:

12          121.07 (7) (b) The “secondary guaranteed valuation per member” is an amount,  
13 rounded to the next lower dollar, that, after subtraction of payments under ss.  
14 121.09, 121.10, 121.105, 121.85 (6) (b) 2. and 3. and (c) and 121.86, fully distributes  
15 the amount remaining in the appropriation under s. 20.255 (2) (ac) for payments  
16 under ss. 121.08 and 121.85 (6) (a) and (g).

17          **SECTION 4058.** 121.07 (7) (bm) of the statutes is created to read:

18          121.07 (7) (bm) The “tertiary guaranteed valuation per member” is the amount  
19 rounded to the next lower dollar determined by dividing the equalized valuation of  
20 the state by the state total membership.

21          **SECTION 4059.** 121.07 (7) (c) of the statutes is amended to read:

22          121.07 (7) (c) For districts operating only high school grades, the amounts in  
23 pars. (a) ~~and (b)~~ to (bm) shall be multiplied by 3 and rounded to the next lowest lower  
24 dollar.

25          **SECTION 4060.** 121.07 (7) (d) of the statutes is amended to read:

**SECTION 4060**

1           121.07 (7) (d) For districts operating only elementary grades, the amounts in  
2    pars. (a) ~~and (b)~~ to (bm) shall be multiplied by 1.5 and rounded to the next lowest  
3    lower dollar.

4           **SECTION 4061.** 121.07 (7) (e) of the statutes is amended to read:

5           121.07 (7) (e) For a school district created by a consolidation under s. 117.08  
6    or 117.09, in the school year in which the consolidation takes effect and in each of the  
7    subsequent 4 school years, the amounts under pars. (a) ~~and (b)~~ to (bm) shall be  
8    multiplied by 1.1 and rounded to the next lowest lower dollar.

9           **SECTION 4062.** 121.07 (8) of the statutes is amended to read:

10          121.07 (8) GUARANTEED VALUATION. A school district's primary ~~and~~, secondary  
11    ~~and tertiary~~ guaranteed valuations are determined by multiplying the amounts in  
12    sub. (7) by the district's membership.

13          **SECTION 4063.** 121.07 (10) (a) of the statutes is amended to read:

14          121.07 (10) (a) The "required levy rate" is the sum of the rates derived in pars.  
15    (b) ~~and (e)~~ to (d).

16          **SECTION 4064.** 121.07 (10) (d) of the statutes is created to read:

17          121.07 (10) (d) The "tertiary required levy rate" is the tertiary shared cost  
18    divided by the tertiary guaranteed valuation.

19          **SECTION 4065.** 121.08 (1) of the statutes is renumbered 121.08 (1) (intro.) and  
20    amended to read:

21          121.08 (1) (intro.) The state shall pay to the school district a the sum equal to  
22    of the following amounts:

23          (a) The amount by which the primary guaranteed valuation exceeds the school  
24    district equalized valuation, multiplied by the primary required levy rate ~~and a sum~~  
25    ~~equal to the~~.

1           **(b)** The amount by which the secondary guaranteed valuation exceeds the  
2 school district equalized valuation multiplied by the secondary required levy rate.

3           **SECTION 4066.** 121.08 (1) (c) of the statutes is created to read:

4           121.08 (1) (c) The amount by which the tertiary guaranteed valuation exceeds  
5 the school district equalized valuation multiplied by the tertiary required levy rate.

6           **SECTION 4067.** 121.08 (2) of the statutes is amended to read:

7           121.08 (2) The aid computed under sub. (1) shall be reduced by the sum of the  
8 amount by which the school district equalized valuation exceeds the secondary  
9 guaranteed valuation, multiplied by the secondary required levy rate, and the  
10 amount by which the school district equalized valuation exceeds the tertiary  
11 guaranteed valuation, multiplied by the tertiary required levy rate. In no case may  
12 the aid under this section be less than zero the amount under sub. (1) (a).

13           **SECTION 4067m.** 121.08 (4) of the statutes is created to read:

14           121.08 (4) Beginning with aid paid in the 1996-97 school year, if the amount  
15 determined by the joint committee on finance under s. 121.15 (3m) (c) is less than the  
16 amount certified to the committee under s. 121.15 (3m) (b), each school district's aid  
17 under this section shall be calculated as if the amount appropriated under s. 20.255  
18 (2) (ac) were equal to the amount certified to the committee and shall then be reduced  
19 by a percentage equal to the percentage by which the amount determined by the  
20 committee is less than the amount certified to the committee.

21           **SECTION 4069.** 121.10 (7) of the statutes is created to read:

22           121.10 (7) No aid may be paid under this section after the 1995-96 school year.

23           **SECTION 4069m.** 121.105 (4) of the statutes is created to read:

24           121.105 (4) Beginning with aid paid in the 1996-97 school year, if the amount  
25 determined by the joint committee on finance under s. 121.15 (3m) (c) is less than the

**SECTION 4069m**

1 amount certified to the committee under s. 121.15 (3m) (b), each school district's aid  
2 under this section shall be calculated as if the amount appropriated under s. 20.255  
3 (2) (ac) were equal to the amount certified to the committee and shall then be reduced  
4 by a percentage equal to the percentage by which the amount determined by the  
5 committee is less than the amount certified to the committee.

6 **SECTION 4072.** 121.135 (1) of the statutes is amended to read:

7 121.135 (1) If, upon receipt of the report under s. 115.84, the state  
8 superintendent department is satisfied that there are children participating in a  
9 special education program provided by a county handicapped children's education  
10 board, the superintendent department shall certify to the department of  
11 administration from the appropriation under s. 20.255 (2) (bh) in favor of the county  
12 handicapped children's education board the amount determined under sub. (2),  
13 except as provided under sub. (3).

14 **SECTION 4073.** 121.15 (2) (c) of the statutes is amended to read:

15 121.15 (2) (c) If the state superintendent department notifies a school district  
16 that a state aid payment may be withheld under par. (a) or (b), ~~he or she~~ the  
17 department shall notify each member of the school board or the school district clerk.  
18 If the state superintendent department notifies the school district clerk, the school  
19 district clerk shall promptly distribute a copy of the notice to each member of the  
20 school board.

21 **SECTION 4075.** 121.15 (3) of the statutes is repealed.

22 **SECTION 4075m.** 121.15 (3m) of the statutes is created to read:

23 121.15 (3m) (a) In this subsection:

24 1. "Partial school revenues" means the sum of state school aids and property  
25 taxes levied for school districts.

1           2. "State school aids" means those aids appropriated under s. 20.255 (2), other  
2 than s. 20.255 (2) (fu), (k) and (m), and under s. 20.505 (4) (er).

3           (b) By June 15, 1996, and annually by June 15 thereafter, the department, the  
4 department of administration and the legislative fiscal bureau shall jointly certify  
5 to the joint committee on finance an estimate of the amount necessary to appropriate  
6 under s. 20.255 (2) (ac) in the following school year to ensure that the sum of state  
7 school aids and the school levy tax credit under s. 79.10 (4) equals 66.7% of partial  
8 school revenues.

9           (c) By June 30, 1996, and annually by June 30 thereafter, the joint committee  
10 on finance shall determine the amount appropriated under s. 20.255 (2) (ac) in the  
11 following school year.

12           **SECTION 4076.** 121.17 of the statutes is amended to read:

13           **121.17 Use of federal revenue sharing funds.** It is the intent of the  
14 legislature that school districts receiving federal revenue sharing funds through the  
15 state under this subchapter shall utilize these funds in compliance with the federal  
16 revenue sharing requirements as defined in the state and local fiscal assistance act  
17 of 1972 (P.L. 92-512), as amended by P.L. 94-488. The department of ~~public~~  
18 ~~instruction~~ shall assure compliance with this section.

19           **SECTION 4077.** 121.23 (2) (intro.) of the statutes is amended to read:

20           121.23 (2) (intro.) If a school district holds less than 180 days of school as the  
21 result of a strike by school district employes, for the purposes of computing general  
22 aid, the state superintendent shall compute the school district's primary and  
23 secondary ceiling ~~cost~~ costs per member in accordance with the procedure specified  
24 in pars. (a) to (e). In making the calculation, the state superintendent shall:

25           **SECTION 4079.** 121.52 (4) of the statutes is amended to read:

1           121.52 (4) The use of any motor vehicle to transport pupils shall be  
2 discontinued upon receipt of an order signed by the ~~state superintendent~~ secretary  
3 or the secretary of transportation ordering such discontinuance. Personnel under  
4 the ~~state superintendent~~ secretary or the secretary of transportation may ride any  
5 school bus at any time for the purpose of inspection.

6           **SECTION 4080g.** 121.555 (1) (a) and (b) of the statutes are amended to read:

7           121.555 (1) (a) A motor vehicle transporting ~~9~~ 15 or less passengers in addition  
8 to the operator.

9           (b) A motor vehicle transporting ~~10~~ 16 or more passengers in addition to the  
10 operator and used temporarily to provide transportation for purposes specified  
11 under s. 340.01 (56) (a) when the school board or the governing body requests the  
12 secretary of transportation to determine that an emergency exists because no  
13 regular transportation is available. The secretary of transportation shall approve  
14 or deny the request in writing. Any authorization granted under this paragraph  
15 shall specify the purpose and need for the emergency transportation service.

16           **SECTION 4080m.** 121.555 (2) (a) of the statutes is amended to read:

17           121.555 (2) (a) *Insurance.* If the vehicle is owned or leased by a school or a  
18 school bus contractor, or is a vehicle authorized under sub. (1) (b), it shall comply with  
19 s. 121.53. If the vehicle is transporting ~~9~~ 15 or less persons in addition to the operator  
20 and is not owned or leased by a school or by a school bus contractor, it shall be insured  
21 by a policy providing property damage coverage with a limit of not less than \$10,000  
22 and bodily injury liability coverage with limits of not less than \$25,000 for each  
23 person, and, subject to the limit for each person, a total limit of not less than \$50,000  
24 for each accident.

25           **SECTION 4080r.** 121.555 (2) (c) 1. of the statutes is amended to read:

**SECTION 4080r**

1           121.555 (2) (c) 1. Shall possess a valid Wisconsin operator's license or a valid  
2 operator's license issued by another jurisdiction, as defined in s. 340.01 (41m), or a  
3 valid commercial driver license issued by Mexico.

4           **SECTION 4081.** 121.56 of the statutes is amended to read:

5           **121.56 School bus routes.** The school board of each district shall make and  
6 be responsible for all necessary provisions for the transportation of pupils, including  
7 establishment, administration and scheduling of school bus routes. Upon the request  
8 of any school board, the ~~state superintendent~~ department shall provide advice and  
9 counsel on problems of school transportation. Any private school shall, upon the  
10 request of the public school officials, supply all necessary information and reports.  
11 The transportation of public and private school pupils shall be effectively  
12 coordinated to insure the safety and welfare of the pupils. Upon receipt of a signed  
13 order from the ~~state superintendent~~ secretary, the school board shall discontinue any  
14 route specified by the ~~state superintendent~~ secretary.

15           **SECTION 4084.** 121.58 (5) of the statutes is amended to read:

16           121.58 (5) (title) ~~STATE SUPERINTENDENT~~ DEPARTMENT APPROVAL. If the ~~state~~  
17 ~~superintendent~~ department is satisfied that transportation or board and lodging was  
18 provided in compliance with law, the ~~state superintendent~~ department shall certify  
19 to the department of administration the sum due the school district. In case of  
20 differences concerning the character and sufficiency of the transportation or board  
21 and lodging, the ~~state superintendent~~ department may determine such matter and  
22 ~~his or her decision thereon~~ its decision is final.

23           **SECTION 4093.** 121.845 (3) of the statutes is amended to read:

24           121.845 (3) "School" means an organized educational activity operated by the  
25 school board and approved by the department of ~~public instruction~~.

**SECTION 4095m**

1           **SECTION 4095m.** 121.85 (6) (a) 2. of the statutes is amended to read:

2           121.85 (6) (a) 2. Multiply the number of transfer pupils by ~~0.325~~ 0.25.

3           **SECTION 4096m.** 121.85 (6) (b) 2. of the statutes is amended to read:

4           121.85 (6) (b) 2. ~~If, in any one~~ In each school year, ~~the number of pupils~~  
5 ~~transferring from one school district to another under sub. (3) (a) constitute less than~~  
6 ~~5% of the total membership of the school district of attendance, the school district of~~  
7 ~~attendance of pupils transferring from one school district to another under sub. (3)~~  
8 ~~(a) shall receive an amount equal to that produced by multiplying the number of~~  
9 ~~pupils transferred into the school district under sub. (3) (a) in the previous school~~  
10 ~~year by the amount produced by dividing the school district's net school cost by the~~  
11 ~~sum of the membership, plus the number of pupils transferred into the school district~~  
12 ~~of attendance in the previous school year under sub. (3) (a). This subdivision applies~~  
13 ~~to aid paid in the 1995-96 school year only if the number of pupils transferring from~~  
14 ~~one school district to another under sub. (3) (a) in the 1994-95 school year constitutes~~  
15 ~~less than 5% of the total membership of the school district of attendance.~~

16           **SECTION 4098.** 121.85 (6) (b) 3. of the statutes is amended to read:

17           121.85 (6) (b) 3. If, in ~~any one~~ the 1994-95 school year, the number of pupils  
18 transferring from one school district to another under sub. (3) (a) constitute 5% or  
19 more of the total membership of the school district of attendance, in the 1995-96  
20 school year the school district of attendance shall receive an amount equal to 1.2  
21 multiplied by the amount to which the district is entitled under subd. 2.

22           **SECTION 4098g.** 121.85 (6) (h) of the statutes is created to read:

23           121.85 (6) (h) *Aid reduction.* Beginning with aid paid in the 1996-97 school  
24 year, if the amount determined by the joint committee on finance under s. 121.15  
25 (3m) (c) is less than the amount certified to the committee under s. 121.15 (3m) (b),

**SECTION 4098g**

1 each school district's aid under par. (a) shall be calculated as if the amount  
2 appropriated under s. 20.255 (2) (ac) were equal to the amount certified to the  
3 committee and shall then be reduced by a percentage equal to the percentage by  
4 which the amount determined by the committee is less than the amount certified to  
5 the committee.

6 **SECTION 4099g.** 121.86 (2) (a) 2. of the statutes is amended to read:

7 121.86 (2) (a) 2. Multiply the number of pupils enumerated under pars. (b) and  
8 (c) by ~~0.325~~ 0.25.

9 **SECTION 4099r.** 121.86 (3) of the statutes is amended to read:

10 121.86 (3) STATE AID EXCEPTION. Pupils under sub. (2) (b) and (c) who are  
11 enrolled in a kindergarten program or in a preschool program under subch. V of ch.  
12 115 shall be multiplied under sub. (2) (a) 2. by a number equal to the result obtained  
13 by multiplying ~~0.325~~ 0.25 by the appropriate fraction under s. 121.004 (7) (c), (cm)  
14 or (d).

15 **SECTION 4099t.** 121.86 (5) of the statutes is created to read:

16 121.86 (5) AID REDUCTION. Beginning with aid paid in the 1996-97 school year,  
17 if the amount determined by the joint committee on finance under s. 121.15 (3m) (c)  
18 in less than the amount certified to the committee under s. 121.15 (3m) (b), each  
19 school district's aid under sub. (2) shall be calculated as if the amount appropriated  
20 under s. 20.255 (2) (ac) were equal to the amount certified to the committee and shall  
21 then be reduced by a percentage equal to the percentage by which the amount  
22 determined by the committee is less than the amount certified to the committee.

23 **SECTION 4105m.** 121.90 (1) of the statutes is amended to read:

**SECTION 4105m**

1           121.90 (1) “Number of pupils” means the number of pupils enrolled on the 3rd  
2           Friday of September, except that “number of pupils” excludes the number of pupils  
3           attending private schools under s. 119.23.

4           **SECTION 4106.** 121.90 (2) of the statutes is amended to read:

5           121.90 (2) “State aid” means aid under ss. 121.08, 121.09, 121.10 and 121.105  
6           and subch. VI, as calculated for the current school year on October 15 under s. 121.15  
7           (4), except that “state aid” excludes any additional aid that a school district receives  
8           as a result of ss. 121.07 (6) (e) and (7) (e) and 121.105 (3) for school district  
9           consolidations that are effective on or after July 1, 1995, as determined by the  
10          department.

11          **SECTION 4107.** 121.905 of the statutes is created to read:

12          **121.905 Applicability. (1)** In this section, “revenue ceiling” means \$5,300 in  
13          the 1995–96 school year and in any subsequent school year means \$5,600.

14          **(2)** The revenue limit under s. 121.91 does not apply to any school district in  
15          any school year in which its base revenue per member, as calculated under sub. (3),  
16          is less than its revenue ceiling.

17          **(3)** A school district’s base revenue per member is determined as follows:

18          (a) Calculate the sum of the amount of aid received under ss. 121.08, 121.10 and  
19          121.105 and subch. VI in the previous school year and property taxes levied for the  
20          previous school year, excluding funds described under s. 121.91 (4) (c), and the costs  
21          of the county handicapped children’s education board program, as defined in s.  
22          121.135 (2) (a) 2., for pupils who were school district residents and solely enrolled in  
23          a special education program provided by a county handicapped children’s education  
24          board in the previous school year.

1 (b) Divide the result in par. (a) by the sum of the average of the number of pupils  
2 in the 3 previous school years and the number of pupils who were school district  
3 residents and solely enrolled in a special education program provided by a county  
4 handicapped children's education board program in the previous school year.

5 (c) 1. For the limit for the 1995-96 school year, add \$200 to the result under par.

6 (b).

7 2. For the limit for the 1996-97 school year, add \$206 to the result under par.

8 (b).

9 3. For the limit for the 1997-98 school year, add the result under s. 121.91 (2m)

10 (c) 2. to the result under par. (b).

11 4. For the limit for the 1998-99 school year or for any school year thereafter,  
12 add the result under s. 121.91 (2m) (d) 2. to the result under par. (b).

13 (4) A school district that is exempt from the revenue limits under this section  
14 may not increase its base revenue per member to an amount that is greater than its  
15 revenue ceiling unless that school district follows the procedures prescribed in s.  
16 121.91 (3).

17 **SECTION 4108m.** 121.91 (2m) (intro.) and (a) (intro.) of the statutes are  
18 consolidated, renumbered 121.91 (2m) (a) (intro.) and amended to read:

19 121.91 (2m) (a) (intro.) Except as provided in subs. (3) and (4), no school district  
20 may increase its revenues for the 1995-96, ~~1996-97 or 1997-98~~ school year to an  
21 amount that exceeds the ~~greater of the following:~~ (a) ~~The amount calculated as~~  
22 follows:

23 **SECTION 4109m.** 121.91 (2m) (a) 2. of the statutes is repealed.

24 **SECTION 4110m.** 121.91 (2m) (a) 3. of the statutes is amended to read:

**SECTION 4110m**

1           121.91 **(2m)** (a) 3. Add \$200 to the result under subd. 1. ~~to the result under~~  
2           subd. 2.

3           **SECTION 4111m.** 121.91 (2m) (b) of the statutes is repealed and recreated to  
4           read:

5           121.91 **(2m)** (b) Except as provided in subs. (3) and (4), no school district may  
6           increase its revenues for the 1996-97 school year to an amount that exceeds the  
7           amount calculated as follows:

8           1. Divide the sum of the amount of state aid received in the previous school year  
9           and property taxes levied for the previous school year, excluding funds described  
10          under sub. (4) (c), by the average of the number of pupils in the 3 previous school  
11          years.

12          2. Add \$206 to the result under subd. 1.

13          3. Multiply the result under subd. 2. by the average of the number of pupils in  
14          the current and the 2 preceding school years.

15          **SECTION 4112m.** 121.91 (2m) (c) and (d) of the statutes are created to read:

16          121.91 **(2m)** (c) Except as provided in subs. (3) and (4), no school district may  
17          increase its revenues for the 1997-98 school year to an amount that exceeds the  
18          amount calculated as follows:

19          1. Divide the sum of the amount of state aid received in the previous school year  
20          and property taxes levied for the previous school year, excluding funds described  
21          under sub. (4) (c), by the average of the number of pupils in the 3 previous school  
22          years.

23          2. Multiply \$206 by the sum of 1.0 plus the allowable rate of increase under s.  
24          73.0305 expressed as a decimal.

25          3. Add the result under subd. 1. to the result under subd. 2.

1           4. Multiply the result under subd. 3. by the average of the number of pupils in  
2 the current and the 2 preceding school years.

3           (d) Except as provided in subs. (3) and (4), no school district may increase its  
4 revenues for the 1998-99 school year or for any school year thereafter to an amount  
5 that exceeds the amount calculated as follows:

6           1. Divide the sum of the amount of state aid received in the previous school year  
7 and property taxes levied for the previous school year, excluding funds described  
8 under sub. (4) (c), by the average of the number of pupils in the 3 previous school  
9 years.

10          2. Multiply the amount determined under par. (c) 2. for the previous school year  
11 by the sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as  
12 a decimal.

13          3. Add the result under subd. 1. to the result under subd. 2.

14          4. Multiply the result under subd. 3. by the average of the number of pupils in  
15 the current and the 2 preceding school years.

16          **SECTION 4113g.** 121.91 (4) (a) 3. of the statutes is created to read:

17          121.91 (4) (a) 3. If responsibility for providing a service is transferred from one  
18 school board to another under subs. 1. and 2., the department shall ensure that the  
19 amount of the decrease in the former school district's limit under sub. (2m) shall be  
20 equal to or greater than the amount of the increase in the latter school district's limit  
21 under sub. (2m).

22          **SECTION 4113m.** 121.91 (4) (d) and (e) of the statutes are created to read:

23          121.91 (4) (d) If a school district's revenue in the preceding school year was less  
24 than the limit under sub. (2) or (2m) in the preceding school year, the limit otherwise  
25 applicable to the school district's revenue in the current school year under sub. (2m)

**SECTION 4113m**

1 is increased by an amount equal to 75% of the difference between the amount of its  
2 revenue in the preceding school year and the amount of the limit in the preceding  
3 school year under sub. (2) or (2m).

4 (e) If a school district receives less aid under 20 USC 7701 to 7703 in the  
5 1994-95 school year or in any school year thereafter than it received in the previous  
6 school year, the limit otherwise applicable to the school district's revenue in the  
7 following school year under sub. (2m) is increased by an amount equal to the  
8 reduction in such aid.

9 **SECTION 4114.** 121.91 (5) (a) of the statutes is amended to read:

10 121.91 (5) (a) Upon request by a school board, the ~~state superintendent~~  
11 department may increase the school district's limit under sub. (1) by the amount  
12 necessary to allow the school district to avoid increasing its level of short-term  
13 borrowing over the amount of short-term borrowing incurred by the school district  
14 in the 1992-93 school year if the school district presents clear and convincing  
15 evidence of the need for the increase in the limit. The school board shall provide the  
16 ~~state superintendent~~ department with any information that the ~~state~~  
17 ~~superintendent~~ department requires to make his or her the determination.

18 **SECTION 4117b.** 125.04 (11) (a) 1. of the statutes is renumbered 125.04 (11) (a)  
19 and amended to read:

20 125.04 (11) (a) *Permits.* ~~Retail~~ All permits to sell alcohol beverages shall expire  
21 ~~on June 30 of each year as specified in the valid certificate issued under s. 73.03 (50).~~

22 **SECTION 4117c.** 125.04 (11) (a) 2. of the statutes is repealed.

23 **SECTION 4118m.** 125.19 (2) of the statutes is amended to read:

24 125.19 (2) ELIGIBILITY. Alcohol beverage warehouse permits may be issued only  
25 ~~to any a person~~ who holds a valid certificate issued under s. 73.03 (50) and is qualified

**SECTION 4118m**

1 under s. 125.04 (5), except a person acting as an agent for or in the employ of another.  
2 Notwithstanding s. 125.04 (5) (a) 5., a person is not required to complete a  
3 responsible beverage server training course to be eligible for a permit under this  
4 section.

5 **SECTION 4118r.** 125.19 (3) of the statutes is repealed.

6 **SECTION 4119g.** 125.27 (1) (a) of the statutes is amended to read:

7 125.27 (1) (a) The department shall issue Class “B” permits to clubs holding  
8 a valid certificate issued under s. 73.03 (50) that are operated solely for the playing  
9 of golf or tennis and are commonly known as country clubs and to clubs that are  
10 operated solely for curling, ski jumping or yachting, if the club is not open to the  
11 general public and if no Class “B” licenses are issued by the governing body of the  
12 municipality in which the club is located. A Class “B” permit authorizes retail sales  
13 of fermented malt beverages to be consumed on the premises where sold. Persons  
14 holding a Class “B” permit may sell beverages containing less than 0.5% of alcohol  
15 by volume without obtaining a license under s. 66.053 (1).

16 **SECTION 4119m.** 125.27 (1) (c) of the statutes is repealed.

17 **SECTION 4119r.** 125.27 (2) (a) 1. (intro.) of the statutes is amended to read:

18 125.27 (2) (a) 1. (intro.) The department may issue a Class “B” permit to any  
19 person who holds a valid certificate issued under s. 73.03 (50) and who is qualified  
20 under s. 125.04 (5) authorizing the sale of fermented malt beverages for consumption  
21 on any vessel having a regular place of mooring located in any waters of this state  
22 as defined under s. 29.01 (9) and (11) if any of the following applies:

23 **SECTION 4120m.** 125.27 (2) (c) of the statutes is repealed.

24 **SECTION 4121m.** 125.275 (1) of the statutes is amended to read:

**SECTION 4121m**

1           125.275 (1) The department may issue an industrial fermented malt beverages  
2 permit which authorizes the permittee to purchase and use fermented malt  
3 beverages for industrial purposes only. Such permits may be issued only to persons  
4 who prove to the department that they use alcohol for industrial purposes and who  
5 holds a valid certificate issued under s. 73.03 (50).

6           **SECTION 4121r.** 125.275 (4) of the statutes is repealed.

7           **SECTION 4122m.** 125.29 (1) of the statutes is amended to read:

8           125.29 (1) PERMIT. No person may operate as a brewer unless that person  
9 obtains a permit from the department. Each wholesaler required to register under  
10 s. 139.09 shall obtain a permit under this subsection. ~~The fee for a permit under this~~  
11 ~~subsection is \$25, and that permit is valid for 2 years, except that, if a person applies~~  
12 ~~for the permit after the beginning of the permit period, the permit is valid until the~~  
13 ~~end of the permit period~~ A permit under this section may only be issued to a person  
14 who holds a valid certificate issued under s. 73.03 (50).

15           **SECTION 4123c.** 125.30 (3) of the statutes is amended to read:

16           125.30 (3) Out-of-state shippers' permits may be issued only to ~~any~~ a person  
17 who holds a valid certificate issued under s. 73.03 (50) and who is qualified under s.  
18 125.04 (5). Notwithstanding s. 125.04 (5) (a), natural persons obtaining out-of-state  
19 shippers' permits are not required to be residents of this state. Notwithstanding s.  
20 125.04 (5) (a) 5., a person is not required to complete a responsible beverage server  
21 training course to be qualified for a permit under this section. Notwithstanding s.  
22 125.04 (6), corporations or limited liability companies obtaining out-of-state  
23 shippers' permits are not required to appoint agents.

24           **SECTION 4123d.** 125.30 (4) of the statutes is repealed.

25           **SECTION 4123g.** 125.51 (4) (t) of the statutes is renumbered 125.51 (4) (t) 1.

**SECTION 4123h**

1           **SECTION 4123h.** 125.51 (4) (t) 2. of the statutes is created to read:

2           125.51 (4) (t) 2. No license may be issued under subd. 1. after the effective date  
3 of this subdivision .... [revisor inserts date], but a license issued under subd. 1. before  
4 the effective date of this subdivision .... [revisor inserts date], may be renewed.

5           **SECTION 4123m.** 125.51 (4) (u) of the statutes is created to read:

6           125.51 (4) (u) 1. Notwithstanding the quota of a municipality, its governing  
7 body may issue a license to a corporation that holds a Class “B” license, a “Class C”  
8 license and a “Class A” license since January 1, 1992, if the licenses are issued by that  
9 governing body.

10           2. No license may be issued under subd. 1. after September 1, 1995, or 30 days  
11 after the effective date of this subdivision .... [revisor inserts date], whichever is later,  
12 but a license issued under subd. 1. on or before September 1, 1995, or on or before 30  
13 days after the effective date of this subdivision .... [revisor inserts date], whichever  
14 is later, may be renewed.

15           **SECTION 4124m.** 125.51 (5) (a) 1. of the statutes is amended to read:

16           125.51 (5) (a) 1. The department shall issue “Class B” permits to clubs ~~which~~  
17 that are operated solely for the playing of golf or tennis and are commonly known as  
18 country clubs and to clubs which are operated solely for curling, ski jumping or  
19 yachting. A “Class B” permit may be issued only to a club that holds a valid certificate  
20 issued under s. 73.03 (50), that is not open to the general public and that is located  
21 in a municipality that does not issue “Class B” licenses or to a club located in a  
22 municipality that issues “Class B” licenses, if the club holds a valid certificate issued  
23 under s. 73.03 (50), is not open to the general public, was not issued a license under  
24 s. 176.05 (4a), 1979 stats., and does not currently hold a “Class B” license. The  
25 permits may be issued by the department without regard to any local option

**SECTION 4124m**

1 exercised under s. 125.05 and without regard to any quota under sub. (4). The holder  
2 of a “Class B” permit may sell intoxicating liquor for consumption by the glass and  
3 not in the original package or container on the premises covered by the permit.

4 **SECTION 4124r.** 125.51 (5) (a) 4. of the statutes is amended to read:

5 125.51 (5) (a) 4. The department may annually issue a “Class B” permit to any  
6 club that holds a valid certificate issued under s. 73.03 (50), is organized to engage  
7 in sports similar to curling, golf, tennis or yachting ~~which~~ and that held a license from  
8 July 1, 1950, to June 30, 1951, as long as it is continuously operated under  
9 substantially the same circumstances under which it operated during the year  
10 beginning July 1, 1950, if the club is located in a municipality that does not issue  
11 “Class B” licenses.

12 **SECTION 4125g.** 125.51 (5) (a) 5. of the statutes is repealed.

13 **SECTION 4125m.** 125.51 (5) (b) 2. of the statutes is amended to read:

14 125.51 (5) (b) 2. The department shall issue a “Class B” permit to a  
15 concessionaire ~~conducting~~ that holds a valid certificate issued under s. 73.03 (50) and  
16 that conducts business in an operating airport or public facility, if the county or  
17 municipality which owns the airport or public facility has, by resolution of its  
18 governing body, annually applied to the department for the permit. The permit  
19 authorizes the sale of intoxicating liquor for consumption by the glass and not in the  
20 original package or container on the premises.

21 **SECTION 4125r.** 125.51 (5) (b) 5. of the statutes is repealed.

22 **SECTION 4126g.** 125.51 (5) (c) 1. of the statutes is amended to read:

23 125.51 (5) (c) 1. The department may issue a “Class B” permit to any person  
24 who holds a valid certificate issued under s. 73.03 (50) and who is qualified under s.  
25 125.04 (5) authorizing the sale of intoxicating liquor for consumption on any vessel

**SECTION 4126g**

1 having a regular place of mooring located in any waters of this state as defined under  
2 s. 29.01 (9) and (11) if the vessel either serves food and has an approved passenger  
3 capacity of not less than 40 individuals and the sale of intoxicating liquor and  
4 fermented malt beverages on the vessel accounts for less than 50% of the gross  
5 receipts of all of the food and beverages served on the vessel or if the vessel has an  
6 approved passenger capacity of at least 100 individuals and the sale of intoxicating  
7 liquor and fermented malt beverages on the vessel accounts for less than 50% of the  
8 gross receipts of the vessel. The department may issue the permit only if the vessel  
9 leaves its place of mooring while the sale of intoxicating liquor is taking place and  
10 if the vessel fulfills the requirement under par. (c) 1m. A permit issued under this  
11 subdivision also authorizes the permittee to store intoxicating liquor purchased for  
12 sale on the vessel on premises owned or leased by the permittee and located near the  
13 vessel's regular place of mooring. The permittee shall describe on the permit  
14 application under s. 125.04 (3) (a) 3 the premises where the intoxicating liquor will  
15 be stored. The premises shall be open to inspection by the department upon request.

16 **SECTION 4127m.** 125.51 (5) (c) 2. of the statutes is repealed.

17 **SECTION 4128m.** 125.52 (3) of the statutes is amended to read:

18 125.52 (3) PERSONS ELIGIBLE. Except as provided under s. 125.69, a  
19 manufacturer's or rectifier's permit may be issued to any person who holds a valid  
20 certificate issued under s. 73.03 (50) and who is qualified under s. 125.04 (5), except  
21 a foreign corporation, a foreign limited liability company or a person acting as an  
22 agent for or in the employ of another. Notwithstanding s. 125.04 (5) (a) 5., a person  
23 is not required to complete a responsible beverage server training course to be  
24 eligible for a permit under this section.

25 **SECTION 4129m.** 125.52 (4) of the statutes is repealed.

**SECTION 4130m**

1           **SECTION 4130m.** 125.52 (5) of the statutes is repealed.

2           **SECTION 4131m.** 125.53 (1) of the statutes is amended to read:

3           125.53 (1) The department shall issue only to a manufacturing winery in this  
4 state that holds a valid certificate issued under s. 73.03 (50) a winery permit  
5 authorizing the manufacture and bottling of wine on the premises covered by the  
6 permit for sale at wholesale to other licensees or permittees. A permittee under this  
7 section may offer on the premises taste samples of wine manufactured on the  
8 premises to persons who have attained the legal drinking age. A permittee under  
9 this section may also have either a "Class A" or "Class B" license, but not both. If a  
10 "Class A" or "Class B" liquor license has also been issued to the winery, the winery  
11 may offer the taste samples on the "Class A" or "Class B" premises.

12           **SECTION 4132m.** 125.53 (3) of the statutes is repealed.

13           **SECTION 4132r.** 125.54 (2) of the statutes is amended to read:

14           125.54 (2) PERSONS ELIGIBLE. Except as provided under s. 125.69, a wholesaler's  
15 permit may be issued to any person who holds a valid certificate issued under s. 73.03  
16 (50) and who is qualified under s. 125.04 (5), except a foreign corporation, a foreign  
17 limited liability company or a person acting as an agent for or in the employ of  
18 another. Notwithstanding s. 125.04 (5) (a) 5., a person is not required to complete  
19 a responsible beverage server training course to be eligible for a permit under this  
20 section.

21           **SECTION 4133g.** 125.54 (3) of the statutes is repealed.

22           **SECTION 4134g.** 125.54 (4) of the statutes is repealed.

23           **SECTION 4134m.** 125.55 (3) of the statutes is repealed.

24           **SECTION 4134r.** 125.58 (2) of the statutes is amended to read:

**SECTION 4134r**

1           125.58 (2) Out-of-state shippers' permits may be issued only to ~~any~~ a person  
2 ~~except who holds a valid certificate issued under s. 73.03 (50), but may not be issued~~  
3 to a person acting as an agent for or in the employ of another. Notwithstanding s.  
4 125.04 (5) (a), natural persons obtaining out-of-state shippers' permits are not  
5 required to be residents of this state. Notwithstanding s. 125.04 (5) (a) 5., a person  
6 is not required to complete a responsible beverage server training course to be  
7 eligible for a permit under this section. Notwithstanding s. 125.04 (6), corporations  
8 or limited liability companies obtaining out-of-state shippers' permits are not  
9 required to appoint agents.

10           **SECTION 4135g.** 125.58 (3) of the statutes is repealed.

11           **SECTION 4135m.** 125.60 (2) of the statutes is amended to read:

12           125.60 (2) Wholesale alcohol permits may be issued to any person who holds  
13 a valid certificate issued under s. 73.03 (50) and who is qualified under s. 125.04 (5),  
14 except a person acting as an agent for or in the employ of another. Notwithstanding  
15 s. 125.04 (5) (a) 5., a person is not required to complete a responsible beverage server  
16 training course to be qualified for a permit under this section.

17           **SECTION 4136m.** 125.60 (5) of the statutes is repealed.

18           **SECTION 4137m.** 125.62 (2) of the statutes is amended to read:

19           125.62 (2) Industrial alcohol permits may be issued to any person who holds  
20 a valid certificate issued under s. 73.03 (50) and who is qualified under s. 125.04 (5),  
21 except a person acting as agent for or in the employ of another. Notwithstanding s.  
22 125.04 (5) (a) 5., a person is not required to complete a responsible beverage server  
23 training course to be qualified for a permit under this section.

24           **SECTION 4138m.** 125.62 (4) of the statutes is repealed.

25           **SECTION 4139m.** 125.63 (2) of the statutes is amended to read:

**SECTION 4139m**

1           125.63 (2) Industrial wine permits may be issued to any person who holds a  
2 valid certificate issued under s. 73.03 (50) and who is qualified under s. 125.04 (5),  
3 except a person acting as an agent for or in the employ of another. Notwithstanding  
4 s. 125.04 (5) (a) 5., a person is not required to complete a responsible beverage server  
5 training course to be qualified for a permit under this section.

6           **SECTION 4140m.** 125.63 (4) of the statutes is repealed.

7           **SECTION 4141m.** 125.65 (2) of the statutes is amended to read:

8           125.65 (2) Permits for wholesale sale for future delivery may be issued to any  
9 person who holds a valid certificate issued under s. 73.03 (50), who is qualified under  
10 s. 125.04 (5) (a) 1. and (b) and who is at least 18 years of age.

11          **SECTION 4142m.** 125.65 (5) of the statutes is repealed.

12          **SECTION 4143b.** 125.66 (4) of the statutes is created to read:

13          125.66 (4) Notwithstanding sub. (1) and s. 125.04 (1), a “Class A” licensee who  
14 sells intoxicating liquor to a “Class B” licensee for resale may be fined not more than  
15 \$100.

16          **SECTION 4143g.** 125.69 (6) of the statutes is amended to read:

17          125.69 (6) **CAMPUSES AND RETAILERS TO PURCHASE FROM PERSONS HOLDING PERMITS.**  
18 (a) No campus or retail licensee or permittee may purchase or possess intoxicating  
19 liquor purchased from any person other than a manufacturer, rectifier or wholesaler  
20 holding a permit under this chapter for the sale of intoxicating liquor.

21          (b) Any person who violates this subsection may par. (a), if the total volume of  
22 intoxicating liquor purchased or possessed by that person in one month is 12 liters  
23 or less, may be required to forfeit not more than \$100. A person who purchases or  
24 possesses more than 12 liters of intoxicating liquor in one month in violation of par.

**SECTION 4143g**

1 (a) shall be fined not less than \$1,000 nor more than \$10,000 or imprisoned for not  
2 more than 9 months or both.

3 **SECTION 4143m.** 125.69 (6) (c) of the statutes is created to read:

4 125.69 (6) (c) Notwithstanding par. (b), a “Class B” licensee who purchases  
5 intoxicating liquor from a “Class A” licensee for resale or who possesses intoxicating  
6 liquor purchased from a “Class A” licensee for resale may be fined not more than  
7 \$100.

8 **SECTION 4144.** 132.13 (2) of the statutes is amended to read:

9 132.13 (2) It shall be the duty of the ~~department of industry, labor and human~~  
10 ~~relations and of the~~ district attorneys of the several counties to enforce this section,  
11 whenever any complaint or other evidence leads them to reasonably believe that this  
12 section has been violated. The district attorney shall upon receipt of such complaint  
13 or other evidence at once institute proper legal proceedings to compel compliance  
14 therewith.

15 **SECTION 4145b.** 133.12 of the statutes is amended to read:

16 **133.12 Domestic and foreign corporations and limited liability**  
17 **companies; cancellation of charters or certificates of authority for**  
18 **restraining trade; affidavit.** Any corporation or limited liability company  
19 organized under the laws of this state or foreign corporation or foreign limited  
20 liability company authorized to transact business in this state pursuant to a  
21 certificate of authority from the ~~secretary of state~~ department of financial  
22 institutions which violates any provision of this chapter, may, upon proof thereof, in  
23 any circuit court have its charter or authority to transact business in this state  
24 suspended, canceled or annulled. Every corporation or limited liability company  
25 shall, in its annual report filed with the ~~secretary of state~~ department of financial

1 institutions, show whether it has entered into any contract, combination in the form  
2 of trust or otherwise, or conspiracy in restraint of trade or commerce. The  
3 department of justice shall enforce this section.

4 **SECTION 4146.** 133.16 of the statutes is amended to read:

5 **133.16 Injunction; pleading; practice.** Any circuit court may prevent or  
6 restrain, by injunction or otherwise, any violation of this chapter. The department  
7 of justice, any district attorney or any person by complaint may institute actions or  
8 proceedings to prevent or restrain a violation of this chapter, setting forth the cause  
9 and grounds for the intervention of the court and praying that such violation,  
10 whether intended or continuing be enjoined or prohibited. When the parties  
11 informed against or complained of have been served with a copy of the information  
12 or complaint and cited to answer it, the court shall proceed, as soon as may be in  
13 accordance with its rules, to the hearing and determination of the case; and pending  
14 the filing of the answer to such information or complaint may, at any time, upon  
15 proper notice, make such temporary restraining order or prohibition as is just.  
16 Whenever it appears to the court that the ends of justice require that other persons  
17 be made parties to the action or proceeding the court may cause them to be made  
18 parties in such manner as it directs. ~~Where~~ The party commencing or maintaining  
19 the action or proceeding is brought and maintained by a private party, that party may  
20 demand and recover the cost of suit including reasonable attorney fees. In an action  
21 commenced by the department of justice, the court may award the department of  
22 justice the costs of investigation and an amount reasonably necessary to remedy the  
23 harmful effects of the violation. The department of justice shall deposit in the state  
24 treasury for deposit in the general fund all moneys that the court awards to the  
25 department or the state under this section. Ten percent of the money deposited in

**SECTION 4146**

1 the general fund that was awarded under this section for the costs of investigation  
2 and the costs of suit, including attorney fees, shall be credited to the appropriation  
3 account under s. 20.455 (1) (gh). All of the money deposited in the general fund that  
4 was awarded under this section to remedy the harmful effects of the violation shall  
5 be credited to the appropriation account under s. 20.455 (1) (gm). Copies of all  
6 pleadings filed under this section shall be served on the department of justice.

7 **SECTION 4146e.** 134.22 (4) (intro.) of the statutes is amended to read:

8 134.22 (4) (intro.) The department of justice agriculture, trade and consumer  
9 protection shall investigate violations of this section. The department of justice  
10 agriculture, trade and consumer protection, or any district attorney, upon informing  
11 the department of justice agriculture, trade and consumer protection, may, on behalf  
12 of the state, do any of the following:

13 **SECTION 4146m.** 134.22 (4) (a) of the statutes is amended to read:

14 134.22 (4) (a) Bring an action for temporary or permanent injunctive relief in  
15 any court of competent jurisdiction for any violation of this section. The relief sought  
16 by the department of justice agriculture, trade and consumer protection or district  
17 attorney may include the payment by a promoter into an escrow account of an  
18 amount estimated to be sufficient to pay for ticket refunds. The court may, upon  
19 entry of final judgment, award restitution when appropriate to any person suffering  
20 loss because of violations of this section if proof of such loss is submitted to the  
21 satisfaction of the court.

22 **SECTION 4146s.** 134.42 (4) (b) of the statutes is amended to read:

23 134.42 (4) (b) The ~~attorney general~~ department of agriculture, trade and  
24 consumer protection and the district attorneys of this state have concurrent  
25 authority to institute civil proceedings under this section.

**SECTION 4147b**

1           **SECTION 4147b.** 134.45 (3) (b) of the statutes is amended to read:

2           134.45 **(3)** (b) A domestic or foreign corporation, association or limited liability  
3 company exercising any of the powers, franchises or functions of a business entity  
4 in this state that violates any provision of this section, shall not have the right of, and  
5 shall be prohibited from, doing business in this state, and the ~~secretary of state~~  
6 department of financial institutions shall revoke its certificate to do business in this  
7 state.

8           **SECTION 4148b.** 134.68 (5) (a) (intro.) of the statutes is amended to read:

9           134.68 **(5)** (a) (intro.) No person may collect or by contract require a buyer to  
10 pay more than \$100 for dating services before the buyer receives or has the  
11 opportunity to receive those services unless the person selling dating services  
12 establishes proof of financial responsibility by maintaining any of the following  
13 commitments approved by the department of justice agriculture, trade and  
14 consumer protection in an amount not less than \$25,000:

15           **SECTION 4148d.** 134.68 (5) (b) of the statutes is amended to read:

16           134.68 **(5)** (b) The commitment described in par. (a) shall be established in favor  
17 of or made payable to the state, for the benefit of any buyer who does not receive a  
18 refund under the contractual provision described in sub. (3). The person selling  
19 dating services shall file with the department of justice agriculture, trade and  
20 consumer protection any agreement, instrument or other document necessary to  
21 enforce the commitment against the person selling dating services or any relevant  
22 3rd party, or both.

23           **SECTION 4148e.** 134.68 (7) (a) (intro.) of the statutes is amended to read:

24           134.68 **(7)** (a) (intro.) The department of justice agriculture, trade and  
25 consumer protection or any district attorney may on behalf of the state:

**SECTION 4148f**

1           **SECTION 4148f.** 134.68 (7) (b) of the statutes is amended to read:

2           134.68 (7) (b) The department of justice may bring an action in circuit court to  
3 recover on a financial commitment maintained under sub. (5) against a person  
4 selling dating services or relevant 3rd party, or both, on behalf of any buyer who does  
5 not receive a refund due under the contractual provision described in sub. (3).

6           **SECTION 4148h.** 134.70 (13) (b) 1. (intro.) of the statutes is amended to read:

7           134.70 (13) (b) 1. (intro.) Except as provided in subd. 3., a center may establish  
8 proof of financial responsibility required under par. (a) by maintaining an  
9 established escrow account approved by the department of justice agriculture, trade  
10 and consumer protection for all amounts received from buyers in advance of the  
11 receipt of services or by maintaining any of the following commitments approved by  
12 the department of justice agriculture, trade and consumer protection in an amount  
13 not less than \$25,000, subject to subd. 2.:

14           **SECTION 4148j.** 134.70 (13) (b) 2. of the statutes is amended to read:

15           134.70 (13) (b) 2. The commitment described in subd. 1. shall be established  
16 in favor of or made payable to the state, for the benefit of any buyer who does not  
17 receive a refund under sub. (11) (a). The center shall file with the department of  
18 justice agriculture, trade and consumer protection any agreement, instrument or  
19 other document necessary to enforce the commitment against the center or any  
20 relevant 3rd party, or both.

21           **SECTION 4148L.** 134.70 (13) (b) 3. of the statutes is amended to read:

22           134.70 (13) (b) 3. For 6 or more weight reduction centers owned or operated  
23 under the same trade name, the amount of the financial commitment under pars. (a)  
24 and (b) for those weight reduction centers is not required to exceed a total of  
25 \$150,000. For a weight reduction center that submits to the department of justice

1 agriculture, trade and consumer protection evidence satisfactory to the department  
2 of justice that the weight reduction center collected a total of \$50,000 or more but less  
3 than \$100,000 from buyers of its center services in the previous calendar year, the  
4 amount of the financial commitment under pars. (a) and (b) is not required to exceed  
5 \$10,000. For a weight reduction center that submits to the department of justice  
6 evidence satisfactory to the department of justice that the weight reduction center  
7 collected less than a total of \$50,000 from buyers of its center services in the previous  
8 calendar year, the amount of the financial commitment under pars. (a) and (b) is not  
9 required to exceed \$5,000.

10 **SECTION 4148m.** 134.70 (15) (a) (intro.) of the statutes is amended to read:

11 134.70 (15) (a) (intro.) The department of agriculture, trade and consumer  
12 protection ~~and the department of justice shall cooperatively~~ investigate violations of  
13 this section or s. 134.705 (2) or (4). The department of justice agriculture, trade and  
14 consumer protection may on behalf of the state:

15 **SECTION 4148n.** 134.70 (15) (am) of the statutes is amended to read:

16 134.70 (15) (am) The department of justice agriculture, trade and consumer  
17 protection may bring an action in circuit court to recover on a financial commitment  
18 maintained under sub. (13) against a center or relevant 3rd party, or both, on behalf  
19 of any buyer who does not receive a refund due under sub. (11) (a).

20 **SECTION 4148p.** 134.71 (12) of the statutes is amended to read:

21 134.71 (12) APPLICATIONS AND FORMS. The department of justice agriculture,  
22 trade and consumer protection shall develop applications and other forms required  
23 under subs. (5) (intro.) and (8) (c). The department of justice shall print a sufficient  
24 number of applications and forms to provide to counties and municipalities for

**SECTION 4148p**

1 distribution to pawnbrokers, secondhand article dealers and secondhand jewelry  
2 dealers at no cost.

3 **SECTION 4148q.** 134.74 (7) (b) of the statutes is amended to read:

4 134.74 (7) (b) Whoever intentionally violates this section may be fined not more  
5 than \$10,000 or imprisoned for not more than 2 years or both. A person intentionally  
6 violates this section if the violation occurs after the department of justice agriculture,  
7 trade and consumer protection or a district attorney has notified the person by  
8 certified mail that the person is in violation of this section.

9 **SECTION 4148r.** 134.74 (8) (intro.) of the statutes is amended to read:

10 134.74 (8) ENFORCEMENT. (intro.) The department of justice agriculture, trade  
11 and consumer protection shall investigate violations of this section. The department  
12 of justice agriculture, trade and consumer protection or any district attorney may on  
13 behalf of the state:

14 **SECTION 4148s.** 134.83 (5) (intro.) of the statutes is amended to read:

15 134.83 (5) (intro.) The department of justice agriculture, trade and consumer  
16 protection or any district attorney may on behalf of the state:

17 **SECTION 4148t.** 134.83 (6) of the statutes is amended to read:

18 134.83 (6) The department of justice ~~and the department of~~ agriculture, trade  
19 and consumer protection shall ~~cooperate in the investigation of~~ investigate violations  
20 of and ~~the enforcement of~~ enforce this section.

21 **SECTION 4148u.** 134.85 (3) (a) of the statutes is amended to read:

22 134.85 (3) (a) The department of justice agriculture, trade and consumer  
23 protection on behalf of the state or any person who claims injury as a result of a  
24 violation of sub. (2) may bring an action for temporary or permanent injunctive relief

1 in any circuit court. It is no defense to an action under this paragraph that an  
2 adequate remedy exists at law.

3 **SECTION 4148v.** 136.03 (title) and (1) (intro.) of the statutes are amended to  
4 read:

5 **136.03** (title) **Duties of the department of justice agriculture, trade and**  
6 **consumer protection.** (1) (intro.) The department of justice agriculture, trade and  
7 consumer protection shall investigate violations of this chapter and of rules and  
8 orders issued under s. 136.04. The department may subpoena persons and records  
9 to facilitate its investigations, and may enforce compliance with such subpoenas as  
10 provided in s. 885.12. The department may in behalf of the state:

11 **SECTION 4149.** 138.052 (5) (am) 2. a. of the statutes, as created by 1993  
12 Wisconsin Act 68, is amended to read:

13 138.052 (5) (am) 2. a. On January 1, 1994, and annually thereafter, the  
14 ~~commissioner~~ division of banking for banks, the ~~commissioner~~ division of savings  
15 and loan for savings and loan associations and savings banks, and the ~~commissioner~~  
16 office of credit unions for credit unions shall determine the interest rate that is the  
17 average of the interest rates paid, rounded to the nearest one-hundredth of a  
18 percent, on regular passbook deposit accounts by institutions under the  
19 ~~commissioner's~~ division's or office's jurisdiction at the close of the last quarterly  
20 reporting period that ended at least 30 days before the determination is made.

21 **SECTION 4150.** 138.052 (5) (am) 2. b. of the statutes, as created by 1993  
22 Wisconsin Act 68, is amended to read:

23 138.052 (5) (am) 2. b. ~~Each commissioner~~ The office of credit unions shall report  
24 the rate calculated to the ~~commissioner~~ division of savings and loan within 5 days  
25 after the date on which the determination is made. The ~~commissioner~~ division of

1 savings and loan shall calculate the average, rounded to the nearest one-hundredth  
2 of a percent, of the 3 rates and report that interest rate to the revisor of statutes  
3 within 5 days after the date on which the determination is made.

4 **SECTION 4151b.** 138.055 (4) (a) of the statutes is amended to read:

5 138.055 (4) (a) The ~~commissioner~~ division of savings and loan, if the lender is  
6 a savings and loan association or savings bank;

7 **SECTION 4152.** 138.055 (4) (b) of the statutes is amended to read:

8 138.055 (4) (b) The ~~commissioner~~ office of credit unions, if the lender is a credit  
9 union;

10 **SECTION 4153.** 138.055 (4) (d) of the statutes is amended to read:

11 138.055 (4) (d) The ~~commissioner~~ division of banking for all other lenders.

12 **SECTION 4154b.** 138.056 (1) (a) 4. a. of the statutes is amended to read:

13 138.056 (1) (a) 4. a. The ~~commissioner~~ division of savings and loan, if the lender  
14 is a savings and loan association or savings bank;

15 **SECTION 4155.** 138.056 (1) (a) 4. b. of the statutes is amended to read:

16 138.056 (1) (a) 4. b. The ~~commissioner~~ office of credit unions, if the lender is a  
17 credit union;

18 **SECTION 4156.** 138.056 (1) (a) 4. d. of the statutes is amended to read:

19 138.056 (1) (a) 4. d. The ~~commissioner~~ division of banking for all other lenders.

20 **SECTION 4157.** 138.09 (1) of the statutes is amended to read:

21 138.09 (1) Before any person may do business under this section or charge the  
22 interest authorized by sub. (7) and before any creditor other than a bank, savings  
23 bank, savings and loan association or credit union may assess a finance charge on  
24 a consumer loan in excess of 18% per annum, ~~such year, that~~ person shall first obtain  
25 a license from the commissioner of banking. Applications for ~~such~~ a license shall be

**SECTION 4157**

1 in writing and upon forms provided for this purpose by the commissioner. ~~Every such~~  
2 An applicant at the time of making such an application shall pay to the commissioner  
3 a nonrefundable \$300 fee of ~~\$100~~ for investigating the application and ~~the sum of~~  
4 ~~\$200 as an a~~ \$500 annual license fee for the period terminating on the last day of the  
5 current calendar year. If the cost of the investigation exceeds ~~\$100~~ \$300, the  
6 applicant shall upon demand of the commissioner pay to the commissioner the  
7 amount by which the cost of the investigation exceeds the ~~\$100~~ nonrefundable fee.

8 **SECTION 4158.** 138.09 (1) of the statutes, as affected by 1995 Wisconsin Act ...  
9 (this act), is renumbered 138.09 (1m) and amended to read:

10 138.09 (1m) Before any person may do business under this section or charge  
11 the interest authorized by sub. (7) and before any creditor other than a bank, savings  
12 bank, savings and loan association or credit union may assess a finance charge on  
13 a consumer loan in excess of 18% per year, that person shall first obtain a license from  
14 ~~the commissioner of banking~~ division. Applications for a license shall be in writing  
15 and upon forms provided for this purpose by the ~~commissioner~~ division. An applicant  
16 at the time of making an application shall pay to the ~~commissioner~~ division a  
17 nonrefundable \$300 fee for investigating the application and a \$500 annual license  
18 fee for the period terminating on the last day of the current calendar year. If the cost  
19 of the investigation exceeds \$300, the applicant shall upon demand of the  
20 ~~commissioner~~ division pay to the ~~commissioner~~ division the amount by which the  
21 cost of the investigation exceeds the nonrefundable fee.

22 **SECTION 4159.** 138.09 (1d) of the statutes is created to read:

23 138.09 (1d) In this section, "division" means the division of banking.

24 **SECTION 4160.** 138.09 (2) of the statutes is amended to read:

**SECTION 4160**

1           138.09 (2) The ~~commissioner~~ division may also require the applicant to file  
2 with the ~~commissioner~~ division, and to maintain in force, a bond in which the  
3 applicant shall be the obligor, in a sum not to exceed \$5,000 with one or more  
4 corporate sureties licensed to do business in Wisconsin, whose liability as such  
5 sureties shall not exceed the sum of \$5,000 in the aggregate, to be approved by the  
6 ~~commissioner~~ division, and such bond shall run to the state of Wisconsin for the use  
7 of the state and of any person or persons who may have a cause of action against the  
8 obligor of the bond under the provisions of this section. Such bonds shall be  
9 conditioned that the obligor will conform to and abide by each and every provision  
10 of this section, and will pay to the state or to any person or persons any and all moneys  
11 that may become due or owing to the state or to such person or persons from the  
12 obligor under and by virtue of the provisions of this chapter.

13           **SECTION 4161.** 138.09 (3) (a) of the statutes is amended to read:

14           138.09 (3) (a) Upon the filing of such application and the payment of such fee,  
15 the ~~commissioner~~ division shall investigate the relevant facts, and if the  
16 ~~commissioner~~ division shall find that the character and general fitness and the  
17 financial responsibility of the applicant, and the members thereof if the applicant is  
18 a partnership, limited liability company or association, and the officers and directors  
19 thereof if the applicant is a corporation, warrant the belief that the business will be  
20 operated in compliance with this section the ~~commissioner~~ division shall thereupon  
21 issue a license to said applicant to make loans in accordance with the provisions of  
22 this section. If the ~~commissioner~~ division shall not so find, ~~he or she~~ the division shall  
23 deny such application.

24           **SECTION 4162.** 138.09 (3) (b) of the statutes is amended to read:

**SECTION 4162**

1           138.09 (3) (b) Every license shall remain in force and effect until suspended or  
2           revoked in accordance with this section or surrendered by the licensee, and every  
3           licensee shall, on or before each December 10, pay to the ~~commissioner~~ division the  
4           annual license fee for the next succeeding calendar year.

5           **SECTION 4163.** 138.09 (3) (c) of the statutes is amended to read:

6           138.09 (3) (c) Such license shall not be assignable and shall permit operation  
7           under it only at or from the location specified in the license at which location all loans  
8           shall be consummated, but this provision shall not prevent the licensee from making  
9           loans under this section which are not initiated or consummated by face to face  
10          contact away from the licensed location if permitted by the ~~commissioner~~ division in  
11          writing or by rule or at an auction sale conducted or clerked by a licensee.

12          **SECTION 4164.** 138.09 (3) (d) of the statutes is amended to read:

13          138.09 (3) (d) A separate license shall be required for each place of business  
14          maintained by the licensee. Whenever a licensee shall change the address of its place  
15          of business to another location within the same city, village or town the licensee shall  
16          at once give written notice thereof to the ~~commissioner, who~~ division, which shall  
17          replace the original license with an amended license showing the new address,  
18          provided the location meets with the requirements of par. (e). No change in the place  
19          of business of a licensee to a different city, village or town shall be permitted under  
20          the same license.

21          **SECTION 4165.** 138.09 (3) (e) of the statutes is amended to read:

22          138.09 (3) (e) A licensee may conduct, and permit others to conduct, at the  
23          location specified in its license, any one or more of the following businesses not  
24          subject to this section: A business engaged in making loans for business or  
25          agricultural purposes or exceeding \$25,000 in principal amount except that all such

1 loans having terms of 49 months or more are subject to sub. (7) (gm) 2. or 4., a  
2 business engaged in making first lien real estate mortgage loans under ss. 138.051  
3 to 138.06, a loan, finance or discount business under s. 218.01, or an insurance  
4 business, or a currency exchange under s. 218.05, or a seller of checks business under  
5 ch. 217; but merchandise shall not be sold at such location; and no other business  
6 shall be conducted at such location unless written authorization is granted the  
7 licensee by the ~~commissioner~~ division.

8 **SECTION 4166.** 138.09 (3) (f) of the statutes is amended to read:

9 138.09 (3) (f) Every licensee shall make an annual report to the ~~commissioner~~  
10 division for each calendar year on or before March 15 of the following year. Such  
11 report shall cover business transacted by the licensee under the provisions of this  
12 section and shall give such reasonable and relevant information as the ~~commissioner~~  
13 division may require. Such reports shall be made upon blanks furnished by the  
14 ~~commissioner~~ division and shall be signed and verified by the oath or affirmation of  
15 the licensee if an individual, one of the partners if a partnership, a member or  
16 manager if a limited liability company or an officer of the corporation or association  
17 if a corporation or association. Any licensee operating under this section shall keep  
18 the records affecting loans made pursuant to this section separate and distinct from  
19 the records of any other business of such licensee.

20 **SECTION 4167.** 138.09 (4) (intro.) of the statutes is amended to read:

21 138.09 (4) (intro.) The ~~commissioner~~ division for the purpose of discovering  
22 violations of this chapter may cause an investigation to be made of the business of  
23 the licensee transacted under this section, and shall cause an investigation to be  
24 made of convictions reported to the ~~commissioner~~ division by any district attorney  
25 for violation by a licensee of this chapter. The place of business, books of account,

**SECTION 4167**

1 papers, records, safes and vaults of said licensee shall be open to inspection and  
2 examination by the ~~commissioner or the commissioner's representative~~ division for  
3 the purpose of such investigation and the ~~commissioner~~ division may examine under  
4 oath all persons whose testimony the ~~commissioner~~ division may require relative to  
5 said investigation. The ~~commissioner~~ division may, upon notice to the licensee and  
6 reasonable opportunity to be heard, suspend or revoke such license after such  
7 hearing if:

8 **SECTION 4168.** 138.09 (4) (a) of the statutes is amended to read:

9 138.09 (4) (a) The licensee has violated any provision of this chapter and if the  
10 ~~commissioner~~ division determines such violation justifies the suspension or  
11 revocation of the license;

12 **SECTION 4169.** 138.09 (4) (b) of the statutes is amended to read:

13 138.09 (4) (b) Any fact or condition exists which, if it had existed at the time  
14 of the original application for such license, would have warranted the ~~commissioner~~  
15 division in refusing to issue such license; and

16 **SECTION 4170.** 138.09 (4a) of the statutes is amended to read:

17 138.09 (4a) Any licensee and any other person aggrieved by any order of the  
18 ~~commissioner~~ division has the right to appeal to the board of review under this  
19 section, provided a written notice of appeal is served upon the ~~commissioner~~ division  
20 and upon the chairperson or secretary of the consumer credit review board under s.  
21 220.037 within 10 days from the date of the ~~commissioner's~~ division's order. Upon  
22 service of a written notice of appeal as herein provided the review board shall hold  
23 a hearing within a reasonable time thereafter. The review board shall give the  
24 parties a written notice of the time and place said hearing will be held. The cost of  
25 any investigation or examination or hearing, including witness fees or any other

**SECTION 4170**

1 expenses, conducted by the ~~commissioner~~ division or the review board shall be paid  
2 by the licensee so examined or by the appellant within 30 days after demand therefor  
3 by the ~~commissioner~~ division, and the state may maintain an action for the recovery  
4 of such costs and expenses in any court of competent jurisdiction, except that no cost  
5 shall be charged an appellant by the review board unless the board sustains the  
6 ~~commissioner~~ division.

7 **SECTION 4171.** 138.09 (6) (a) of the statutes is amended to read:

8 138.09 (6) (a) Except as provided in par. (b), the licensee shall keep such books  
9 and records in the licensee's place of business as in the opinion of the ~~commissioner~~  
10 ~~of banking~~ division will enable the ~~commissioner~~ division to determine whether the  
11 provisions of this chapter are being observed. Every such licensee shall preserve the  
12 records of final entry used in such business, including cards used in the card system,  
13 if any, for a period of at least 2 years after the making of any loan recorded therein.

14 **SECTION 4172.** 138.09 (6) (b) of the statutes is amended to read:

15 138.09 (6) (b) A licensee may keep the books and records specified in par. (a)  
16 at a single location inside or outside of this state if the books and records are kept at  
17 a location licensed under this section. The licensee shall organize the books and  
18 records by the place of business where the records originated and shall keep the  
19 books and records separate from other records for business conducted at that  
20 location. Actual costs incurred by the ~~commissioner~~ division to examine books and  
21 records maintained outside of this state shall be paid by the licensee.

22 **SECTION 4173.** 138.09 (7) (bn) 4. of the statutes is amended to read:

23 138.09 (7) (bn) 4. Information regarding the amount of the maximum finance  
24 charge under subs. 1. and 2. for any month or calendar year quarter shall be  
25 available at the office of the ~~commissioner~~ division.

1           **SECTION 4174.** 138.09 (11) of the statutes is amended to read:

2           138.09 (11) The ~~commissioner~~ division may employ necessary examiners or  
3 other personnel from time to time and fix their compensation.

4           **SECTION 4175.** 138.12 (1) (a) of the statutes is amended to read:

5           138.12 (1) (a) “~~Commissioner~~” “Division” means the ~~commissioner~~ division of  
6 banking.

7           **SECTION 4176.** 138.12 (1) (c) of the statutes is amended to read:

8           138.12 (1) (c) “Licensee” means an insurance premium finance company  
9 holding a license issued by the ~~commissioner~~ division under this section.

10          **SECTION 4177.** 138.12 (2) (a) of the statutes is amended to read:

11          138.12 (2) (a) Any insurance company or agent defined in s. 628.02, any savings  
12 and loan association, savings bank, sales finance company, motor vehicle instalment  
13 seller, bank, trust company, licensed lender or credit union authorized to do business  
14 in this state, but such organizations, if otherwise eligible, are exempt from the  
15 licensing under this section, but subs. (9) to (12) and any rules promulgated by the  
16 ~~commissioner~~ division pertaining to such subsections shall be applicable to all  
17 premium finance transactions entered into by such organizations in this state if an  
18 insurance policy or any rights thereunder is made the security or collateral for  
19 repayment of the debt.

20          **SECTION 4178.** 138.12 (3) (b) is amended to read:

21          138.12 (3) (b) The annual license fee is \$400 ~~\$500~~ and shall be paid to the  
22 commissioner. Licenses may be renewed May 1 of each year upon payment of the  
23 annual fee of \$400.

24          **SECTION 4179.** 138.12 (3) (b) of the statutes, as affected by 1995 Wisconsin Act  
25 .... (this act), is amended to read:

**SECTION 4179**

1           138.12 (3) (b) The annual license fee is \$500 and shall be paid to the  
2 commissioner division. Licenses may be renewed May 1 of each year upon payment  
3 of the annual fee.

4           **SECTION 4180.** 138.12 (3) (c) of the statutes is amended to read:

5           138.12 (3) (c) The person to whom the license or the renewal thereof is issued  
6 shall file sworn answers, subject to the penalties of perjury, to such interrogatories  
7 as the commissioner division requires. The commissioner division may, at any time,  
8 require the applicant fully to disclose the identity of all stockholders, partners,  
9 members, managers, officers and employes, and the commissioner division may  
10 refuse to issue or renew a license in the name of any person if the commissioner  
11 division is not satisfied that any officer, employe, stockholder, partner, member or  
12 manager thereof, who may materially influence the applicant's conduct, meets the  
13 standards of this section.

14           **SECTION 4181.** 138.12 (4) (a) of the statutes is amended to read:

15           138.12 (4) (a) Upon the filing of an application and the payment of the license  
16 fee required fees under par. (am) 1., the commissioner shall make an investigation  
17 of each applicant and shall issue a license if the commissioner finds the applicant is  
18 qualified in accordance with this section. If the commissioner does not so find, the  
19 commissioner shall, within 30 days after the commissioner has received such the  
20 application, so notify the applicant and, at the request of the applicant, give the  
21 applicant a full hearing.

22           **SECTION 4182.** 138.12 (4) (a) of the statutes, as affected by 1995 Wisconsin Act  
23 .... (this act), is amended to read:

24           138.12 (4) (a) Upon the filing of an application and the payment of the required  
25 fees under par. (am) 1., the commissioner division shall make an investigation of each

**SECTION 4182**

1 applicant and shall issue a license if the ~~commissioner~~ division finds the applicant  
2 is qualified in accordance with this section. If the ~~commissioner~~ division does not so  
3 find, the ~~commissioner~~ division shall, within 30 days after the ~~commissioner~~ division  
4 has received the application, notify the applicant and, at the request of the applicant,  
5 give the applicant a full hearing.

6 **SECTION 4183.** 138.12 (4) (am) of the statutes is created to read:

7 138.12 (4) (am) 1. An applicant shall pay to the commissioner a nonrefundable  
8 \$300 license investigation fee and a \$500 annual license fee for the period ending on  
9 the next April 30.

10 2. If the cost of the investigation exceeds \$300, the applicant shall, upon  
11 demand of the commissioner, pay the amount by which the cost of the investigation  
12 exceeds the nonrefundable fee.

13 **SECTION 4184.** 138.12 (4) (am) of the statutes, as created by 1995 Wisconsin Act  
14 .... (this act), is amended to read:

15 138.12 (4) (am) 1. An applicant shall pay to the ~~commissioner~~ division a  
16 nonrefundable \$300 license investigation fee and a \$500 annual license fee for the  
17 period ending on the next April 30.

18 2. If the cost of the investigation exceeds \$300, the applicant shall, upon  
19 demand of the ~~commissioner~~ division, pay the amount by which the cost of the  
20 investigation exceeds the nonrefundable fee.

21 **SECTION 4185.** 138.12 (4) (b) (intro.) of the statutes is amended to read:

22 138.12 (4) (b) (intro.) The ~~commissioner~~ division shall issue or renew a license  
23 when the ~~commissioner~~ division is satisfied that the person to be licensed:

24 **SECTION 4186.** 138.12 (5) (b) of the statutes is amended to read:

1           138.12 (5) (b) Before the ~~commissioner~~ division revokes, suspends or refuses  
2 to renew the license of any premium finance company, the ~~commissioner~~ division  
3 shall give the company an opportunity to be fully heard and to introduce evidence  
4 in the company's behalf. In lieu of revoking or suspending the license for any of the  
5 causes enumerated in this subsection, after hearing, the ~~commissioner~~ division may  
6 subject the premium finance company to a penalty of not more than \$200 for each  
7 offense when in the ~~commissioner's~~ division's judgment the ~~commissioner~~ division  
8 finds that the public interest would not be harmed by the continued operation of such  
9 company. The amount of any penalty under this paragraph shall be paid by the  
10 company to the ~~commissioner~~ division for the use of the state. At any hearing under  
11 this subsection, the ~~commissioner~~ division may administer oaths to witnesses.  
12 Anyone testifying falsely, after having been administered the oath, shall be subject  
13 to the penalty of perjury.

14           **SECTION 4187.** 138.12 (5) (c) of the statutes is amended to read:

15           138.12 (5) (c) Any action of the ~~commissioner~~ division in refusing to issue or  
16 renew a license shall be subject to review under subch. III of ch. 227.

17           **SECTION 4188.** 138.12 (6) (a) of the statutes is amended to read:

18           138.12 (6) (a) Every licensee shall maintain records of its premium finance  
19 transactions and the records shall be open to an examination and investigation by  
20 the ~~commissioner~~ division. The ~~commissioner~~ division may make an examination of  
21 the books, records and accounts of any licensee as the ~~commissioner~~ division deems  
22 necessary. The ~~commissioner~~ division shall determine the cost of an examination  
23 and that cost shall be assessed against and paid by the licensee so examined. The  
24 ~~commissioner~~ division may, at any time, require any licensee to bring such records

**SECTION 4188**

1 as the ~~commissioner~~ division directs to the ~~commissioner's office~~ division for  
2 examination.

3 **SECTION 4189.** 138.12 (7) of the statutes is amended to read:

4 138.12 (7) RULES AND REGULATIONS. The ~~commissioner~~ division may make and  
5 enforce such reasonable rules as are necessary to carry out this section, but such  
6 rules shall not be contrary to nor inconsistent with this section.

7 **SECTION 4190.** 139.05 (7) (b) of the statutes is amended to read:

8 139.05 (7) (b) Such license shall be issued by the secretary ~~for the period of one~~  
9 ~~year and must be renewed annually~~ to persons who hold a valid certificate issued  
10 under s. 73.03 (50). The application for such license shall be verified and shall  
11 contain an agreement on the part of the brewer that the brewer shall observe all laws  
12 of this state relating to fermented malt beverages, and such other information and  
13 statements as the secretary may require. Any such brewer who has, directly or  
14 indirectly, violated any law of this state relating to fermented malt beverages shall  
15 not be entitled to such a license. ~~No fee shall be required for any such license.~~ The  
16 secretary may require the applicant to furnish and file a bond to be approved by the  
17 secretary payable to the state in an amount not less than \$1,000 nor more than  
18 \$5,000 conditioned upon the faithful compliance by the applicant with the  
19 undertakings set forth in the application for the license.

20 **SECTION 4190c.** 139.09 of the statutes is amended to read:

21 **139.09 Registration.** Every brewer, bottler, manufacturer, rectifier,  
22 wholesaler or retailer liable for payment of the occupational tax imposed in ss. 139.01  
23 to 139.25 shall ~~upon making application therefor be assigned a registration number~~  
24 ~~by the secretary. The form of the application shall be prescribed by the secretary~~

**SECTION 4190c**

1 apply for a valid certificate under s. 73.03 (50). The secretary shall assign the person  
2 a registration number.

3 **SECTION 4190rb.** 139.31 (1) (a) of the statutes is amended to read:

4 139.31 (1) (a) On cigarettes weighing not more than 3 pounds per thousand,  
5 ~~19~~ 21.5 mills on each cigarette.

6 **SECTION 4190rg.** 139.31 (1) (b) of the statutes is amended to read:

7 139.31 (1) (b) On cigarettes weighing more than 3 pounds per thousand, ~~38~~ 43  
8 mills on each cigarette.

9 **SECTION 4190u.** 139.34 (1) (c) 7. of the statutes is amended to read:

10 139.34 (1) (c) 7. The person does not hold a permit under s. 77.52 ~~(7)~~ (9), if the  
11 person is a retailer.

12 **SECTION 4191m.** 139.34 (1) (f) of the statutes is created to read:

13 139.34 (1) (f) The person holds a valid certificate issued under s. 73.03 (50).

14 **SECTION 4191r.** 139.34 (2) of the statutes is repealed.

15 **SECTION 4191t.** 139.34 (3) of the statutes is repealed.

16 **SECTION 4193b.** 139.34 (9) of the statutes is amended to read:

17 139.34 (9) The applicant for a permit, if a nonresident, foreign corporation or  
18 foreign limited liability company, shall file proof that the applicant has appointed the  
19 ~~secretary of state~~ department of financial institutions as agent for the service of  
20 process on any matter arising under ss. 139.30 to 139.44. A foreign corporation  
21 without a place of business in this state need not obtain a certificate of authority  
22 under ss. 180.1501 to 180.1505. If a foreign corporation has a certificate of authority  
23 under ss. 180.1501 to 180.1505, the foreign corporation satisfies this subsection by  
24 filing the address of its registered office in this state and the name of its registered  
25 agent at that office and by promptly filing any changes to this information. A foreign

**SECTION 4193b**

1 limited liability company without a place of business in this state need not obtain a  
2 certificate of registration under ss. 183.1002 to 183.1007. If a foreign limited liability  
3 company has a certificate of registration under ss. 183.1002 to 183.1007, the foreign  
4 limited liability company satisfies this subsection by filing the address of its  
5 registered office in this state and the name of its registered agent at that office and  
6 by promptly filing any changes to this information.

7 **SECTION 4194.** 139.37 (1) (a) of the statutes is amended to read:

8 139.37 (1) (a) No person shall sell or take orders for cigarettes for resale in this  
9 state for any manufacturer or permittee without first obtaining a salesperson's  
10 permit from the department of revenue. No manufacturer or permittee shall  
11 authorize any person to sell or take orders for cigarettes in this state without first  
12 having such person secure a salesperson's permit. ~~The fee for such permit is \$2~~  
13 department shall issue the required number of permits to manufacturers and  
14 permittees who hold a valid certificate issued under s. 73.03 (50). Each application  
15 for a permit shall disclose the name and address of the employer and such permit  
16 shall remain effective only while the salesperson represents such named employer.  
17 If such salesperson is thereafter employed by another manufacturer or permittee the  
18 salesperson shall obtain a new salesperson's permit. Each manufacturer and  
19 permittee shall notify the department within 10 days after the resignation or  
20 dismissal of any such salesperson holding a permit.

21 **SECTION 4195m.** 139.79 (2) of the statutes is amended to read:

22 139.79 (2) Section 139.34 (1) (b) to ~~(e), (2) to (f)~~, (4) and (9) applies to the permits  
23 under this section.

24 **SECTION 4196.** Chapter 142 (title) of the statutes is repealed.

1           **SECTION 4197.** 142.07 (title) of the statutes is renumbered 233.40 (title) and  
2 amended to read:

3           **233.40** (title) **Hospital Hospitals charges.**

4           **SECTION 4198.** 142.07 (1) of the statutes is renumbered 233.40 (1) and amended  
5 to read:

6           233.40 (1) RATES. The ~~university of Wisconsin hospital and clinics~~ University  
7 of Wisconsin Hospitals and Clinics shall treat patients so admitted at rates computed  
8 in the following manner:

9           (a) *Room rate.* The ~~superintendent~~ chief executive officer shall establish with  
10 the approval of the board of ~~regents~~ directors a schedule of room rates for patients  
11 which may be adjusted by the ~~superintendent~~ chief executive officer with the  
12 approval of the board of ~~regents~~ directors to meet changes in the cost of operation.  
13 As used in this section “room rates” includes the charges for meals and for ordinary  
14 nursing care.

15           (c) *Ancillary services.* All services provided except those covered by the room  
16 rate shall be charged for in accordance with a schedule established and maintained  
17 for public inspection by the ~~university of Wisconsin hospital and clinics~~ University  
18 of Wisconsin Hospitals and Clinics Authority.

19           **SECTION 4199.** 142.07 (3) of the statutes is renumbered 233.40 (3) and amended  
20 to read:

21           233.40 (3) INDIAN CHILDREN. Indian children whose hospital care is to be paid  
22 from funds granted the office of Indian affairs, U.S. department of interior, shall be  
23 admitted to the ~~university of Wisconsin hospital and clinics~~ University of Wisconsin  
24 Hospitals and Clinics at the rates established under sub. (1).

**SECTION 4200**

1           **SECTION 4200.** 142.07 (4) of the statutes, as affected by 1995 Wisconsin Act ...  
2 (this act), is renumbered 233.40 (4) and amended to read:

3           233.40 (4) **ADDITIONAL CHARGES FORBIDDEN.** ~~The university of Wisconsin~~  
4 ~~hospital and clinics~~ University of Wisconsin Hospitals and Clinics Authority may not  
5 charge any compensation other than the amount provided by the board of regents of  
6 ~~the university of Wisconsin system~~ directors for any of the following patients:

7           (c) Any child referred to the ~~hospital or its~~ hospitals or their clinics by the  
8 children's consultation service of a mental health institute under s. 46.041.

9           (d) Any pupil referred to the ~~hospital or its~~ hospitals or their clinics by the state  
10 superintendent of public instruction under s. 115.53 (4).

11           (e) Any American Indian child admitted to the hospitals whose care is being  
12 paid under sub. (3).

13           **SECTION 4201.** 142.07 (4) (a) of the statutes is repealed.

14           **SECTION 4202.** 142.09 of the statutes is renumbered 233.41 and amended to  
15 read:

16           **233.41 Soldiers preferred patients.** In admitting patients to the ~~hospital~~  
17 University of Wisconsin Hospitals and Clinics, preference shall be given to honorably  
18 discharged veterans of any of the wars of the United States or who is otherwise  
19 eligible for benefits from the department of veterans affairs. Preference is hereby  
20 defined to mean that whenever the ~~superintendent~~ chief executive officer of the  
21 ~~hospital~~ authority is notified that the applicant is such a veteran, such veteran shall  
22 be the next person so admitted to the hospital, except in case of an emergency.

23           **SECTION 4203.** 142.11 of the statutes is renumbered 233.42 and amended to  
24 read:

1           **233.42 Subject to ch. 150.** The university of Wisconsin hospital and clinics  
2           University of Wisconsin Hospitals and Clinics is subject to ch. 150.

3           **SECTION 4204.** 144.01 (13) of the statutes is amended to read:

4           144.01 (13) "Sewage" means the water carried wastes created in and to be  
5           conducted away from residences, industrial establishments, and public buildings as  
6           defined in s. 101.01 (2) (12), with such surface water or groundwater as may be  
7           present.

8           **SECTION 4205e.** 144.025 (2) (p) of the statutes is repealed.

9           **SECTION 4206.** 144.0252 of the statutes is created to read:

10           **144.0252 Fees for water quality determinations for wetlands. (1)**  
11           AMOUNT OF FEES. The department shall charge a fee for determining whether a  
12           project complies with the standards of water quality promulgated by rule under  
13           s.144.025 (2) (b) that are applicable to wetlands. The fee for each project shall be  
14           \$100.

15           **(2) ADJUSTMENTS IN FEES.** (a) The department shall refund the fee if the  
16           applicant requests a refund before the department determines that the application  
17           for the determination is complete. The department may not refund a fee after the  
18           department determines that the application is complete.

19           (b) If the applicant applies for a permit after the project is begun or after it is  
20           completed, the department shall charge an amount equal to twice the amount of the  
21           fee that it would have charged under this section.

22           (c) If more than one fee under this section or s. 30.28 (2) (a) or 31.39 (2) (a) is  
23           applicable to a project, the department shall charge only the highest fee of those that  
24           are applicable.

25           (d) The department, by rule, may increase the fee specified in sub. (1).

1           **(3) EXEMPTIONS.** This section does not apply to any federal agency or state  
2 agency.

3           **SECTION 4208.** 144.027 (4) (b) 3. of the statutes is amended to read:

4           144.027 **(4)** (b) 3. An authority created under ch. 231, 233 or 234.

5           **SECTION 4209.** 144.027 (5) (f) of the statutes is amended to read:

6           144.027 **(5)** (f) The department shall allocate money for the payment of claims  
7 according to the order in which completed claims are received. The department may  
8 conditionally approve a completed claim even if the appropriation under s. 20.370 ~~(4)~~  
9 ~~(ev)~~ (6) ~~(cr)~~ is insufficient to pay the claim. The department shall allocate money for  
10 the payment of a claim which is conditionally approved as soon as funds become  
11 available.

12           **SECTION 4210.** 144.027 (18) of the statutes is amended to read:

13           144.027 **(18)** **SUSPENSION OR REVOCATION OF LICENSES.** The department may  
14 suspend or revoke a license issued under ch. 162 if the department finds that the  
15 licensee falsified information submitted under this section. The department of  
16 ~~industry, labor and human relations~~ development may suspend or revoke the license  
17 of a plumber licensed under ch. 145 if the department of ~~industry, labor and human~~  
18 ~~relations~~ development finds that the plumber falsified information submitted under  
19 this section.

20           **SECTION 4214.** 144.24 (7) (c) 1. of the statutes is amended to read:

21           144.24 **(7)** (c) 1. Metropolitan sewerage districts that serve 1st class cities are  
22 limited in each fiscal year to receiving total grant awards not to exceed 33% of the  
23 sum of the amounts in the schedule for that fiscal year for the appropriation under  
24 s. ~~20.445 (1)~~ 20.143 (3) (de) and the amount authorized under sub. (10) for that fiscal  
25 year plus the unencumbered balance at the end of the preceding fiscal year for the

1 amount authorized under sub. (10). This subdivision is not applicable to grant  
2 awards provided during fiscal years 1985-86, 1986-87, 1988-89 and 1989-90.

3 **SECTION 4215.** 144.241 (1) (a) of the statutes is repealed.

4 **SECTION 4217.** 144.241 (1) (cm) of the statutes is created to read:

5 144.241 (1) (cm) "Median household income" means median household income  
6 determined by the U.S. bureau of the census as adjusted by the department to reflect  
7 changes in household income since the most recent federal census.

8 **SECTION 4218.** 144.241 (1) (cs) of the statutes is created to read:

9 144.241 (1) (cs) "Residential user" means a structure or part of a structure,  
10 including a mobile home, that is used primarily as a home, residence or sleeping  
11 place by one person or 2 or more persons maintaining a common household and that  
12 uses a publicly owned treatment work. "Residential user" does not include an  
13 institutional, commercial, industrial or governmental facility.

14 **SECTION 4219.** 144.241 (2) of the statutes is amended to read:

15 144.241 (2) RULES. The department shall promulgate rules that are necessary  
16 for the proper execution of its responsibilities under this section.

17 **SECTION 4220.** 144.241 (3m) (a) of the statutes is amended to read:

18 144.241 (3m) (a) A list of wastewater treatment projects that the department  
19 estimates will ~~receive notices of financial assistance commitment under sub. (15)~~  
20 apply for financial assistance under this section and s. 144.2415 during the next  
21 biennium.

22 **SECTION 4221.** 144.241 (3m) (c) of the statutes is amended to read:

23 144.241 (3m) (c) The estimated rank of each project on the priority list under  
24 sub. (10) (8e).

25 **SECTION 4223d.** 144.241 (6) (b) (intro.) of the statutes is amended to read:

1           144.241 (6) (b) (intro.) ~~In approving financial assistance, the department may~~  
2 use the The following methods of providing financial assistance may be used under  
3 this section and s. 144.2415:

4           **SECTION 4226.** 144.241 (8) (g) of the statutes is amended to read:

5           144.241 (8) (g) The sum of all of the financial assistance to a municipality  
6 approved under this section and s. 144.2415, except financial assistance under sub.  
7 (13m), for a project may not result in the municipality paying less than ~~30%~~ 10%  
8 the cost of the project.

9           **SECTION 4227.** 144.241 (8) (h) of the statutes is amended to read:

10          144.241 (8) (h) Except as provided in par. (k) ~~or (m)~~, a municipality that is a  
11 violator of an effluent limitation at the time that ~~the notice of financial assistance~~  
12 ~~commitment is given~~ the application for a treatment work project is approved under  
13 sub. (9m) may not receive financial assistance of a method specified under sub. (6)  
14 (b) 1., 2., 3., 4. or 5. for that part of a the treatment work project that is needed to  
15 correct the violation. This paragraph does not apply to a municipality that after May  
16 17, 1988, is in compliance with a court or department order to correct a violation of  
17 the enforceable requirements of its ch. 147 permit, and that is applying for financial  
18 assistance under s. 144.2415 (13) to correct that violation.

19          **SECTION 4228.** 144.241 (8) (j) of the statutes is repealed.

20          **SECTION 4230.** 144.241 (8) (m) of the statutes is repealed.

21          **SECTION 4231.** 144.241 (8m) of the statutes is created to read:

22          144.241 (8m) NOTICE OF INTENT TO APPLY. (a) A municipality shall submit notice  
23 to the department of its intent to apply for financial assistance under this section and  
24 s. 144.2415 in a year no later than December 31 of the preceding year. The notice

**SECTION 4231**

1 shall be in a form prescribed by the department and the department of  
2 administration.

3 (b) If a municipality does not apply for financial assistance under this section  
4 and s. 144.2415 by December 31 of the 2nd year following the year in which it  
5 submitted notice under par. (a), the municipality shall submit a new notice under  
6 par. (a).

7 (c) The department may waive par. (a) or (b) upon the written request of a  
8 municipality.

9 **SECTION 4232.** 144.241 (8s) of the statutes is created to read:

10 144.241 (8s) FACILITY PLAN. A municipality seeking financial assistance for a  
11 project under this section, except for a municipality seeking a capital cost loan, shall  
12 complete a facility plan as required by the department by rule.

13 **SECTION 4233.** 144.241 (9) (a) of the statutes is amended to read:

14 144.241 (9) (a) A After the department approves a municipality's facility plan  
15 submitted under sub. (8s), the municipality which desires to participate in the  
16 program under this section and s. 144.2415 shall submit an application for  
17 participation to the department. The application shall be in such form and include  
18 such information as the department and the department of administration prescribe  
19 and shall include design plans and specifications that are approvable by the  
20 department under this chapter. The department shall review applications for  
21 participation in the program under this section and s. 144.2415. The department  
22 shall determine which applications meet the eligibility requirements and criteria  
23 under subs. (6), (7), (8), ~~(10)~~ (8m) and (13).

24 **SECTION 4233m.** 144.241 (9) (ae) of the statutes is created to read:

**SECTION 4233m**

1           144.241 (9) (ae) A municipality that submits an application under par. (a)  
2 without design plans and specifications may obtain an initial determination of  
3 financial eligibility from the department of administration. The department of  
4 natural resources may not approve a municipality's application until the  
5 municipality submits approvable design plans and specifications.

6           **SECTION 4234.** 144.241 (9) (am) of the statutes is created to read:

7           144.241 (9) (am) A municipality may not submit more than one application  
8 under par. (a) in any 12-month period except that this paragraph does not apply to  
9 applications for financial assistance for additional costs of an approved project.

10          **SECTION 4235.** 144.241 (9) (b) of the statutes is amended to read:

11          144.241 (9) (b) A municipality seeking financial assistance, except for a  
12 municipality seeking a capital cost loan, for a project under this section and s.  
13 144.2415 shall complete ~~a staged facility plan, design plans and specifications and~~  
14 an environmental analysis sequence as required by the department by rule.

15          **SECTION 4235m.** 144.241 (9) (e) of the statutes is created to read:

16          144.241 (9) (e) If the governor's recommendation, as set forth in the executive  
17 budget bill, for the amount under s. 144.2415 (3) (d), the amount available under s.  
18 20.866 (2) (tc) or the amount available under s. 144.2415 (4) (f) for a biennium is 85%  
19 or less of the amount of present value subsidy, general obligation bonding authority  
20 or revenue bonding authority, respectively, requested for that biennium in the  
21 biennial finance plan submitted under s. 144.2415 (3) (bm) 1., the department shall  
22 inform municipalities that, if the governor's recommendations are approved, clean  
23 water fund assistance during a fiscal year of that biennium will only be available to  
24 municipalities that submit financial assistance applications by the June 30  
25 preceding that fiscal year.

1           **SECTION 4236.** 144.241 (9m) of the statutes is created to read:

2           144.241 **(9m)** ACCEPTANCE OF APPLICATION; ALLOCATION OF FUNDING. (a) Subject  
3 to pars. (c) and (d), the department shall approve an application after all of the  
4 following occur:

5           1. The department determines that the project meets the eligibility  
6 requirements and criteria under subs. (7), (8), (8m) and (8s).

7           2. The department of administration initially determines that the municipality  
8 will meet the requirements of s. 144.2415 (9) (b).

9           (e) 1. Except as provided under par. (f) and sub. (13), if a sufficient amount of  
10 subsidy is available under s. 144.2415 (3) (d) for the municipality's project, based on  
11 the calculation under s. 144.2415 (3) (i), when the department approves the  
12 application under par. (a), the department of administration shall allocate that  
13 amount to the project.

14           2. If a sufficient amount of subsidy is not available under s. 144.2415 (3) (d) for  
15 the municipality's project when the department approves the application under  
16 subd. 1., the department shall place the project on a list for allocation when  
17 additional subsidy becomes available.

18           (f) If the amount approved under s. 144.2415 (3) (d), the amount available  
19 under s. 20.866 (2) (tc) or the amount available under s. 144.2415 (4) (f) for a  
20 biennium is 85% or less of the amount of present value subsidy, general obligation  
21 bonding authority or revenue bonding authority, respectively, requested for that  
22 biennium in the biennial finance plan submitted under s. 144.2415 (3) (bm) 1., all of  
23 the following apply:

24           1. The department shall establish a funding list for each fiscal year of the  
25 biennium that ranks projects of municipalities that submit financial assistance

1 applications under sub. (9) (a) no later than the June 30 preceding the fiscal year in  
2 the same order that they appear on the priority list under sub. (8e).

3 2. The department of administration shall allocate funding to projects in the  
4 order in which they appear on the funding list under subd. 1.

5 (fm) The department, in consultation with the department of administration,  
6 shall promulgate, by rule, methods to establish deadlines for actions that must be  
7 taken by a municipality to which subsidy has been allocated. The methods may  
8 provide for extending deadlines under specified circumstances. If a municipality  
9 fails to meet a deadline, including any extension, the department of administration  
10 shall release the amount of subsidy allocated to the municipality's project.

11 **SECTION 4237.** 144.241 (10) (title) of the statutes is renumbered 144.241 (8e)  
12 (title).

13 **SECTION 4238.** 144.241 (10) (a) of the statutes is renumbered 144.241 (8e), and  
14 144.241 (8e) (intro.), as renumbered, is amended to read:

15 144.241 (8e) (intro.) The department shall establish a priority list under in  
16 accordance with 33 USC 1381 to 1387 which ranks each project. The ranking on the  
17 priority list shall be based on all of the following:

18 **SECTION 4239.** 144.241 (10) (b) of the statutes is repealed.

19 **SECTION 4240.** 144.241 (10) (c) to (f) of the statutes are repealed.

20 **SECTION 4241.** 144.241 (11) (title), (a) and (b) of the statutes are amended to  
21 read:

22 144.241 (11) (title) APPROVAL TYPE OF FINANCIAL ASSISTANCE. (a) The Except as  
23 provided in par. (b), the department of administration shall specify the method by  
24 which financial assistance is to be provided for each approved application that it

## SECTION 4241

1 approves. ~~The methods by which the department may provide financial assistance~~  
2 ~~are the methods specified under sub. (6) (b).~~

3 (b) For municipalities meeting the financial hardship assistance requirements  
4 under sub. (13), the department of natural resources may approve financial hardship  
5 assistance and shall specify the method by which it will provide financial hardship  
6 assistance, including but not limited to a combination of loans at or below the market  
7 rate and grants, deferred payment loans, state payment of the loan for a number of  
8 years, or longer amortization periods.

9 **SECTION 4242.** 144.241 (11) (c) of the statutes is renumbered 144.241 (9m) (d)  
10 and amended to read:

11 144.241 (9m) (d) The department may not ~~approve financial assistance under~~  
12 ~~this section and s. 144.2415~~ approve an application under par. (a) for a project that  
13 is not on the priority list under sub. (10) (a) (8e).

14 **SECTION 4243.** 144.241 (11) (d) of the statutes is renumbered 144.241 (9m) (g)  
15 and amended to read:

16 144.241 (9m) (g) In ~~approving financial assistance under this section and s.~~  
17 ~~144.2415~~ allocating subsidy under this subsection, the department of administration  
18 shall adhere to the amount approved by the legislature for each biennium under s.  
19 144.2415 (3) (d).

20 **SECTION 4247b.** 144.241 (12) (c) of the statutes is repealed and recreated to  
21 read:

22 144.241 (12) (c) 1. Except as modified under par. (f), the interest rate for tier  
23 1 projects is 50% of market interest rate.

24 2. Except as modified under par. (f), the interest rate for tier 2 projects is 70%  
25 of market interest rate.

1           3. The interest rate for tier 3 projects is market interest rate.

2           **SECTION 4251b.** 144.241 (12) (d) of the statutes is repealed.

3           **SECTION 4252.** 144.241 (12) (f) of the statutes is amended to read:

4           144.241 (12) (f) The department and the department of administration jointly  
5           may request the joint committee on finance to take action under s. 13.101 (11) to  
6           modify the percentage of market interest rates established by rule for tier 1 and tier  
7           2 projects.

8           **SECTION 4253b.** 144.241 (13) of the statutes is repealed and recreated to read:

9           144.241 (13) FINANCIAL HARDSHIP ASSISTANCE. (a) The department shall provide  
10          advance funding grants to fund a portion of the costs of preparing facility plans under  
11          sub. (8s) and project plans and specifications required under sub. (9) (a). The  
12          department shall approve an advance funding grant for a municipality if the median  
13          household income in the municipality is 80% or less of the median household income  
14          in this state. The amount of an advance funding grant for a facility plan is 50% of  
15          the cost of completing the facility plan, but not more than \$20,000. The amount of  
16          an advance funding grant for project plans and specifications is 50% of the cost of  
17          completing plans and specifications but not more than \$40,000.

18          (b) A municipality with an application that is approved under sub. (9m) is  
19          eligible for financial hardship assistance for the project costs that are eligible under  
20          this section and s. 144.2415, except for costs to which sub. (8) (b), (c), (f) or (h) applies,  
21          if the municipality meets all of the following criteria:

22               1. The median household income in the municipality is 80% or less of the  
23          median household income in this state.

1           2. The estimated total annual charges per residential user in the municipality  
2 that relate to wastewater treatment would exceed 2% of the median household  
3 income in the municipality without assistance under this subsection.

4           (c) The department shall provide assistance in the form of a grant of up to 90%  
5 of project costs that are eligible for financial hardship assistance under par. (b). The  
6 department shall provide a no-interest or low-interest loan for the remainder of  
7 those eligible costs so that estimated total annual charges per residential user in the  
8 municipality that relate to wastewater treatment do not exceed 2% of the median  
9 household income in the municipality, if possible. The department may not reduce  
10 the amount of financial hardship assistance for a municipality's project due to the  
11 municipality receiving assistance for the project from another source unless the  
12 combination of financial hardship assistance plus the assistance from the other  
13 source would reduce the estimated total annual charges per residential user in the  
14 municipality that relate to wastewater treatment to less than 2% of the median  
15 household income in the municipality.

16           (d) The department shall establish a financial hardship assistance funding list  
17 for each fiscal year that ranks projects of municipalities that are eligible under par.  
18 (b), and that submit complete financial assistance applications under sub. (9) (a) no  
19 later than June 30 of the preceding fiscal year, in the same order that they appear  
20 on the priority list under sub. (8e).

21           (e) In each fiscal year, the department shall allocate financial hardship  
22 assistance under this subsection in the following order:

23           1. Advance planning grants under par. (a).

24           2. Assistance under par. (b) for projects that were on a funding list under par.

25           (d) for a prior fiscal year, that have not previously received funding and that were in

1 the top 20% of projects on the priority list under sub. (8e) for the prior fiscal year,  
2 starting with projects on the funding list for the earliest fiscal year.

3 3. Assistance under par. (b) for projects on the current fiscal year's funding list  
4 under par. (d) in the order that they appear on the funding list.

5 (f) The department shall promulgate, by rule, a formula for estimating  
6 operating, maintenance and replacement costs for determining estimated  
7 wastewater treatment user charges under this subsection.

8 **SECTION 4254.** 144.241 (13m) (b) of the statutes is amended to read:

9 144.241 (13m) (b) Grants provided under this subsection are not included for  
10 the purposes of determining under sub. (8) (i) the amount that a municipality may  
11 receive for projects under this section and s. 144.2415. Grants awarded under this  
12 subsection are not considered for the purposes of sub. ~~(11)~~ (d) (9m) (e) or s. 144.2415  
13 (3) (d).

14 **SECTION 4255.** 144.241 (14) (b) 1. of the statutes is amended to read:

15 144.241 (14) (b) 1. Establish a dedicated source of revenue, that is acceptable  
16 to the department of administration under s. 144.2415 (9) (am) and (b), for the  
17 repayment of any financial assistance.

18 **SECTION 4257.** 144.241 (14) (b) 8. of the statutes is repealed.

19 **SECTION 4258.** 144.241 (15) (a) (intro.) of the statutes is amended to read:

20 144.241 (15) (a) (intro.) ~~Subject to pars. (b) and (c), the~~ The department shall  
21 and the department of administration may, at the request of a municipality, issue a  
22 notice of financial assistance commitment to a the municipality ~~within 90 days after~~  
23 all of the following occur:

24 **SECTION 4259.** 144.241 (15) (a) 1. of the statutes is repealed and recreated to  
25 read:

1           144.241 (15) (a) 1. The department approves the municipality's application  
2 under sub. (9m) (a) and the department of administration has allocated subsidy for  
3 the municipality's project.

4           **SECTION 4261.** 144.241 (15) (a) 3. of the statutes is repealed.

5           **SECTION 4262.** 144.241 (15) (am) of the statutes is amended to read:

6           144.241 (15) (am) The notice of financial assistance commitment shall include  
7 the conditions that the municipality must meet to secure the financial assistance and  
8 shall include the estimated loan payment and repayment schedules, as determined  
9 by the department and the department of administration, and other terms of the  
10 financial assistance.

11          **SECTION 4263.** 144.241 (15) (b) of the statutes is repealed.

12          **SECTION 4264.** 144.241 (15) (c) of the statutes is renumbered 144.241 (9m) (c)  
13 and amended to read:

14          144.241 (9m) (c) The department may ~~issue a notice of financial assistance~~  
15 ~~commitment to a municipality~~ approve an application under par. (a) in a year only  
16 after the amount under s. 144.2415 (3) (d) for the biennium in which that year falls  
17 has been approved by the legislature under s. 144.2415 (3) (d).

18          **SECTION 4265.** 144.241 (15) (e) of the statutes is repealed.

19          **SECTION 4267.** 144.2415 (1) (d) 3. of the statutes is repealed.

20          **SECTION 4269.** 144.2415 (3) (a) 3. of the statutes is repealed.

21          **SECTION 4270b.** 144.2415 (3) (a) 4. of the statutes is amended to read:

22          144.2415 (3) (a) 4. The extent to which the clean water fund will be maintained  
23 in perpetuity, ~~and the extent to which the clean water fund will retain its purchasing~~  
24 ~~power, meet the requirements of this section and s. 144.241 to provide financial~~  
25 ~~assistance for water quality pollution abatement needs and nonpoint source water~~

**SECTION 4270b**

1 ~~pollution management needs, and provide a stable and sustainable annual level of~~  
2 ~~financial assistance under this section and s. 144.241 proportional to the state's~~  
3 ~~long-term water pollution abatement and management needs and priorities.~~

4 **SECTION 4271c.** 144.2415 (3) (a) 5. of the statutes is amended to read:

5 144.2415 (3) (a) 5. ~~A fund balance sheet, cash flow of existing loans and~~  
6 ~~commitments, report of loans and commitments, fund profits and losses including~~  
7 ~~yield on prior year loans~~ Audited financial statements of the past operations and  
8 activities of the program under this section and s. 144.241, the estimated fund capital  
9 available in each of the next 4 fiscal years, and the projected clean water fund balance  
10 for each of the next 20 years given existing obligations and financial conditions.

11 **SECTION 4273.** 144.2415 (3) (a) 9. of the statutes is amended to read:

12 144.2415 (3) (a) 9. The impact of the biennial finance plan on the ~~guidelines~~  
13 guideline under par. (b).

14 **SECTION 4274.** 144.2415 (3) (b) (intro.) and 2. of the statutes are consolidated,  
15 renumbered 144.2415 (3) (b) and amended to read:

16 144.2415 (3) (b) The department of administration and the department shall  
17 consider ~~the following as guidelines~~ as a guideline in preparing the biennial finance  
18 plan: ~~2. That~~ that all state water pollution abatement general obligation debt  
19 service costs should not exceed 50% of all general obligation debt service costs to the  
20 state.

21 **SECTION 4275.** 144.2415 (3) (b) 1. of the statutes is repealed.

22 **SECTION 4276.** 144.2415 (3) (bm) 2. of the statutes is amended to read:

23 144.2415 (3) (bm) 2. No later than 30 days after the day on which the biennial  
24 budget is submitted to the legislature under s. 16.45, ~~the version of~~ amendments to

1 the biennial finance plan that ~~contains~~ update the plan to reflect material approved  
2 by the governor for inclusion in the budget.

3 **SECTION 4277.** 144.2415 (3) (br) of the statutes is amended to read:

4 144.2415 (3) (br) The joint committee on finance and each standing committee  
5 may submit to the building commission its recommendations and comments  
6 regarding each version of the biennial finance plan and amendments to the biennial  
7 finance plan, and whether the version of the biennial finance plan updated to reflect  
8 the adopted biennial budget act should be approved or disapproved as specified  
9 under s. 13.48 (26). If the building commission disapproves the version of the  
10 biennial finance plan that is updated to reflect the adopted biennial budget act, the  
11 department and the department of administration shall submit a revised biennial  
12 finance plan to the building commission.

13 **SECTION 4278.** 144.2415 (3) (c) (intro.) and 1. of the statutes are amended to  
14 read:

15 144.2415 (3) (c) (intro.) No moneys from the clean water fund may be expended  
16 in a biennium until the legislature reviews and approves all of the following, ~~either~~  
17 ~~in 1989 Wisconsin Act 366 for the 1989-91 biennium or as part of the biennial budget~~  
18 ~~act for any other~~ the biennium:

19 1. An amount that is specified for that biennium under par. (d) and, ~~for any~~  
20 ~~biennium after the 1989-91 biennium,~~ is based on the amount included in the  
21 biennial finance plan under par. (a) 6.

22 **SECTION 4279.** 144.2415 (3) (d) 1. and 3. of the statutes are amended to read:

23 144.2415 (3) (d) 1. Equal to ~~\$115,800,000~~ \$80,000,000 during the ~~1993-95~~  
24 1995-97 biennium.

25 3. Equal to \$1,000 for any biennium after the ~~1993-95~~ 1995-97 biennium.

1           **SECTION 4280.** 144.2415 (3) (dm) of the statutes is created to read:

2           144.2415 (3) (dm) The department of administration may allocate amounts  
3 approved under par. (d) as the present value of subsidies for financial assistance  
4 under this section and s. 144.241, including financial hardship assistance and  
5 assistance for the additional costs of approved projects. The department of  
6 administration may allocate amounts from the amount approved under par. (d) for  
7 a biennium until December 30 of the fiscal year immediately following the biennium  
8 for projects for which complete applications under s. 144.241 (9) (a) are submitted  
9 before the end of the biennium.

10           **SECTION 4281b.** 144.2415 (3) (e) of the statutes is amended to read:

11           144.2415 (3) (e) The department may expend, for financial assistance in a  
12 biennium other than financial hardship assistance under s. 144.241 (13) (e), an  
13 amount up to ~~74%~~ 85% of the amount approved by the legislature under par. (d). The  
14 department may expend such amount only from the percentage of the amount  
15 approved under par. (d) that is not available under par. (f) for financial hardship  
16 assistance ~~or under par. (g) for additional costs.~~

17           **SECTION 4282b.** 144.2415 (3) (f) of the statutes is amended to read:

18           144.2415 (3) (f) The department may expend, for financial hardship assistance  
19 in a biennium under s. 144.241 (13) (e), an amount up to ~~18%~~ 15% of the amount  
20 approved by the legislature under par. (d) for that biennium. The department may  
21 expend such amount only from the percentage of the amount approved by the  
22 legislature under par. (d) that is not available under par. (e) for financial assistance  
23 ~~or under par. (g) for additional costs.~~

24           **SECTION 4283.** 144.2415 (3) (g) of the statutes is repealed.

25           **SECTION 4284.** 144.2415 (3) (i) of the statutes is amended to read:

1           144.2415 (3) (i) Using the amount approved under par. (d) as a base, the  
2 department of administration ~~and the department~~ shall calculate the present value  
3 of the actual subsidy of each clean water fund loan or grant to be made for those  
4 projects in each biennium that are approved for financial assistance by the 2  
5 departments. The present value shall be discounted as provided under par. (a) 6.

6           **SECTION 4285.** 144.2415 (3) (j) of the statutes is amended to read:

7           144.2415 (3) (j) No later than November 1 of each odd-numbered year, the  
8 department of administration and the department jointly shall submit a report, to  
9 the building commission and committees as required under par. (bm), on the  
10 implementation of the amount established under par. (d) as required under s.  
11 144.241 (11) ~~(d)~~ (9m) ~~(e)~~, and on the operations and activities of the clean water fund  
12 program for the previous biennium.

13           **SECTION 4285e.** 144.2415 (4) (c) of the statutes is amended to read:

14           144.2415 (4) (c) The building commission may pledge any portion of revenues  
15 received or to be received in the fund established in par. (b) or the clean water fund  
16 to secure revenue obligations issued under this subsection. The pledge shall provide  
17 for the transfer to the clean water fund of all pledged revenues, including any  
18 interest earned on the revenues, which are in excess of the amounts required to be  
19 paid under s. 20.320 (1) (c), ~~(d)~~ and (u) for the purposes specified in s. 25.43 (3). The  
20 pledge shall provide that the transfers be made at least twice yearly, that the  
21 transferred amounts be deposited in the clean water fund and that the transferred  
22 amounts are free of any prior pledge.

23           **SECTION 4286.** 144.2415 (9) (a) of the statutes is amended to read:

24           144.2415 (9) (a) A loan approved under this section and s. 144.241 shall be for  
25 no longer than 20 years, as determined by the department of administration ~~and the~~

**SECTION 4286**

1 department, be fully amortized not later than 20 years after the original date of the  
2 note, and require the repayment of principal and interest, if any, to begin not later  
3 than 12 months after the expected date of completion of the project that it funds, as  
4 determined by the department of administration ~~and the department.~~

5 **SECTION 4287.** 144.2415 (9) (am) of the statutes is amended to read:

6 144.2415 (9) (am) The department of administration, in consultation with the  
7 department, may establish those terms and conditions of a financial assistance  
8 agreement that relate to its financial management, including what type of municipal  
9 obligation, as set forth under s. 66.36, is required for the repayment of the financial  
10 assistance. Any terms and conditions established under this paragraph by the  
11 department of administration shall comply with the requirements of this section and  
12 s. 144.241. In setting such terms and conditions, the department of administration  
13 may consider factors that the department of administration finds are relevant,  
14 including the type of municipal obligation evidencing the loan ~~or a~~, the pledge of  
15 security for the municipal obligation and the municipality's creditworthiness.

16 **SECTION 4288.** 144.2415 (11) (a) and (am) of the statutes are amended to read:

17 144.2415 (11) (a) The department of natural resources and the department of  
18 administration may enter into a financial assistance agreement with a municipality  
19 for which the department ~~issues a notice of financial assistance commitment under~~  
20 ~~this section~~ of administration has allocated subsidy under s. 144.241 (9m) if the  
21 municipality meets the ~~condition~~ conditions under sub. (9) and s. 144.241 (14) (b) 8.  
22 and the other requirements established by ~~the department and the department of~~  
23 ~~administration~~ under this section and s. 144.241.

1 (am) The department of administration shall make the financial assistance  
2 payments to a municipality with which the department has entered into a financial  
3 assistance agreement under par. (a) or to the municipality's designated agent.

4 **SECTION 4289.** 144.2415 (11) (c) of the statutes is amended to read:

5 144.2415 (11) (c) The department of administration may ~~not make~~ retain the  
6 last payment under a financial assistance agreement until the department of  
7 natural resources and the department of administration determine that the project  
8 is completed and meets all the applicable requirements of the this section and s.  
9 144.241 and that the conditions of the financial assistance agreement are met.

10 **SECTION 4290.** 144.2415 (12) of the statutes is amended to read:

11 144.2415 (12) MUNICIPAL OBLIGATIONS. The department of administration may  
12 purchase or refinance obligations specified in s. 144.241 (6) (b) 1. or 2. and guarantee  
13 or purchase insurance for municipal obligations specified in s. 144.241 (6) (b) 3. if the  
14 department ~~approves~~ of administration and the department of natural resources  
15 approve the financial assistance under this section and s. 144.241 ~~and gives a notice~~  
16 ~~of financial assistance commitment under this section.~~

17 **SECTION 4293.** 144.2415 (13s) of the statutes is created to read:

18 144.2415 (13s) POWERS. The department of administration may audit, or  
19 contract for audits of, projects receiving financial assistance under this section and  
20 s. 144.241.

21 **SECTION 4294.** 144.2415 (14) of the statutes is amended to read:

22 144.2415 (14) RULES. The department of administration shall promulgate  
23 rules that are necessary for the proper execution of this section and of its  
24 responsibilities under s. 144.241.

25 **SECTION 4296.** 144.25 (4) (g) 9. of the statutes is amended to read:

**SECTION 4296**

1           144.25 (4) (g) 9. Complete the planning process in all priority watersheds by  
2           December 31, 2000 2015.

3           **SECTION 4297.** 144.25 (4) (j) of the statutes is amended to read:

4           144.25 (4) (j) A governmental unit may use a grant under this section for  
5           training required under s. 92.18 or for any other training necessary to prepare  
6           personnel to perform job duties related to this section. ~~The department may contract~~  
7           ~~with any person from the appropriations under s. 20.370 (4) (cc) and (cq) for services~~  
8           ~~to administer or implement this chapter, including information and education and~~  
9           ~~training.~~

10          **SECTION 4298.** 144.25 (4) (t) of the statutes is amended to read:

11          144.25 (4) (t) Transfer funds from the appropriation account under s. 20.370  
12          ~~(4) (cc) or (cq)~~ (6) (aa) or (aq) to the appropriation account under s. 20.115 (7) (km) at  
13          the request of the department of agriculture, trade and consumer protection, after  
14          the land and water conservation board approves the transfer, under s. 92.14 (5) (b).

15          **SECTION 4299.** 144.25 (4g) of the statutes is created to read:

16          144.25 (4g) The department may contract with any person from the  
17          appropriations under s. 20.370 (6) (aa) and (at) for services to administer or  
18          implement this section, including information and education and training services.

19          **SECTION 4300.** 144.25 (8) (cm) of the statutes is amended to read:

20          144.25 (8) (cm) Grants may be provided from the appropriations under s.  
21          20.370 ~~(4) (cc) and (cq)~~ (6) (aa) and (aq) to applicants for projects affecting priority  
22          lakes if the projects are in conformance with areawide water quality management  
23          plans and the purposes specified under sub. (1).

24          **SECTION 4300c.** 144.25 (8) (L) of the statutes is amended to read:

**SECTION 4300c**

1           144.25 (8) (L) A grant may not be made to an individual if the department  
2 receives a certification under s. ~~46.255~~ 73.255 (7) that the individual is delinquent  
3 in child support or maintenance payments.

4           **SECTION 4300e.** 144.25 (8d) of the statutes is created to read:

5           144.25 (8d) The department may distribute a grant to the board of regents of  
6 the University of Wisconsin System for practices, techniques or measures to control  
7 storm water discharges on a University of Wisconsin System campus that is located  
8 in a municipality that is required to obtain a permit under s. 147.021 and that is  
9 located in a priority watershed area, a priority lake area or an area that is identified  
10 as an area of concern by the International Joint Commission, as defined in s. 144.10  
11 (1) (a), under the Great Lakes Water Quality Agreement.

12           **SECTION 4301.** 144.253 (3) (a) of the statutes is amended to read:

13           144.253 (3) (a) Eligible recipients to consist of nonprofit conservation  
14 organizations, as defined in s. 23.0955 (1), counties, cities, towns, villages, qualified  
15 lake associations, town sanitary districts, public inland lake protection and  
16 rehabilitation districts and other local governmental units, as defined in s. 66.299  
17 (1) (a), that are established for the purpose of lake management.

18           **SECTION 4302b.** 144.254 (2) of the statutes is amended to read:

19           144.254 (2) The department may provide a grant under this section for up to  
20 ~~50%~~ 75% of the cost of a lake management project but may not provide more than  
21 \$100,000 ~~\$200,000~~ per grant.

22           **SECTION 4302g.** 144.26 (6) of the statutes is amended to read:

23           144.26 (6) Within the purposes of sub. (1) the department shall prepare and  
24 provide to municipalities general recommended standards and criteria for navigable  
25 water protection studies and planning and for navigable water protection

1 regulations and their administration. Such standards and criteria shall give  
2 particular attention to safe and healthful conditions for the enjoyment of aquatic  
3 recreation; the demands of water traffic, boating and water sports; the capability of  
4 the water resource; requirements necessary to assure proper operation of septic tank  
5 disposal fields near navigable waters; building setbacks from the water within the  
6 boundaries of cities and villages; preservation of shore growth and cover;  
7 conservancy uses for low lying lands; shoreland layout for residential and  
8 commercial development; suggested regulations and suggestions for the effective  
9 administration and enforcement of such regulations.

10 **SECTION 4302i.** 144.26 (6m) of the statutes is created to read:

11 144.26 (6m) The department may not promulgate any rule or maintain any  
12 standard or criterion that relates to the setback of buildings or structures from a body  
13 of water in the unincorporated area of a county.

14 **SECTION 4303c.** 144.266 (2) of the statutes is amended to read:

15 144.266 (2) STATE STORM WATER MANAGEMENT PLAN. The department, in  
16 consultation with the department of industry, labor and human relations, shall  
17 promulgate by rule a state storm water management plan. This state plan is  
18 applicable to activities contracted for or conducted by any agency, as defined under  
19 s. 227.01 (1) but also including the office of district attorney, unless that agency  
20 enters into a memorandum of understanding with the department of natural  
21 resources in which that agency agrees to regulate activities related to storm water  
22 management. The department shall coordinate the activities of agencies, as defined  
23 under s. 227.01 (1), in storm water management and make recommendations to  
24 these agencies concerning activities related to storm water management. The plan  
25 promulgated under this subsection is subject to the limitations under sub. (6).

1           **SECTION 4303e.** 144.266 (2) of the statutes, as affected by 1995 Wisconsin Act  
2 .... (this act), is repealed and recreated to read:

3           144.266 (2) STATE STORM WATER MANAGEMENT PLAN. The department, in  
4 consultation with the department of development, shall promulgate by rule a state  
5 storm water management plan. This state plan is applicable to activities contracted  
6 for or conducted by any agency, as defined under s. 227.01 (1) but also including the  
7 office of district attorney, unless that agency enters into a memorandum of  
8 understanding with the department of natural resources in which that agency  
9 agrees to regulate activities related to storm water management. The department  
10 shall coordinate the activities of agencies, as defined under s. 227.01 (1), in storm  
11 water management and make recommendations to these agencies concerning  
12 activities related to storm water management. The plan promulgated under this  
13 subsection is subject to the limitations under sub. (6).

14           **SECTION 4303g.** 144.266 (3) (a) 1. of the statutes is amended to read:

15           144.266 (3) (a) 1. Except as restricted under subd. 2. and sub. (6), the  
16 department shall establish by rule minimum standards for activities related to  
17 construction site erosion control at sites where the construction activities do not  
18 include the construction of a building and to storm water management.

19           **SECTION 4303j.** 144.266 (3) (a) 2. of the statutes is amended to read:

20           144.266 (3) (a) 2. The department, in cooperation with the department of  
21 transportation, shall establish by rule minimum standards for activities related to  
22 construction site erosion control and storm water management if those activities  
23 concern street, highway, road or bridge construction, enlargement, relocation or  
24 reconstruction. The standards promulgated under this subdivision are subject to the  
25 limitations under sub. (6).

**SECTION 4303m**

1           **SECTION 4303m.** 144.266 (6) of the statutes is created to read:

2           144.266 (6) EXEMPTION FOR CERTAIN HIGHWAY PROJECTS. Notwithstanding subs.  
3 (2) and (3), no state storm water management plan or standards relating to  
4 construction site erosion control applicable to the construction, rehabilitation or  
5 improvement of any existing highway may be more stringent than those required by  
6 federal law. In this subsection, “highway” has the meaning given in s. 340.01 (22).

7           **SECTION 4305.** 144.389 (1) (intro.) and (b) of the statutes are consolidated,  
8 renumbered 144.389 (1) and amended to read:

9           144.389 (1) (title) ~~DEFINITIONS~~ DEFINITION. In this section: ~~(b) “Major, “major~~  
10 ~~utility”~~ has the meaning given ~~under~~ in s. 144.386 (1) (f)

11           **SECTION 4306.** 144.389 (1) (a) of the statutes is repealed.

12           **SECTION 4307.** 144.389 (3) of the statutes is repealed.

13           **SECTION 4308.** 144.391 (1) (b) of the statutes is renumbered 144.391 (1) (b) 1.  
14 and amended to read:

15           144.391 (1) (b) 1. Except as provided in subd. 2., par. (a) 2. or, sub. (6) or s.  
16 144.3925 (7), no person may operate a new source or a modified source unless the  
17 person has an operation permit under s. 144.3925 from the department.

18           **SECTION 4309.** 144.391 (1) (b) 2. of the statutes is created to read:

19           144.391 (1) (b) 2. A person may continue to operate a new source or a modified  
20 source for which the department issued a permit under s. 144.392, 1989 stats., on or  
21 before November 15, 1992, but on which construction, reconstruction, replacement  
22 or modification began after November 15, 1992, but the person shall apply for an  
23 operation permit under s. 144.3925 no later than March 1, 1996.

24           **SECTION 4310.** 144.391 (2) (a) of the statutes is amended to read:

**SECTION 4310**

1           144.391 (2) (a) *Operation permit requirement.* Except as provided in sub. (6)  
2 or s. 144.3925 (7), no person may operate an existing source after the operation  
3 permit requirement date specified under s. 144.374 (1) unless the person has an  
4 operation permit under s. 144.3925 from the department.

5           **SECTION 4311.** 144.391 (4m) of the statutes is amended to read:

6           144.391 (4m) PERMIT FLEXIBILITY. The department shall allow a person to make  
7 a change to ~~an existing~~ a stationary source that has an operation permit, or for which  
8 the person has submitted a timely and complete application for an operation permit,  
9 for which the department would otherwise first require an operation permit revision,  
10 without first requiring a revision of the operation permit if the change is not a  
11 modification, as defined by the department by rule, and the change will not cause the  
12 ~~existing~~ stationary source to exceed the emissions allowable under the operation  
13 permit, whether expressed as an emission rate or in terms of total emissions. Except  
14 in the case of an emergency, a person shall notify the department and, for permits  
15 required under the federal clean air act, the administrator of the federal  
16 environmental protection agency in writing at least 21 days before the date on which  
17 the person proposes to make a change to ~~an existing~~ a stationary source under this  
18 subsection. A person may not make a proposed change to ~~an existing~~ a stationary  
19 source if the department informs the person before the end of that 21-day period that  
20 the proposed change is not a change authorized under this subsection. The  
21 department shall promulgate rules establishing a shorter time for advance  
22 notification of changes under this subsection in case of emergency.

23           **SECTION 4312.** 144.3925 (6) (b) and (7) of the statutes are amended to read:

24           144.3925 (6) (b) The department shall approve or deny the operation permit  
25 application for a new source or modified source. The department shall issue the

**SECTION 4312**

1 operation permit for a new source or modified source if the criteria established under  
2 s. ss. 144.393 and 144.3935 are met. The department shall issue an operation permit  
3 for a new source or modified source or deny the application within 180 days after the  
4 permit applicant submits to the department the results of all equipment testing and  
5 emission monitoring required under the construction permit.

6 **(7) OPERATION CONTINUED DURING APPLICATION.** If a person timely submits a  
7 complete application for ~~an existing~~ a stationary source under sub. (1) and submits  
8 any additional information requested by the department within the time set by the  
9 department, the ~~existing~~ stationary source may not be required to discontinue  
10 operation and the person may not be prosecuted for lack of an operation permit until  
11 the department acts under sub. (6).

12 **SECTION 4313.** 144.3935 (title) and (1) of the statutes are amended to read:

13 **144.3935 (title) Criteria for operation permits for ~~existing~~ stationary**  
14 **sources. (1) ISSUANCE TO SOURCES NOT IN COMPLIANCE; FEDERAL OBJECTION.** (a)  
15 Notwithstanding s. 144.393, the department may issue an operation permit for an  
16 ~~existing~~ a stationary source that does not comply with the requirements in the  
17 operation permit, in the federal clean air act, in an implementation plan under s.  
18 144.31 (1) (f) or in s. 144.393 when the operation permit is issued if the operation  
19 permit includes all of the following:

20 1. A compliance schedule that sets forth a series of remedial measures that the  
21 owner or operator of the ~~existing~~ stationary source must take to comply with the  
22 requirements with which the ~~existing~~ stationary source is in violation when the  
23 operation permit is issued.

24 2. A requirement that, at least once every 6 months, the owner or operator of  
25 the ~~existing~~ stationary source submit reports to the department concerning the

1 progress in meeting the compliance schedule and the requirements with which the  
2 existing stationary source is in violation when the operation permit is issued.

3 (b) Notwithstanding par. (a) and s. 144.393, the department may not issue an  
4 operation permit to an ~~existing~~ a stationary source if the federal environmental  
5 protection agency objects to the issuance of the operation permit as provided in s.  
6 144.3925 (5m) unless the department revises the operation permit to meet the  
7 objection.

8 **SECTION 4314.** 144.396 (3) (c) of the statutes is created to read:

9 144.396 (3) (c) The department may renew an operation permit if the criteria  
10 in ss. 144.393 and 144.3935 are met. Notwithstanding s. 144.3935 (1) (a), the  
11 department may deny an application for renewal of an operation permit for a  
12 stationary source if the stationary source is in violation of its current operation  
13 permit.

14 **SECTION 4315.** 144.399 (2) (a) 4. of the statutes is amended to read:

15 144.399 (2) (a) 4. That during 1995 to 1999, no fee is required to be paid under  
16 this subsection for emissions from any affected unit ~~under~~ listed in Table A of 42 USC  
17 7651c.

18 **SECTION 4316.** 144.399 (2) (am) of the statutes is amended to read:

19 144.399 (2) (am) The department may not charge a major utility fees on  
20 emissions in excess of 4,000 tons per year of each regulated pollutant beyond the  
21 amount necessary to recover the fees that would have been charged for any phase I  
22 affected unit ~~under~~ listed in Table A of 42 USC 7651c owned by that major utility if  
23 the prohibition in par. (a) 4. did not exist.

24 **SECTION 4316g.** 144.399 (7) of the statutes is created to read:

**SECTION 4316g**

1           144.399 (7) EMISSION REDUCTION CREDIT FEES. The department may promulgate  
2 rules for the payment of fees by persons who hold emission reduction credits that  
3 may be used to satisfy the offset requirements in s. 144.393 (2) (a) and that have been  
4 certified by the department. The rules may waive the payment of fees under this  
5 subsection for categories of emission reduction credits. The fees collected under this  
6 subsection shall be credited to the appropriation under s. 20.370 (2) (bg).

7           **SECTION 4317.** 144.405 (5) (a) (intro.) and 1. of the statutes are consolidated,  
8 renumbered 144.405 (5) (a) and amended to read:

9           144.405 (5) (a) The department shall develop, implement and administer a  
10 program to provide financial assistance to the owner or operator of a ~~retail station.~~  
11 ~~Only the following costs are eligible for reimbursement under the program: 1. Costs~~  
12 ~~gasoline dispensing facility for costs directly incurred after August 15, 1991 1990, for~~  
13 ~~the design, acquisition and installation of a vapor control system necessary for the~~  
14 ~~owner or operator to comply with the requirements under sub. (3) rules requiring the~~  
15 ~~installation of a vapor control system on those portions of a ~~retail station~~ gasoline~~  
16 ~~dispensing facility located in an ozone nonattainment area with a classification~~  
17 ~~under 42 USC 7511 (a) of moderate or worse that relate to a stationary storage tank~~  
18 ~~installed on or before August 15, 1991, or on those portions of a ~~retail station~~ gasoline~~  
19 ~~dispensing facility located in an ozone nonattainment area with a classification~~  
20 ~~under 42 USC 7511 (a) of moderate or worse that relate to a stationary storage tank~~  
21 ~~installed after August 15, 1991, that does not increase the stationary storage tank~~  
22 ~~capacity of the ~~retail station~~ gasoline dispensing facility in existence on August 15,~~  
23 1991.

24           **SECTION 4317d.** 144.405 (5) (c) of the statutes is amended to read:

**SECTION 4317d**

1           144.405 (5) (c) ~~The Subject to pars. (ce) to (d), the~~ department shall award a  
2 grant to each applicant who submits a complete application under par. (b) for costs  
3 allowable under par. (a). The amount of the grant may not exceed 95% of the first  
4 \$25,000 in costs and 90% of the next \$15,000 in costs incurred by the applicant. If  
5 the department promulgates a rule under par. (e), it shall determine the costs based  
6 upon the rule promulgated under par. (e).

7           **SECTION 4317h.** 144.405 (5) (ce) of the statutes is created to read:

8           144.405 (5) (ce) The owner or operator of a gasoline dispensing facility is  
9 eligible for a grant under this subsection for costs incurred after August 15, 1990, and  
10 on or before August 15, 1991, only if the owner or operator has not received  
11 reimbursement for the costs from any other source and if no substantial evidence  
12 exists that the applicant applied for or obtained a grant under this subsection on the  
13 basis of fraudulent information. Excavation costs incurred on or before August 15,  
14 1991, are not eligible for reimbursement under this subsection.

15           **SECTION 4317p.** 144.405 (5) (cm) of the statutes is created to read:

16           144.405 (5) (cm) The owner or operator of a gasoline dispensing facility is not  
17 eligible for a grant under this subsection unless, before October 1, 1995, the owner  
18 or operator submits a report indicating the amount of gasoline dispensed by the  
19 gasoline dispensing facility, as required by the department by rule, and, if required  
20 by the department by rule, a compliance plan.

21           **SECTION 4317t.** 144.405 (5) (cs) of the statutes is created to read:

22           144.405 (5) (cs) If there is not sufficient funding to provide grants under this  
23 subsection to all eligible applicants, the department shall give priority to grants for  
24 gasoline dispensing facilities that are located within an ozone nonattainment area  
25 that is classified as severe under 42 USC 7511 (a) and are within 10 miles of an area

1 that is an ozone attainment area or is an ozone nonattainment area that is classified  
2 as less than severe under 42 USC 7511 (a).

3 **SECTION 4318.** 144.405 (5) (d) of the statutes is amended to read:

4 144.405 (5) (d) The department may not award a grant under this subsection  
5 after ~~June 30, 1995, or the day after publication of the 1995-97 biennial budget act,~~  
6 ~~whichever is later~~ December 31, 1995.

7 **SECTION 4319g.** 144.435 (5) of the statutes is created to read:

8 144.435 (5) (a) In this subsection, “high-volume industrial waste” has the  
9 meaning given in s. 144.44 (7) (a) 1.

10 (b) The department shall promulgate, by rule, standards for the reuse of  
11 foundry sand and other high-volume industrial waste, including high-volume  
12 industrial waste that qualifies for an exemption from regulation under s. 144.44 (7)  
13 (g). The department shall design the rules under this paragraph to allow and  
14 encourage, to the maximum extent possible consistent with the protection of public  
15 health and the environment, the beneficial reuse of high-volume industrial waste,  
16 in order to preserve resources, conserve energy and reduce or eliminate the need to  
17 dispose of high-volume industrial waste in landfills. In developing rules under this  
18 paragraph, the department shall review methods of reusing high-volume industrial  
19 waste that are approved by other states and incorporate those methods to the extent  
20 that the department determines is advisable. In developing rules under this  
21 paragraph, the department shall also consider the analysis and methodology used  
22 under 40 CFR 503.13 in determining the impacts on groundwater from various  
23 methods of reusing high-volume industrial wastes.

24 **SECTION 4319h.** 144.44 (7) (em) of the statutes is created to read:

**SECTION 4319h**

1           144.44 (7) (em) *Exemption from licensing, agricultural use of wood ash.* No  
2 license is required under this section for the agricultural use of wood ash.

3           **SECTION 4319m.** 144.442 (9) (b) 3. of the statutes is created to read:

4           144.442 (9) (b) 3. This subsection does not apply to the release or discharge of  
5 high-volume industrial waste used in a highway improvement project under s.  
6 84.078.

7           **SECTION 4320g.** 144.449 (1) (am) of the statutes is created to read:

8           144.449 (1) (am) “Recovery activity” means a project designed to reduce the  
9 number or volume of waste tires, to recycle waste tires or to recover waste tires.

10          **SECTION 4320gm.** 144.449 (1) (c) of the statutes is amended to read:

11          144.449 (1) (c) “Waste tire” ~~has the meaning given under s. 84.078 (1) (b)~~ means  
12 a tire that is no longer suitable for its original purpose because of wear, damage or  
13 defect.

14          **SECTION 4320h.** 144.449 (3) (f) of the statutes is amended to read:

15          144.449 (3) (f) A site where a recovery activity, ~~as defined in s. 159.17 (1) (a),~~  
16 is carried on if no more than a 6-month inventory of tires is kept on the site.

17          **SECTION 4321.** 144.737 (1) (intro.) and (b) of the statutes are consolidated,  
18 renumbered 144.737 (1) and amended to read:

19          144.737 (1) In this section: ~~(b) “Capacity,~~ “capacity assurance plan” means the  
20 plan submitted under 42 USC 9604 (c) (9) for the management of hazardous waste  
21 generated in this state.

22          **SECTION 4322.** 144.737 (1) (a) of the statutes is repealed.

23          **SECTION 4323.** 144.737 (2) (b) of the statutes is amended to read:

1           144.737 (2) (b) Notify the governor and the board of any significant problems  
2 that occur or may occur in the ability to manage a type of hazardous waste in this  
3 state and of the need to change the goals in the capacity assurance plan.

4           **SECTION 4324.** 144.737 (2) (c) of the statutes is amended to read:

5           144.737 (2) (c) Each year in which submission of a revised capacity assurance  
6 plan is required by the federal environmental protection agency, at least 75 days  
7 before the federal environmental protection agency deadline for submittal, complete  
8 a draft of a revised capacity assurance plan and provide the draft to the board, the  
9 governor and the chief clerk of each house of the legislature for distribution under  
10 s. 13.172 (2).

11           **SECTION 4325.** 144.737 (2) (e) of the statutes is amended to read:

12           144.737 (2) (e) Each year in which submission of a revised capacity assurance  
13 plan is required by the federal environmental protection agency, provide its proposed  
14 version of the revised capacity assurance plan, no later than 14 days prior to the  
15 federal environmental protection agency deadline for submittal, to the board, the  
16 governor and the chief clerk of each house of the legislature for distribution under  
17 s. 13.172 (2).

18           **SECTION 4326.** 144.76 (2) (e) of the statutes is created to read:

19           144.76 (2) (e) The department shall report notifications that it receives under  
20 this subsection related to discharges from petroleum storage tanks, as defined in s.  
21 101.144 (1) (bm), to the department of development.

22           **SECTION 4327r.** 144.76 (6) (a) of the statutes is amended to read:

23           144.76 (6) (a) *Contingency plan; activities resulting from discharges.* The  
24 department may utilize moneys appropriated under s. 20.370 (2) (dv), (fq) and (my)  
25 in implementing and carrying out the contingency plan developed under sub. (5) and

1 to provide for the procurement, maintenance and storage of necessary equipment  
2 and supplies, personnel training and expenses incurred in identifying, locating,  
3 monitoring, containing, removing and disposing of discharged substances.

4 **SECTION 4327s.** 144.76 (6) (b) of the statutes is amended to read:

5 144.76 (6) (b) *Limitation on equipment expenses.* No more than 25% of the  
6 moneys available under the appropriation under s. 20.370 (2) (dv),~~(fq)~~ or (my)  
7 during any fiscal year may be used for the procurement and maintenance of  
8 necessary equipment during that fiscal year.

9 **SECTION 4328.** 144.76 (7) (a) of the statutes is amended to read:

10 144.76 (7) (a) In Subject to ss. 94.73 (2m) and 101.144 (3), in any case where  
11 action required under sub. (3) is not being adequately taken or the identity of the  
12 person responsible for the discharge is unknown, the department or its authorized  
13 representative may identify, locate, monitor, contain, remove or dispose of the  
14 hazardous substance or take any other emergency action which it deems appropriate  
15 under the circumstances.

16 **SECTION 4329.** 144.76 (7) (c) of the statutes is amended to read:

17 144.76 (7) (c) The Subject to ss. 94.73 (2m) and 101.144 (3), the department,  
18 for the protection of public health, safety or welfare, may issue an emergency order  
19 or a special order to the person possessing, controlling or responsible for the  
20 discharge of hazardous substances to fulfill the duty imposed by sub. (3).

21 **SECTION 4330m.** 144.76 (9) (f) of the statutes is created to read:

22 144.76 (9) (f) Any person discharging high-volume industrial waste used in a  
23 highway improvement project under s. 84.078 is exempted from the penalty  
24 requirements of this section.

25 **SECTION 4331g.** 144.77 (6) (a) of the statutes is amended to read:

**SECTION 4331g**

1           144.77 (6) (a) The department may utilize moneys appropriated under s.  
2           20.370 (2) (dv),~~(fq)~~ and (my) in taking action under sub. (3). The department shall  
3           utilize these moneys to provide for the procurement, maintenance and storage of  
4           necessary equipment and supplies, personnel training and expenses incurred in  
5           locating, identifying, removing and disposing of abandoned containers.

6           **SECTION 4331h.** 144.77 (6) (b) of the statutes is amended to read:

7           144.77 (6) (b) No more than 25% of the total of all moneys available under the  
8           appropriation under s. 20.370 (2) (dv),~~(fq)~~ and (my) may be used annually for the  
9           procurement and maintenance of necessary equipment during that fiscal year.

10          **SECTION 4331i.** 144.77 (6) (c) of the statutes is amended to read:

11          144.77 (6) (c) The department is entitled to recover moneys expended under  
12          this section from any person who caused the containers to be abandoned or is  
13          responsible for the containers. The funds recovered under this paragraph shall be  
14          deposited into the environmental fund for environmental repair.

15          **SECTION 4332.** 144.82 of the statutes is amended to read:

16          **144.82 Mine effect responsibility.** The department shall serve as the central  
17          unit of state government to ensure that the air, lands, waters, plants, fish and  
18          wildlife affected by prospecting or mining in this state will receive the greatest  
19          practicable degree of protection and reclamation. The administration of  
20          occupational health and safety laws and rules that apply to mining shall remain  
21          exclusively the responsibility of the department of industry, labor and human  
22          relations development. The powers and duties of the geological and natural history  
23          survey under s. 36.25 (6) shall remain exclusively the responsibility of the geological  
24          and natural history survey. Nothing in this section prevents the department of  
25          ~~industry, labor and human relations~~ development and the geological and natural

1 history survey from cooperating with the department in the exercise of their  
2 respective powers and duties.

3 **SECTION 4333.** 144.833 (3) of the statutes is amended to read:

4 144.833 (3) APPROVAL REQUIRED PRIOR TO DRILLING. No person may engage in  
5 radioactive waste site exploration by drilling on a parcel unless notice is provided as  
6 required under sub. (2) and s. 144.832 (4) (a) and unless the department issues a  
7 written approval authorizing drilling on that parcel. If the person seeking this  
8 approval is the federal department of energy or an agent or employe of the federal  
9 department of energy, the department may not issue the approval unless the  
10 ~~radioactive waste review board~~ public service commission certifies that the federal  
11 department of energy and its agents or employes have complied with any  
12 requirement imposed by the ~~radioactive waste review board~~ public service  
13 commission under s. ~~36.50~~ 196.497 or any agreement entered into under that section.

14 **SECTION 4334.** 144.833 (7) of the statutes is amended to read:

15 144.833 (7) (title) ~~IMPACT ON RADIOACTIVE WASTE REVIEW BOARD~~ PUBLIC SERVICE  
16 COMMISSION. Nothing in this section limits the power or authority of the ~~radioactive~~  
17 ~~waste review board~~ public service commission to impose more stringent  
18 requirements for the negotiation and approval of agreements under s. ~~36.50~~ 196.497.

19 **SECTION 4335.** 144.85 (5) (a) 1. (intro.) of the statutes is amended to read:

20 144.85 (5) (a) 1. (intro.) Except with respect to property specified in s. ~~16.21~~  
21 41.41 (11), within 90 days of the completion of the public hearing record, the  
22 department shall issue the mining permit if it finds:

23 **SECTION 4336L.** 144.95 (2) (a) of the statutes is amended to read:

24 144.95 (2) (a) The department shall submit to the department of health and  
25 ~~social services~~ agriculture, trade and consumer protection and to the state laboratory

**SECTION 4336L**

1 of hygiene any rules proposed under this section that affect the laboratory  
2 certification program under s. ~~252.22~~ 93.12 (5), for review and comment. These rules  
3 may not take effect unless they are approved by the department of ~~health and social~~  
4 ~~services~~ agriculture, trade and consumer protection within 6 months after  
5 submission.

6 **SECTION 4336m.** 144.95 (2) (b) of the statutes is amended to read:

7 144.95 (2) (b) The department shall enter into a memorandum of  
8 understanding with the department of ~~health and social services~~ agriculture, trade  
9 and consumer protection setting forth the responsibilities of each department in  
10 administering the laboratory certification programs under s. ~~252.22~~ 93.12 (5) and  
11 this section. The memorandum of understanding shall include measures to be taken  
12 by each department to avoid duplication of application and compliance procedures  
13 for laboratory certification.

14 **SECTION 4336n.** 144.95 (5) (a) of the statutes is amended to read:

15 144.95 (5) (a) (title) *Laboratories certified by the department of ~~health and~~*  
16 *~~social services~~ agriculture, trade and consumer protection.* The department shall  
17 recognize the certification of a laboratory by the department of ~~health and social~~  
18 ~~services~~ agriculture, trade and consumer protection under s. ~~252.22~~ 93.12 and shall  
19 accept the results of any test conducted by a laboratory certified to conduct that  
20 category of test under that section.

21 **SECTION 4337.** 144.955 (1) (a) of the statutes is repealed.

22 **SECTION 4339.** 144.955 (1) (bm) of the statutes is created to read:

23 144.955 (1) (bm) "Council" means the hazardous pollution prevention council  
24 under s. 15.157 (5).

25 **SECTION 4343.** 144.955 (1m) (intro.) of the statutes is amended to read:

**SECTION 4343**

1           144.955 (**1m**) PROMOTION OF HAZARDOUS POLLUTION PREVENTION. (intro.) In  
2 carrying out the duties under ss. 36.25 (30) and 560.19 and this section, the  
3 department, the department of development, the ~~board~~ council and the program  
4 shall promote all of the following techniques for hazardous pollution prevention:

5           **SECTION 4345.** 144.955 (2) (a) 1. of the statutes is repealed.

6           **SECTION 4347.** 144.955 (2) (b) of the statutes is amended to read:

7           144.955 (**2**) (b) Identify all department requirements for reporting on  
8 hazardous pollution prevention and, to the extent possible and practical,  
9 standardize, coordinate and consolidate the reporting in order to minimize  
10 duplication and provide useful information on hazardous pollution prevention to the  
11 ~~board~~ council, the legislature and the public.

12           **SECTION 4348.** 144.955 (2) (e) of the statutes is amended to read:

13           144.955 (**2**) (e) Assist the ~~board~~ council in preparing the report under sub. (3)  
14 (~~f~~) s. 560.19 (4) (d).

15           **SECTION 4349.** 144.955 (3) of the statutes is repealed.

16           **SECTION 4350.** 144.968 of the statutes is created to read:

17           **144.968 Cooperative remedial action.** (**1**) In this section, “costs of  
18 remedying environmental contamination” means costs determined by the  
19 department to be necessary to reduce or eliminate environmental contamination and  
20 restore the environment, including costs of investigation and of providing public  
21 information and education related to reducing or eliminating environmental  
22 contamination and restoring the environment.

23           (**2**) The department may seek and receive voluntary contributions of funds  
24 from a municipality or any other public or private source for all or part of the costs  
25 of remedying environmental contamination if the activities being funded are part of

1 a cooperative effort, by the department and the person providing the funds, to  
2 remedy that environmental contamination.

3 (2m) Any person engaged in a cooperative effort with the department that is  
4 described in sub. (2) may seek and receive voluntary contributions of funds on behalf  
5 of the effort.

6 (3) Provision of funding under sub. (2) or (2m) is not evidence of liability or an  
7 admission of liability for any environmental contamination.

8 (4) In carrying out its regulatory and enforcement duties, the department may  
9 not base its treatment of a person on whether the person did or did not provide  
10 funding under sub. (2).

11 SECTION 4351. 144.98 of the statutes is amended to read:

12 **144.98 Enforcement; duty of department of justice; expenses.** The  
13 attorney general shall enforce this chapter, except ss. 144.421 and 144.422, and all  
14 rules, special orders, licenses, plan approvals and permits of the department, except  
15 those promulgated or issued under ss. 144.421 and 144.422. The circuit court for  
16 Dane county or for any other county where a violation occurred in whole or in part  
17 has jurisdiction to enforce this chapter or the rule, special order, license, plan  
18 approval or permit by injunctive and other relief appropriate for enforcement. For  
19 purposes of this proceeding where this chapter or the rule, special order, license, plan  
20 approval or permit prohibits in whole or in part any pollution, a violation is deemed  
21 a public nuisance. ~~The expenses incurred by the department of justice in assisting~~  
22 ~~with the administration of this chapter shall be charged to the appropriation made~~  
23 ~~by s. 20.370 (2) (ma)~~ The department of natural resources may enter into agreements  
24 with the department of justice to assist with the administration of this chapter. Any

1 funds paid to the department of justice under these agreements shall be credited to  
2 the appropriation account under s. 20.455 (1) (k).

3 **SECTION 4352.** 144.99 (title) of the statutes is amended to read:

4 **144.99** (title) **Penalties and remedies.**

5 **SECTION 4353.** 144.99 of the statutes is renumbered 144.99 (1).

6 **SECTION 4354.** 144.99 (2) of the statutes is created to read:

7 144.99 (2) In addition to the penalties provided under sub. (1), the court may  
8 award the department of justice the expenses of the investigation and prosecution  
9 of the violation, including attorney fees. The department of justice shall deposit in  
10 the state treasury for deposit into the general fund all moneys that the court awards  
11 to the department or the state under this subsection. Ten percent of the money  
12 deposited in the general fund that was awarded under this subsection for the costs  
13 of investigation and the expenses of prosecution, including attorney fees, shall be  
14 credited to the appropriation account under s. 20.455 (1) (gh).

15 **SECTION 4355.** 145.01 (4) of the statutes is amended to read:

16 145.01 (4) DEPARTMENT. "Department" means the department of ~~industry, labor~~  
17 ~~and human relations~~ development.

18 **SECTION 4356.** 145.02 (4) (a) of the statutes is amended to read:

19 145.02 (4) (a) The department shall prescribe rules as to the qualifications,  
20 examination and licensing of master and journeyman plumbers and restricted  
21 plumber licensees, for the licensing of utility contractors, for the registration of  
22 plumbing apprentices and pipe layers and for the registration and training of  
23 registered learners. The plumbers council, created under s. ~~15.227 (15)~~ 15.157 (6),  
24 shall advise the department in formulating the rules.

25 **SECTION 4357.** 145.17 (2) of the statutes is amended to read:

1           145.17 (2) The department shall prescribe rules as to the qualifications,  
2 examination and licensing of journeymen automatic fire sprinkler system fitters and  
3 automatic fire sprinkler contractors and for the registration and training of  
4 automatic fire sprinkler system apprentices. The automatic fire sprinkler system  
5 contractors and journeymen council, created under s. ~~15.227 (16)~~ 15.157 (9), shall  
6 advise the department in formulating the rules.

7           **SECTION 4358.** 145.245 (1) (dm) of the statutes is amended to read:

8           145.245 (1) (dm) "Sewage" means the water-carried wastes created in and to  
9 be conducted away from residences, industrial establishments, and public buildings  
10 as defined in s. 101.01 (2) (12), with such surface water or groundwater as may be  
11 present.

12           **SECTION 4359.** 145.245 (3) of the statutes is amended to read:

13           145.245 (3) MAINTENANCE. The department shall establish a maintenance  
14 program to be administered by governmental units. The maintenance program is  
15 applicable to all new or replacement private sewage systems constructed in a  
16 governmental unit after the date on which the governmental unit adopts this  
17 program. The maintenance program shall include a requirement of inspection or  
18 pumping of the private sewage system at least once every 3 years. Inspections may  
19 be conducted by a master plumber, journeyman plumber or restricted plumber  
20 licensed under this chapter, a person licensed under s. 146.20 or by an employe of the  
21 state or governmental unit designated by the department. The department of  
22 natural resources may suspend or revoke a license issued under s. 146.20 or a  
23 certificate issued under s. 144.025 (2) (L) to the operator of a septage servicing vehicle  
24 if the department of natural resources finds that the licensee or operator falsified  
25 information on inspection forms. The department of ~~industry, labor and human~~

1 relations development may suspend or revoke the license of a plumber licensed  
2 under this chapter if the department finds that the plumber falsified information on  
3 inspection forms.

4 **SECTION 4359c.** 145.245 (5m) (b) of the statutes is amended to read:

5 145.245 (5m) (b) The department shall notify a governmental unit if it receives  
6 a certification under s. ~~46.255~~ 73.255 (7) that an individual is delinquent in child  
7 support or maintenance payments. The department or a governmental unit shall  
8 deny an application under this section if the department receives a certification  
9 under s. ~~46.255~~ 73.255 (7) that the applicant or an individual who would be directly  
10 benefited by the grant is delinquent in child support or maintenance payments.

11 **SECTION 4363.** 146.20 (3) (b) of the statutes is amended to read:

12 146.20 (3) (b) *Expiration date of license.* All licenses issued under this section  
13 for a period beginning before July 1, 1997, are for one year. All licenses issued under  
14 this section for a period beginning after June 30, 1997, are for 2 years. All licenses  
15 issued under this section ~~are for one year, expire on June 30 or December 31 and are~~  
16 ~~not transferable.~~ Application for renewal shall be filed on or before ~~July 1 or January~~  
17 ~~1 June 1~~ and if filed after that date a penalty shall be charged. The department shall  
18 promulgate a rule setting the amount of the penalty for late filing.

19 **SECTION 4364.** 146.20 (4) of the statutes is repealed.

20 **SECTION 4365.** 146.20 (4s) (a) 1. of the statutes is amended to read:

21 146.20 (4s) (a) 1. For a license under sub. (3) (a) ~~for~~ to a state resident, \$25 for  
22 each vehicle used for servicing, \$25 if the license period begins before July 1, 1997,  
23 and \$50 if the license period begins after June 30, 1997.

24 **SECTION 4366.** 146.20 (4s) (a) 2. of the statutes is amended to read:

1           146.20 (4s) (a) 2. For a license under sub. (3) (a) ~~for~~ to a nonresident licensee,  
2           \$50, for each vehicle used for servicing, \$50 if the license period begins before July  
3           1, 1997, and \$100 if the license period begins after June 30, 1997.

4           **SECTION 4367.** 146.20 (4s) (d) of the statutes is amended to read:

5           146.20 (4s) (d) In addition to the license fee under par. (a) 1. or 2., the  
6           department shall collect from each licensee a groundwater fee of \$50 ~~per licensee~~ if  
7           the license period begins before July 1, 1997, and \$100 if the license period begins  
8           after June 30, 1997. The moneys collected under this paragraph shall be credited to  
9           the environmental fund for groundwater management.

10          **SECTION 4368.** 146.20 (5) (a) 1. of the statutes is repealed.

11          **SECTION 4369.** 146.40 (5) (a) of the statutes is amended to read:

12          146.40 (5) (a) The department, in consultation with the technical college  
13          system board, shall promulgate rules specifying standards for certification in this  
14          state of instructional and competency evaluation programs for nurse's assistants,  
15          home health aides and hospice aides. The standards shall include specialized  
16          training in providing care to individuals with special needs. ~~The department shall~~  
17          ~~promulgate rules regarding this specialized training in consultation with a private~~  
18          ~~nonprofit organization awarded a grant under s. 46.855.~~

19          **SECTION 4370.** 146.57 of the statutes is amended to read:

20          **146.57** (title) **Statewide poison control system program.** (3) (title)  
21          REGIONAL POISON CONTROL CENTERS. (a) ~~By July 1, 1994, the~~ The department shall  
22          ~~designate no more than 2 regional poison control centers and shall implement any~~  
23          ~~other aspects of a statewide poison control system program.~~ From the appropriation  
24          under s. 20.435 (1) (ds), the department shall, if the requirement under par. (b) is  
25          met, distribute, ~~for fiscal year 1994-95,~~ total funding of not more than \$187,500 to

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1 ~~each regional poison control center that is so designated in each fiscal year to~~  
2 ~~supplement the operation of the centers program and to provide for the statewide~~  
3 ~~collection and reporting of poison control data by the centers. The department may,~~  
4 ~~but need not, distribute all of the funds in each fiscal year to a single poison control~~  
5 ~~center.~~

6 (b) No regional poison control center may be funded receive funds under par.  
7 (a) ~~unless there is a matching contribution from the regional the poison control~~  
8 ~~center provides a matching contribution of at least 50% of the state funding for the~~  
9 ~~center. Private funds and in-kind contributions may be used to meet this~~  
10 ~~requirement.~~

11 (4) RULE MAKING. The department shall promulgate rules that specify the  
12 information that shall be reported to the department ~~by regional~~ under the statewide  
13 poison control centers program.

14 **SECTION 4370m.** 146.59 of the statutes is created to read:

15 **146.59 University of Wisconsin Hospitals and Clinics Board.** Subject to  
16 1995 Wisconsin Act .... (this act), section 9159 (2) (k), the University of Wisconsin  
17 Hospitals and Clinics board shall negotiate and enter into a contractual services  
18 agreement with the University of Wisconsin Hospitals and Clinics Authority that  
19 meets the requirements under s. 233.04 (4) and shall comply with s. 233.04 (4m).

20 **SECTION 4378.** 146.89 (3) (d) 1. of the statutes is repealed.

21 **SECTION 4379.** 146.89 (3) (d) 2. of the statutes is amended to read:

22 146.89 (3) (d) 2. Medical assistance under ss. ~~49.45 to 49.47~~ subch. IV of ch. 49.

23 **SECTION 4380.** 146.89 (3) (d) 4. of the statutes is repealed.

24 **SECTION 4380m.** 147.021 (9) of the statutes is created to read:

**SECTION 4380m**

1           147.021 (9) EXEMPTION FOR CERTAIN HIGHWAY PROJECTS. Notwithstanding sub.  
2 (8), no requirement under this section relating to a discharge of storm water  
3 applicable to the construction, rehabilitation or improvement of any highway may  
4 be more stringent than required under federal law. In this subsection, "highway" has  
5 the meaning given in s. 340.01 (22).

6           **SECTION 4381.** 147.21 (5) of the statutes is amended to read:

7           147.21 (5) In addition to all other civil and criminal penalties prescribed under  
8 this chapter, the court may assess as an additional penalty a portion or all of the total  
9 costs of the investigation, including monitoring, which led to the establishment of the  
10 violation. The court may award the department of justice the expenses of the  
11 prosecution, including attorney fees. The department of justice shall deposit in the  
12 state treasury for deposit into the general fund all moneys that the court awards to  
13 the department or the state under this subsection. Ten percent of the money  
14 deposited in the general fund that was awarded under this subsection for the costs  
15 of investigation and the expenses of prosecution, including attorney fees, shall be  
16 credited to the appropriation account under s. 20.455 (1) (gh).

17           **SECTION 4381g.** 147.23 (1) of the statutes is amended to read:

18           147.23 (1) DEPARTMENT MAY RECOVER COSTS. In an action against any person who  
19 violates this chapter or any provision of s. 29.29 or ch. 30, 31 or 144 relating to water  
20 quality the department may recover the cost of removing, terminating or remedying  
21 the adverse effects upon the water environment resulting from the unlawful  
22 discharge or deposit of pollutants into the waters of the state, including the cost of  
23 replacing fish or other wildlife destroyed by the discharge or deposit. All moneys  
24 recovered under this section shall be deposited into the environmental fund.

25           **SECTION 4382.** 150.01 (6m) of the statutes is repealed.

1           **SECTION 4383.** 150.01 (6r) of the statutes is repealed.

2           **SECTION 4384.** 150.01 (12m) of the statutes is repealed.

3           **SECTION 4385.** 150.01 (14) of the statutes is repealed.

4           **SECTION 4386.** 150.10 of the statutes is repealed.

5           **SECTION 4387.** 150.11 (5) of the statutes is amended to read:

6           150.11 (5) The department may reject the application for approval of a project  
7 operated by any person who has repeatedly been subject to the penalties specified in  
8 this section or may impose restrictions as part of its approval to ensure compliance  
9 with subchs. I, and II ~~and~~ III.

10          **SECTION 4387m.** 150.31 (5m) of the statutes is created to read:

11          150.31 (5m) The department shall decrease the statewide bed limit specified  
12 in sub. (1) to account for any reduction in the approved bed capacity of the nursing  
13 home operated at the Wisconsin Veterans Home at King, as specified in s. 45.375 (2).

14          **SECTION 4388.** Subchapter III of chapter 150 [precedes 150.61] of the statutes  
15 is repealed.

16          **SECTION 4391.** 150.84 (2) of the statutes is amended to read:

17          150.84 (2) "Health care facility" means a facility, as defined in s. 647.01 (4), or  
18 any hospital, nursing home, community-based residential facility, county home,  
19 county infirmary, county hospital, county mental health center, tuberculosis  
20 sanatorium or other place licensed or approved by the department under s. 49.14,  
21 ~~49.16, 49.171, 49.70, 49.71, 49.72,~~ 50.02, 50.03, 50.35, 51.08, 51.09, 58.06, 252.073  
22 or 252.076 or a facility under s. 45.365, 51.05, 51.06 or 252.10 or ch. 142.

23          **SECTION 4391x.** 150.93 (2) of the statutes is amended to read:

24          150.93 (2) Except as provided in ~~sub.~~ subs. (3) and (3m), before July 1, 1996,  
25 no person may obligate for a capital expenditure or implement services, by or on

1       behalf of a hospital, to increase the approved bed capacity of a hospital unless the  
2       person has, prior to May 12, 1992, entered into a legally enforceable contract,  
3       promise or agreement with another to so obligate or implement.

4               **SECTION 4392.** 150.93 (3) of the statutes is amended to read:

5               150.93 (3) A person may obligate for a capital expenditure, by or on behalf of  
6       a hospital, to renovate or replace on the same site existing approved beds of the  
7       hospital or to make new construction, if the renovation, replacement or new  
8       construction does not increase the approved bed capacity of the hospital, ~~except that~~  
9       ~~obligation for such a capital expenditure that exceeds \$1,000,000 is subject to subch.~~  
10       III.

11               **SECTION 4392b.** 150.93 (3m) of the statutes is created to read:

12               150.93 (3m) A person may obligate for a capital expenditure or implement  
13       services that increase the approved bed capacity of a hospital if the capital  
14       expenditure or services are necessitated by a transfer of beds from a public hospital  
15       that is operated by a county with a population of 500,000 or more to a private hospital  
16       and if the resulting combined total number of approved beds in the 2 hospitals does  
17       not increase.

18               **SECTION 4392bm.** 150.93 (5) of the statutes is created to read:

19               150.93 (5) This section does not apply to a hospital established under s. 45.375  
20       (1).

21               **SECTION 4392c.** 150.94 of the statutes is renumbered 150.94 (intro.) and  
22       amended to read:

23               **150.94** (title) **Definition Definitions.** (intro.) In this subchapter,  
24       ~~notwithstanding:~~

1           (1) Notwithstanding s. 150.01 (12), “hospital” has the meaning given in s. 50.33

2           (2).

3           **SECTION 4392d.** 150.94 (2) of the statutes is created to read:

4           150.94 (2) “Inpatient facility” has the meaning given in s. 51.01 (10).

5           **SECTION 4392dg.** 150.95 of the statutes is renumbered 150.95 (1).

6           **SECTION 4392dm.** 150.95 (2) of the statutes is created to read:

7           150.95 (2) This section does not apply to a hospital established under s. 45.375

8           (1).

9           **SECTION 4392e.** 150.951 of the statutes is created to read:

10          **150.951 Exceptions.** Section 150.95 does not apply to any of the following:

11          (a) A transfer of psychiatric or chemical dependency beds from a public hospital  
12          that is operated by a county with a population of 500,000 or more and that is not an  
13          inpatient facility to a private hospital or to a public hospital that is an inpatient  
14          facility, if the resulting combined total of licensed psychiatric or chemical  
15          dependency beds in the affected hospitals does not increase.

16          (b) A transfer of psychiatric or chemical dependency beds from a hospital to a  
17          private hospital in the same county that has an existing psychiatric or chemical  
18          dependency unit or to a public hospital that is operated by the same county, if the  
19          resulting combined total of licensed psychiatric or chemical dependency beds in the  
20          affected hospitals decreases from the number that is specified in s. 150.95.

21          **SECTION 4393.** 153.05 (4m) of the statutes is repealed.

22          **SECTION 4394.** 153.48 of the statutes is repealed.

23          **SECTION 4395.** 155.01 (6) of the statutes is amended to read:

24          155.01 (6) “Health care facility” means a facility, as defined in s. 647.01 (4), or  
25          any hospital, nursing home, community-based residential facility, county home,

**SECTION 4395**

1 county infirmary, county hospital, county mental health center, tuberculosis  
2 sanatorium or other place licensed or approved by the department under s. 49.14,  
3 ~~49.16, 49.171, 49.70, 49.71, 49.72,~~ 50.02, 50.03, 50.35, 51.08, 51.09, 58.06, 252.073  
4 or 252.076 or a facility under s. 45.365, 51.05, 51.06 or 252.10 or ch. 142.

5 **SECTION 4396b.** 157.062 (1) of the statutes is amended to read:

6 157.062 (1) ORGANIZATION. Seven or more residents of the same county may  
7 form a cemetery association. They shall meet, select a chairperson and secretary,  
8 choose a name, fix the annual meeting date, and elect by ballot not less than 3 nor  
9 more than 9 trustees whom the chairperson and secretary shall immediately divide  
10 by lot into 3 classes, who shall hold their offices for 1, 2 and 3 years, respectively.  
11 Within 3 days, the chairperson and secretary shall certify the corporate name, the  
12 names, home addresses and business addresses of the organizers and of the trustees,  
13 and their classification, and the annual meeting date acknowledged by them, and,  
14 except as provided in sub. (9), deliver the certification to the ~~secretary of state~~  
15 department of financial institutions. The association then has the powers of a  
16 corporation.

17 **SECTION 4397b.** 157.062 (2) of the statutes is amended to read:

18 157.062 (2) AMENDMENTS. The association may change its name, the number  
19 of trustees or the annual meeting date by resolution at an annual meeting, or special  
20 meeting called for such purpose, by a majority vote of the members present, and,  
21 except as provided in sub. (9), by delivering to the ~~secretary of state~~ department of  
22 financial institutions a copy of the resolution, with the date of adoption, certified by  
23 the president and secretary or corresponding officers.

24 **SECTION 4398b.** 157.062 (6) (b) of the statutes is amended to read:

**SECTION 4398b**

1           157.062 (6) (b) If an association that has been dissolved under par. (a), or any  
2 group that was never properly organized as a cemetery association, has cemetery  
3 grounds and human remains are buried in the cemetery grounds, 5 or more  
4 members, or persons interested as determined by order of the circuit judge under par.  
5 (c), may publish a class 3 notice, under ch. 985, in the municipality in which the  
6 cemetery is located, of the time, place and object of the meeting, assemble and  
7 reorganize by the election of trustees and divide them into classes as provided in sub.  
8 (1), the commencement of the terms to be computed from the next annual meeting  
9 date. The secretary shall enter the proceedings of the meeting on the records. The  
10 association is reorganized upon delivery of a copy of the proceedings to the ~~secretary~~  
11 ~~of state~~ department of financial institutions, except as provided in sub. (9). Upon  
12 reorganization, the title to the cemetery grounds, trust funds and all other property  
13 of the association or group vests in the reorganized association, under the control of  
14 the trustees. The reorganized association may continue the name of the dissolved  
15 association or may adopt a new name.

16           **SECTION 4399b.** 157.062 (6m) of the statutes is amended to read:

17           157.062 (6m) FORMS. The ~~secretary of state~~ department of financial  
18 institutions may prescribe and furnish forms for providing the information required  
19 under subs. (1) to (6).

20           **SECTION 4400b.** 157.062 (9) of the statutes is amended to read:

21           157.062 (9) EXEMPTIONS FOR CERTAIN NONPROFIT CEMETERIES. In lieu of  
22 delivering a certification, resolution or copy of proceedings to the ~~secretary of state~~  
23 department of financial institutions under sub. (1), (2) or (6) (b), a cemetery  
24 association that is not required to be registered under s. 440.91 (1) and that is not  
25 organized or conducted for pecuniary profit shall deliver the certification, resolution

1 or copy of proceedings to the office of the register of deeds of the county in which the  
2 cemetery is located.

3 **SECTION 4401b.** 157.064 (7) of the statutes is amended to read:

4 157.064 (7) Not more than 30 days after a transfer under sub. (6), the  
5 transferring association shall notify the ~~secretary of state~~ department of financial  
6 institutions in writing of the transfer, including the name and address of the  
7 accepting association or its treasurer. The ~~secretary of state~~ department of financial  
8 institutions may prescribe and furnish forms for providing the information required  
9 under this subsection.

10 **SECTION 4402.** 157.12 (1) of the statutes is amended to read:

11 157.12 (1) DEFINITION. Notwithstanding s. 157.061 (5), in this section,  
12 “department” means the department of ~~industry, labor and human relations~~  
13 development.

14 **SECTION 4403b.** 157.62 (1) (a) (intro.) of the statutes is amended to read:

15 157.62 (1) (a) (intro.) Except as provided in par. (b) and s. 157.625, every  
16 cemetery association shall file an annual report with the ~~secretary of state~~  
17 department of financial institutions. The report shall be made on a calendar-year  
18 basis unless the ~~secretary of state~~ department of financial institutions, by rule,  
19 provides for other reporting periods. The report is due on the 60th day after the last  
20 day of the reporting period. The annual report shall include all of the following:

21 **SECTION 4404b.** 157.62 (1) (c) of the statutes is amended to read:

22 157.62 (1) (c) The ~~secretary of state~~ department of financial institutions may  
23 prescribe and furnish forms for reports required under this subsection. If the  
24 ~~secretary of state~~ department of financial institutions prescribes forms under this  
25 paragraph, ~~he or she~~ the department of financial institutions shall mail the forms

**SECTION 4404b**

1 to cemetery associations required to file under par. (a) no later than 60 days before  
2 the reports are due.

3 **SECTION 4405.** 157.65 (1) (b) of the statutes is amended to read:

4 157.65 (1) (b) If the department of ~~industry, labor and human relations~~  
5 development has reason to believe that any person is violating s. 157.12 or any rule  
6 promulgated under s. 157.12 and that the continuation of that activity might cause  
7 injury to the public interest, the department of ~~industry, labor and human relations~~  
8 development may investigate.

9 **SECTION 4406.** 157.65 (2) of the statutes is amended to read:

10 157.65 (2) The department of justice or any district attorney, upon informing  
11 the department of justice, may commence an action in circuit court in the name of  
12 the state to restrain by temporary or permanent injunction any violation of this  
13 subchapter. The court may, prior to entry of final judgment, make such orders or  
14 judgments as may be necessary to restore to any person any pecuniary loss suffered  
15 because of the acts or practices involved in the action, if proof of such loss is submitted  
16 to the satisfaction of the court. The department of justice may subpoena persons and  
17 require the production of books and other documents, and may request the  
18 department of regulation and licensing or the department of ~~industry, labor and~~  
19 ~~human relations~~ development to exercise its authority under sub. (1) to aid in the  
20 investigation of alleged violations of this subchapter.

21 **SECTION 4406x.** 159.03 (1) (d) of the statutes is created to read:

22 159.03 (1) (d) Coordinate its recycling market development activities with the  
23 recycling market development board.

24 **SECTION 4407b.** 159.03 (3) of the statutes is repealed.

25 **SECTION 4408m.** 159.07 (3) (j) of the statutes is amended to read:

**SECTION 4408m**

1           159.07 (3) (j) A waste tire, as defined in s. ~~84.078 (1) (b)~~ 144.449 (1) (c).

2           **SECTION 4410m.** 159.17 (1) (d) of the statutes is amended to read:

3           159.17 (1) (d) "Waste tire" has the meaning given under s. ~~84.078 (1) (b)~~ 144.449  
4           (1) (c).

5           **SECTION 4415c.** 159.17 of the statutes is repealed.

6           **SECTION 4428s.** 159.23 (5) (b) of the statutes is created to read:

7           159.23 (5) (b) Beginning with grants for 1996, for a unit of government other  
8           than a county that is the responsible unit for at least 75% of the population of a  
9           county, \$100,000 or the amount determined under par. (c), whichever is greater.

10          **SECTION 4429.** 159.23 (5m) of the statutes is amended to read:

11          159.23 (5m) ALTERNATE PROCESS. The department shall establish, by rule, a  
12          process for distributing grants if the amount that would be awarded under sub. (5)  
13          or (5e) exceeds the amount of funds available under s. 20.370 (4) ~~(ew)~~ (6) (bq).

14          **SECTION 4430.** 159.23 (5s) (a) of the statutes is amended to read:

15          159.23 (5s) (a) Beginning with grants for 1994, the department shall annually  
16          allocate 10% of the funds appropriated under s. 20.370 (4) ~~(ew)~~ (6) (bq) for  
17          supplemental grants under this subsection.

18          **SECTION 4431.** 159.25 (5) (a) of the statutes is amended to read:

19          159.25 (5) (a) The department may enter into agreements with eligible  
20          applicants to make demonstration grants from the appropriation under s. 20.370 (4)  
21          ~~(et)~~ (6) (br).

22          **SECTION 4432d.** 159.40 (4) of the statutes is created to read:

23          159.40 (4) "Waste generator" means a person who generates solid waste that  
24          contains a material specified by the board under s. 159.42 (5) or a responsible unit.

25          **SECTION 4432f.** 159.41 of the statutes is created to read:

1           **159.41 Strategic plan. (1)** The board shall prepare a strategic plan to guide  
2 the development and implementation of the board's powers and duties. The board  
3 shall consult with the department of natural resources, the department of  
4 development, the University of Wisconsin-Extension and other interested persons  
5 in the development of the plan. The plan shall include all of the following  
6 components:

7           (a) Identification of priority recovered materials that will be the focus of market  
8 development efforts by the board.

9           (b) For each priority recovered material identified under par. (a), identification  
10 of one or more appropriate, measurable goals for the board's market development  
11 efforts and identification of the technical and financial assistance and research,  
12 demonstration, education, marketing and policy development necessary to achieve  
13 the goal.

14           **(2)** The board shall review the strategic plan at least annually and shall revise  
15 the plan as it determines is appropriate.

16           **(3)** The board shall submit quarterly progress reports to the appropriate  
17 standing committees of the legislature, as determined by the presiding officer of each  
18 house, under s. 13.172 (3), describing the board's progress in implementing the  
19 strategic plan and how the board's technical assistance, financial assistance and  
20 other activities conform to the strategic plan.

21           **SECTION 4432h.** 159.42 (1) (intro.) of the statutes is amended to read:

22           159.42 **(1)** (intro.) Promote the development of sustainable, high-value  
23 markets for recovered materials on behalf of, and in cooperation with, waste  
24 generators and promote the orderly and efficient marketing of recovered materials  
25 by ~~responsible units~~ waste generators to do all of the following:

1           **SECTION 4432j.** 159.42 (2) (e) of the statutes is amended to read:

2           159.42 (2) (e) Address other common problems faced by ~~responsible units~~ waste  
3 generators in marketing these recovered materials.

4           **SECTION 4432m.** 159.42 (2e) of the statutes is created to read:

5           159.42 (2e) Educate waste generators on their role and responsibility in the  
6 development of markets for recovered materials and the marketing of recovered  
7 materials, in cooperation with business entities, and on the value of cooperative  
8 marketing and market development efforts among waste generators.

9           **SECTION 4432p.** 159.42 (2m) of the statutes is created to read:

10          159.42 (2m) Provide information about the board's activities to waste  
11 generators; solid waste scrap brokers, dealers and processors; business entities that  
12 use or could use recovered materials or that produce or could produce products from  
13 recovered materials and persons who provide support to those business entities; and  
14 the general public.

15          **SECTION 4432r.** 159.42 (2s) of the statutes is created to read:

16          159.42 (2s) Contract with the University of Wisconsin-Extension for  
17 administrative staff services, including support in recruiting program staff.

18          **SECTION 4432t.** 159.42 (4) of the statutes is renumbered 159.49 and amended  
19 to read:

20          **159.49** (title) **Study of future of board.** ~~Conduct~~ The University of  
21 Wisconsin-Extension shall conduct a study of the feasibility and desirability of  
22 transferring the powers and duties of the board to a business entity ~~and, no.~~ The  
23 University of Wisconsin-Extension shall consult with the department of natural  
24 resources, the department of development, the board and other interested parties in  
25 conducting the study. The University of Wisconsin-Extension shall, no later than

1 ~~May 30~~ October 1, 1996, submit a report on the results of the study to the governor,  
2 and to the legislature under s. 13.172 (2). If the report concludes that the board  
3 should continue to exist and that its powers and duties should not be transferred to  
4 a business entity, the report shall recommend to which agency the board should be  
5 attached.

6 **SECTION 4434g.** 159.44 (4) of the statutes is amended to read:

7 159.44 (4) ~~Establish~~ In cooperation with the University of  
8 Wisconsin-Extension, establish appropriate technical assistance and educational  
9 programs for ~~responsible units and other~~ waste generators; governmental entities;  
10 solid waste scrap brokers, dealers and processors; business entities that use or could  
11 use recovered materials or that produce or could produce products from recovered  
12 materials and persons who provide support services to those business entities; and  
13 the general public.

14 **SECTION 4434r.** 159.46 (1) of the statutes is amended to read:

15 159.46 (1) The board may provide financial assistance, directly or in  
16 cooperation with another person, to a governmental entity or a business entity to  
17 assist ~~responsible units~~ waste generators in the marketing of recovered materials or  
18 to develop markets for recovered materials. Forms of financial assistance provided  
19 by the board, and by a recipient of financial assistance from the board, may include  
20 grants, loans and manufacturing rebates.

21 **SECTION 4435.** 159.46 (3) of the statutes is amended to read:

22 159.46 (3) If the board awards assistance under sub. (1) that results in a loan  
23 being made by the recipient to another person, the board may direct that the  
24 repayments of the loan's principal and any interest either be repaid to the recipient  
25 for use in a revolving loan fund or returned to the board. The board shall credit any

1 funds received under this subsection to the appropriation under s. ~~20.505 (4)~~ 20.285  
2 (1) (L).

3 **SECTION 4435d.** 159.46 (3) of the statutes, as affected by 1995 Wisconsin Act  
4 .... (this act), is amended to read:

5 159.46 (3) If the board awards assistance under sub. (1) that results in a loan  
6 being made by the recipient to another person, the board may direct that the  
7 repayments of the loan's principal and any interest either be repaid to the recipient  
8 for use in a revolving loan fund or returned to the board. The board shall credit any  
9 funds received under this subsection to the appropriation under s. ~~20.285~~ 20.143 (1)  
10 (L).

11 **SECTION 4436.** 159.46 (4) of the statutes is amended to read:

12 159.46 (4) In any biennium, the board may not expend more than 10% of the  
13 amount appropriated under s. ~~20.505 (4) (t)~~ 20.285 (1) (t) for that biennium for  
14 contracts with and financial assistance to responsible units and other local units of  
15 government.

16 **SECTION 4436d.** 159.46 (4) of the statutes, as affected by 1995 Wisconsin Act  
17 .... (this act), is amended to read:

18 159.46 (4) In any biennium, the board may not expend more than 10% of the  
19 amount appropriated under s. ~~20.285 (1) (t)~~ 20.143 (1) (tm) for that biennium for  
20 contracts with and financial assistance to responsible units and other local units of  
21 government.

22 **SECTION 4437b.** 159.48 (title) of the statutes is amended to read:

23 **159.48 (title) Executive director and other staff for the board.**

24 **SECTION 4438b.** 159.48 (1) of the statutes is renumbered 159.48.

25 **SECTION 4439.** 159.48 (2) of the statutes is repealed.

1           **SECTION 4440b.** 159.48 (3) of the statutes is repealed.

2           **SECTION 4441.** 160.01 (7) of the statutes is amended to read:

3           160.01 (7) “Regulatory agency” means the department of agriculture, trade and  
4 consumer protection, the department of ~~industry, labor and human relations~~  
5 development, the department of transportation, the department of natural resources  
6 and other state agencies which regulate activities, facilities or practices which are  
7 related to substances which have been detected in or have a reasonable probability  
8 of entering the groundwater resources of the state.

9           **SECTION 4441c.** 160.255 of the statutes is created to read:

10           **160.255 Exceptions for private sewage systems.** (1) In this section,  
11 “private sewage system” has the meaning given in s. 145.01 (12).

12           (2) Notwithstanding s. 160.19 (1), (2) and (4) (b), a regulatory agency is not  
13 required to promulgate or amend rules that define design or management criteria  
14 for private sewage systems to minimize the amount of nitrate in groundwater or to  
15 maintain compliance with the preventive action limit for nitrate.

16           (3) Notwithstanding s. 160.19 (3), a regulatory agency may promulgate rules  
17 that define design or management criteria for private sewage systems that permit  
18 the enforcement standard for nitrate to be attained or exceeded at the point of  
19 standards application.

20           (4) Notwithstanding s. 160.21, a regulatory agency is not required to  
21 promulgate rules that set forth responses that the agency may take, or require to be  
22 taken, when the preventive action limit or enforcement standard for nitrate is  
23 attained or exceeded at the point of standards application if the source of the nitrate  
24 is a private sewage system.

**SECTION 4441c**

1           **(5)** Notwithstanding ss. 160.23 and 160.25, a regulatory agency is not required  
2 to take any responses for a specific site at which the preventive action limit or  
3 enforcement standard for nitrate is attained or exceeded at the point of standards  
4 application if the source of the nitrate is a private sewage system.

5           **SECTION 4442.** 161.455 (1) of the statutes is amended to read:

6           161.455 **(1)** Any person who has attained the age of ~~18~~ 17 years who knowingly  
7 solicits, hires, directs, employs or uses a person who ~~has not attained the age of 18~~  
8 years is 17 years of age or under for the purpose of violating s. 161.41 (1) may be fined  
9 not more than \$50,000 or imprisoned for not more than 10 years or both.

10          **SECTION 4443.** 161.46 (1) of the statutes is amended to read:

11          161.46 **(1)** Except as provided in sub. (3), any person ~~18~~ 17 years of age or over  
12 who violates s. 161.41 (1) by distributing a controlled substance listed in schedule I  
13 or II which is a narcotic drug to a person ~~under 18~~ 17 years of age or under who is  
14 at least 3 years his or her junior is punishable by the fine authorized by s. 161.41 (1)  
15 (a) or a term of imprisonment of up to twice that authorized by s. 161.41 (1) (a), or  
16 both.

17          **SECTION 4444.** 161.46 (2) of the statutes is amended to read:

18          161.46 **(2)** Except as provided in sub. (3), any person ~~18~~ 17 years of age or over  
19 who violates s. 161.41 (1) by distributing any other controlled substance listed in  
20 schedule I, II, III, IV or V to a person ~~under 18~~ 17 years of age or under who is at least  
21 3 years his or her junior is punishable by the fine authorized by s. 161.41 (1) (b), (i)  
22 or (j) or a term of imprisonment of up to twice that authorized by s. 161.41 (1) (b), (i)  
23 or (j) or both.

24          **SECTION 4445.** 161.46 (3) of the statutes is amended to read:

1           161.46 (3) If any person ~~18~~ 17 years of age or over violates s. 161.41 (1) (cm),  
2 (d), (e), (f), (g) or (h) by distributing a controlled substance included under s. 161.14  
3 (7) (L) or 161.16 (2) (b), heroin, phencyclidine, lysergic acid diethylamide, psilocin,  
4 psilocybin, amphetamine, methamphetamine or any form of tetrahydrocannabinols  
5 to a person ~~under 18~~ 17 years of age or under who is at least 3 years his or her junior,  
6 any applicable minimum and maximum fines and minimum and maximum periods  
7 of imprisonment under s. 161.41 (1) (cm), (d), (e), (f), (g) or (h) are doubled.

8           **SECTION 4446.** 161.573 (2) of the statutes is amended to read:

9           161.573 (2) Any person who violates this section who is under ~~18~~ 17 years of  
10 age is subject to a disposition under s. 48.344 (2e).

11           **SECTION 4447.** 161.574 (2) of the statutes is amended to read:

12           161.574 (2) Any person who violates this section who is under ~~18~~ 17 years of  
13 age is subject to a disposition under s. 48.344 (2e).

14           **SECTION 4448.** 161.575 (1) of the statutes is amended to read:

15           161.575 (1) Any person ~~18~~ 17 years of age or over who violates s. 161.574 by  
16 delivering drug paraphernalia to a person ~~under 18~~ 17 years of age or under who is  
17 at least 3 years younger than the violator may be fined not more than \$10,000 or  
18 imprisoned for not more than 9 months or both.

19           **SECTION 4449.** 161.575 (2) of the statutes is amended to read:

20           161.575 (2) Any person who violates this section who is under ~~18~~ 17 years of  
21 age is subject to a disposition under s. 48.344 (2e).

22           **SECTION 4450.** 165.07 of the statutes is repealed.

23           **SECTION 4451.** 165.075 of the statutes is repealed.

24           **SECTION 4453.** 165.25 (1) of the statutes is amended to read:

1           165.25 (1) REPRESENT STATE. Except as provided in s. 978.05 (5), appear for the  
2 state and prosecute or defend all actions and proceedings, civil or criminal, in the  
3 court of appeals and the supreme court, in which the state is interested or a party,  
4 and attend to and prosecute or defend all civil cases sent or remanded to any circuit  
5 court in which the state is a party; and, if requested by the governor or either house  
6 of the legislature, appear for and represent the state, any state department, agency,  
7 official, employe or agent, whether required to appear as a party or witness in any  
8 civil or criminal matter, and prosecute or defend in any court or before any officer,  
9 any cause or matter, civil or criminal, in which the state or the people of this state  
10 may be interested. The ~~radioactive waste review board~~ public service commission  
11 may request under s. ~~36.50~~ 196.497 (7) that the attorney general intervene in federal  
12 proceedings. All expenses of the proceedings shall be paid from the appropriation  
13 under s. 20.455 (1) (d).

14           **SECTION 4454b.** 165.25 (4) (a) of the statutes is amended to read:

15           165.25 (4) (a) The department of justice shall furnish all legal services required  
16 by the investment board, the lottery division in the ~~gaming commission~~ department  
17 of revenue, the public service commission, the department of transportation, the  
18 department of natural resources, the department of tourism and the department of  
19 employe trust funds, together with any other services, including stenographic and  
20 investigational, as are necessarily connected with the legal work.

21           **SECTION 4454m.** 165.25 (4) (ar) of the statutes is created to read:

22           165.25 (4) (ar) The department of justice shall furnish all legal services  
23 required by the department of agriculture, trade and consumer protection relating  
24 to the enforcement of ss. 100.18, 100.182, 100.20, 100.205, 100.207, 100.21, 100.28,  
25 100.50, 134.22, 134.42, 134.68, 134.70, 134.74, 134.83 and 134.85 and chs. 136, 344,

1 704, 707 and 779, together with any other services as are necessarily connected to  
2 the legal services.

3 **SECTION 4454r.** 165.30 of the statutes is created to read:

4 **165.30 Collection of delinquent obligations. (1) DEFINITIONS.** In this  
5 section:

6 (a) "Departments" has the meaning given in s. 16.002 (2).

7 (b) "Obligation" includes any amount payable to the state, including accounts,  
8 charges, claims, debts, fees, fines, forfeitures, interest, judgments, loans, penalties  
9 and taxes.

10 **(2) BANKRUPTCY CASES.** The department of justice shall monitor bankruptcy  
11 cases filed in bankruptcy courts in this state and other states, notify departments  
12 that may be affected by those bankruptcy cases, and represent the interests of the  
13 state in bankruptcy cases and related adversary proceedings.

14 **(3) COLLECTION PROCEEDS.** (a) All obligations collected by the department of  
15 justice under this section shall be paid to the state treasurer and deposited in the  
16 appropriate fund.

17 (b) From the amount of obligations collected by the department of justice under  
18 this section, the treasurer shall credit an amount equal to the expenses incurred by  
19 the department related to collecting those obligations to the appropriation account  
20 under s. 20.455 (1) (gs).

21 **SECTION 4454t.** 165.30 (3) (a) of the statutes, as affected by 1995 Wisconsin Act  
22 .... (this act), is amended to read:

23 165.30 **(3)** (a) All obligations collected by the department of justice under this  
24 section shall be paid to the state treasurer secretary of administration and deposited  
25 in the appropriate fund.

1           **SECTION 4455.** 165.55 (10) (intro.) of the statutes is amended to read:

2           165.55 **(10)** (intro.) The state fire marshal, deputy state fire marshals or chiefs  
3 of fire departments shall apply for and obtain special inspection warrants prior to the  
4 inspection or investigation of personal or real properties which are not public  
5 buildings or for the inspection of portions of public buildings which are not open to  
6 the public for the purpose of determining the cause, origin and circumstances of fires  
7 either upon showing that consent to entry for inspection purposes has been refused  
8 or upon showing that it is impractical to obtain the consent. The warrant may be in  
9 the form set forth in s. 66.123. The definition of a public building under s. 101.01 ~~(2)~~  
10 ~~(g)~~ (12) applies to this subsection. No special inspection warrant is required:

11           **SECTION 4456.** 165.72 (3) of the statutes is amended to read:

12           165.72 **(3)** REWARD PAYMENT PROGRAM. The department shall administer a  
13 reward payment program. Under the program, the department may offer and pay  
14 rewards from the ~~appropriations~~ appropriation under s. 20.455 (2) (e) ~~and (mb)~~ for  
15 information under sub. (2) (a) leading to the arrest and conviction of a person for a  
16 violation of ch. 161.

17           **SECTION 4457.** 165.72 (8) of the statutes is repealed.

18           **SECTION 4457g.** 165.82 (1) (a) of the statutes is amended to read:

19           165.82 **(1)** (a) For each record check, except a fingerprint card record check,  
20 requested by a ~~governmental agency or~~ nonprofit organization, \$2.

21           **SECTION 4457h.** 165.82 (1) (ag) of the statutes is created to read:

22           165.82 **(1)** (ag) For each record check, except a fingerprint card record check,  
23 requested by a governmental agency, \$5.

24           **SECTION 4457i.** 165.82 (1) (ar) of the statutes is created to read:

1           165.82 (1) (ar) For each fingerprint card record check requested by a  
2 governmental agency or nonprofit organization, \$10.

3           **SECTION 4457k.** 165.82 (1) (b) of the statutes is amended to read:

4           165.82 (1) (b) For each record check by any other requester, \$10 \$13.

5           **SECTION 4458.** 165.827 of the statutes is amended to read:

6           **165.827** (title) **Transaction information for the management of**  
7 **enforcement system; fees.** The department of justice shall administer a  
8 transaction information for the management of enforcement system to provide  
9 access to information concerning law enforcement. The department of justice may  
10 impose fees on law enforcement agencies and tribal law enforcement agencies, as  
11 defined in s. 165.83 (1) (e), for rentals, use of terminals and related costs and services  
12 associated with the ~~transaction information for management of enforcement~~ system.  
13 All moneys collected under this section shall be ~~deposited in~~ credited to the  
14 appropriation account under s. 20.455 (2) (h).

15           **SECTION 4460.** 165.87 (1) (a) of the statutes is amended to read:

16           165.87 (1) (a) Twenty-seven ~~fifty-fifths~~ of all moneys collected from penalty  
17 assessments under this section shall be deposited in s. 20.455 (2) (i) and utilized in  
18 accordance with ss. 20.455 (2) and 165.85 (5) and (5m). The moneys deposited in s.  
19 20.455 (2) (i), except for the moneys transferred to s. 20.455 (2) (jb) ~~and (jc)~~, constitute  
20 the law enforcement training fund.

21           **SECTION 4460bp.** 165.87 (1) (a) of the statutes, as affected by 1995 Wisconsin  
22 Act .... (this act), is amended to read:

23           165.87 (1) (a) ~~Twenty-seven fifty-fifths~~ Fifty-four one-hundred-fifteenths of  
24 all moneys collected from penalty assessments under this section shall be ~~deposited~~  
25 ~~in~~ credited to the appropriation account under s. 20.455 (2) (i) and utilized in

**SECTION 4460bp**

1 accordance with ss. 20.455 (2) and 165.85 (5) and (5m). The moneys deposited in  
2 credited to the appropriation account under s. 20.455 (2) (i), except for the moneys  
3 transferred to s. 20.455 (2) (jb), constitute the law enforcement training fund.

4 **SECTION 4460c.** 165.87 (1) (b) of the statutes is amended to read:

5 165.87 (1) (b) ~~One-eleventh~~ Two twenty-thirds of all moneys collected from  
6 penalty assessments under this section shall be ~~deposited in~~ credited to the  
7 appropriation account under s. 20.410 (1) (jp) and utilized in accordance with s.  
8 301.28.

9 **SECTION 4460d.** 165.87 (1) (bd) of the statutes is created to read:

10 165.87 (1) (bd) One twenty-third of all moneys collected from penalty  
11 assessments under this section shall be credited to the appropriation account under  
12 s. 20.455 (1) (g) and utilized in accordance with s. 165.94.

13 **SECTION 4460e.** 165.87 (1) (bn) of the statutes is amended to read:

14 165.87 (1) (bn) ~~Five twenty-seconds~~ twenty-thirds of all moneys collected from  
15 penalty assessments under this section shall be ~~deposited in~~ credited to the  
16 appropriation account under and utilized in accordance with s. 20.505 (6) (g), except  
17 for moneys transferred to ss. 20.435 (3) (jk) and 20.505 (6) (h). In regard to any grant  
18 to any local unit of government for which the state is providing matching funds from  
19 moneys under this paragraph, the local unit of government shall provide matching  
20 funds equal to at least 10%.

21 **SECTION 4460em.** 165.87 (1) (bn) of the statutes, as affected by 1995 Wisconsin  
22 Act .... (this act), is amended to read:

23 165.87 (1) (bn) Five twenty-thirds of all moneys collected from penalty  
24 assessments under this section shall be credited to the appropriation account under  
25 and utilized in accordance with s. 20.505 (6) (g), except for moneys transferred to ss.

1 ~~20.435~~ 20.410 (3) (jk) and 20.505 (6) (h). In regard to any grant to any local unit of  
2 government for which the state is providing matching funds from moneys under this  
3 paragraph, the local unit of government shall provide matching funds equal to at  
4 least 10%.

5 **SECTION 4460f.** 165.87 (1) (bp) of the statutes is amended to read:

6 165.87 (1) (bp) One ~~twenty-second~~ twenty-third of all moneys collected from  
7 penalty assessments under this section shall be ~~deposited in~~ credited to the  
8 appropriation account under s. 20.455 (2) (hm) and utilized in accordance with ss.  
9 20.455 (2) (hn) and (ho) and 165.90.

10 **SECTION 4460g.** 165.87 (1) (br) of the statutes is amended to read:

11 165.87 (1) (br) One ~~one-hundred-tenth~~ one-hundred-fifteenth of all moneys  
12 collected from penalty assessments under this section shall be ~~deposited in~~ credited  
13 to the appropriation account under and utilized in accordance with s. 20.550 (1) (j).

14 **SECTION 4460h.** 165.87 (1) (c) of the statutes is amended to read:

15 165.87 (1) (c) Of the balance of the moneys collected from penalty assessments  
16 under this section, 62.2% shall be ~~deposited~~ credited to the appropriation account  
17 under s. 20.255 (2) (g) and the remainder shall be ~~deposited~~ credited to the  
18 appropriation account under s. 20.255 (1) (hr).

19 **SECTION 4460i.** 165.87 (2) (a) of the statutes is amended to read:

20 165.87 (2) (a) Whenever a court imposes a fine or forfeiture for a violation of  
21 state law or for a violation of a municipal or county ordinance except for a violation  
22 of s. 101.123 (2) (a), (am) 1, or (bm) or (5) or state laws or municipal or county  
23 ordinances involving nonmoving traffic violations or safety belt use violations under  
24 s. 347.48 (2m), there shall be imposed in addition a penalty assessment in an amount  
25 of ~~22%~~ 23% of the fine or forfeiture imposed. If multiple offenses are involved, the

1 penalty assessment shall be based upon the total fine or forfeiture for all offenses.  
2 When a fine or forfeiture is suspended in whole or in part, the penalty assessment  
3 shall be reduced in proportion to the suspension.

4 **SECTION 4460v.** 165.94 of the statutes is created to read:

5 **165.94 District attorney computer network.** The department of justice  
6 shall maintain a district attorney computer network that provides district attorney  
7 offices with access to operating records under s. 343.24, access to criminal history  
8 records, ability to exchange legal information, use of electronic mail and access to  
9 statutory and attorney general opinion data bases.

10 **SECTION 4461.** 165.97 of the statutes is repealed.

11 **SECTION 4462.** 166.10 (intro.) of the statutes is amended to read:

12 **166.10 Preservation of essential public records.** (intro.) The public  
13 records ~~and forms~~ board shall establish a system for the preservation of essential  
14 state public records necessary for the continuity of governmental functions in the  
15 event of enemy action or natural or man-made disasters. The board shall:

16 **SECTION 4462m.** 166.20 (7g) of the statutes is repealed.

17 **SECTION 4464.** 167.10 (3) (b) 2. of the statutes is amended to read:

18 167.10 (3) (b) 2. The possession or use of explosives in accordance with rules  
19 or general orders of the department of ~~industry, labor and human relations~~  
20 development.

21 **SECTION 4465.** 167.10 (6m) (a) of the statutes is amended to read:

22 167.10 (6m) (a) ~~After June 30, 1985, no~~ No person may manufacture in this  
23 state fireworks or a device listed under sub. (1) (e), (f) or (i) to (n) without a fireworks  
24 manufacturing license issued by the department of ~~industry, labor and human~~  
25 relations development.

**SECTION 4466**

1           **SECTION 4466.** 167.10 (6m) (b) of the statutes is amended to read:

2           167.10 **(6m)** (b) ~~After June 30, 1985, no~~ No person may manufacture in this  
3 state fireworks or a device listed under sub. (1) (e), (f) or (i) to (n) unless the person  
4 complies with the rules of the department of ~~industry, labor and human relations~~  
5 development promulgated under par. (e).

6           **SECTION 4467.** 167.10 (6m) (c) of the statutes is amended to read:

7           167.10 **(6m)** (c) Any person who, ~~after June 30, 1985,~~ manufactures in this state  
8 fireworks or a device listed under sub. (1) (e), (f) or (i) to (n) shall provide the  
9 department of ~~industry, labor and human relations~~ development with a copy of each  
10 federal license issued under 18 USC 843 to that person.

11           **SECTION 4468.** 167.10 (6m) (d) of the statutes is amended to read:

12           167.10 **(6m)** (d) The department of ~~industry, labor and human relations~~  
13 development shall issue a license to manufacture fireworks or devices listed under  
14 sub. (1) (e), (f) or (i) to (n) to a person who complies with the rules of the department  
15 promulgated under par. (e). The department may not issue a license to a person who  
16 does not comply with the rules promulgated under par. (e). The department may  
17 revoke a license under this subsection for the refusal to permit an inspection by the  
18 department or for a continuing violation of the rules promulgated under par. (e).

19           **SECTION 4469.** 167.10 (6m) (e) of the statutes is amended to read:

20           167.10 **(6m)** (e) The department of ~~industry, labor and human relations~~  
21 development shall promulgate rules to establish safety standards for the  
22 manufacture in this state of fireworks and devices listed under sub. (1) (e), (f) or (i)  
23 to (n). ~~The rules may not take effect before July 1, 1985.~~

24           **SECTION 4470.** 167.11 (2) of the statutes is amended to read:

**SECTION 4470**

1           167.11 (2) The department of ~~industry, labor and human relations~~ development  
2 shall, by rule, set forth the nature of such warning and shall enforce this section.

3           **SECTION 4471.** 167.27 (5) of the statutes is amended to read:

4           167.27 (5) Whenever any mine shaft, exploration shaft or test well is  
5 abandoned or its use discontinued, the operator or contractor shall promptly fill  
6 same to grade or enclose the same with a fence of strong woven wire not less than 46  
7 inches wide with one barbwire above or cap same with a reinforced concrete slab at  
8 least 6 inches thick or with a native boulder at least 3 times the diameter of the top  
9 of the shaft or test well bore. The strands of the woven wire shall not be smaller than  
10 No. 12 wire and the cross wires and meshes shall not be smaller than No. 16 wire;  
11 the strands shall not be more than 12 inches apart, and the meshes shall not exceed  
12 8 inches square. All wires must be tightly stretched and securely fastened to  
13 sufficient posts firmly set not more than 8 feet apart. In case any person shall neglect  
14 to repair or rebuild such fence which the person is so required to build and maintain,  
15 any person may complain to the department of ~~industry, labor and human relations~~  
16 development or to the local governing body, which shall give notice in writing to the  
17 person who is required to build and maintain such fence. The department of  
18 ~~industry, labor and human relations~~ development or the local governing body shall  
19 then proceed to examine the fence, and if it shall determine that such fence is  
20 insufficient, it shall notify the person responsible for its erection and maintenance  
21 and direct the person to repair or rebuild the fence within such time as it shall deem  
22 reasonable. Any person refusing to comply with such order shall be subject to the  
23 penalties provided.

24           **SECTION 4472.** 167.27 (8) of the statutes is amended to read:

1           167.27 (8) Any violation of this section coming to the attention of the  
2 department of industry, labor and human relations development or municipal  
3 authorities shall be reported to the attorney general or district attorney for  
4 prosecution.

5           **SECTION 4473.** 168.01 of the statutes is amended to read:

6           **168.01 Definition.** In this chapter “department” means the department of  
7 ~~industry, labor and human relations~~ development.

8           **SECTION 4474.** 168.05 (1) of the statutes is amended to read:

9           168.05 (1) No petroleum product imported into and received in this state or  
10 received from a manufacturer or refiner or from a marine or pipeline terminal within  
11 this state may be unloaded from its original container except as provided under sub.  
12 (5), sold, offered for sale or used until a true sample of not less than 8 ounces is taken  
13 as provided in this chapter. This subsection does not apply if the department has  
14 previously inspected the petroleum product at the refinery, marine or pipeline  
15 terminal. Each person importing or receiving a petroleum product which has not  
16 been previously inspected shall notify the inspector in the person’s district of the  
17 receipt thereof, and the inspector shall take a sample of the petroleum product. This  
18 subsection ~~does not apply if the user receiving the petroleum product is exempted~~  
19 ~~from departmental inspection under s. 168.07 (3).~~

20           **SECTION 4475.** 168.07 (3) of the statutes is repealed.

21           **SECTION 4476.** 168.08 (2) of the statutes is repealed.

22           **SECTION 4477.** 168.08 (3) of the statutes is repealed.

23           **SECTION 4478.** 168.08 (4) of the statutes is repealed.

24           **SECTION 4479.** 168.08 (5) of the statutes is repealed.

25           **SECTION 4480.** 168.10 of the statutes is amended to read:

**SECTION 4480**

1           **168.10 Access to records.** Every agent or employe of any railroad company  
2 or other transportation company and every person transporting gasoline,  
3 gasoline-alcohol fuel blends, kerosene, other refined oils, fuel oils and petroleum  
4 distillates, having the custody of books or records showing the shipment or receipt  
5 of gasoline, gasoline-alcohol fuel blends, kerosene, or other refined oils, fuel oils and  
6 petroleum distillates shall give and permit the department and the inspectors; and,  
7 in regard to the fee under s. 168.12 (1), shall give and permit the department of  
8 revenue; free access to such books and records for the purpose of determining the  
9 amount of petroleum products shipped and received. All clerks, bookkeepers,  
10 express agents, railroad agents or officials, employes, or common carriers, or other  
11 persons shall ~~render~~ provide the department and the inspectors; and, in regard to the  
12 fee under s. 168.12 (1), shall provide the department of revenue; all information in  
13 their possession when so requested in tracing, finding, sampling and inspecting such  
14 shipments.

15           **SECTION 4481.** 168.11 (2) (d) of the statutes is amended to read:

16           168.11 (2) (d) Containers of 275 gallons capacity or more. This provision does  
17 not exempt such containers from the identification requirements ~~under ch. Ind 8,~~  
18 ~~Wis. adm. code~~ specified in rules promulgated by the department.

19           **SECTION 4482.** 168.12 (1) of the statutes is repealed and recreated to read:

20           168.12 (1) Except as provided in subs. (1g) and (1r), there is imposed a  
21 petroleum inspection fee at the rate of 3 cents per gallon on all petroleum products  
22 that are received, as defined in s. 78.07, by a supplier, as defined in s. 78.005 (14), for  
23 sale in this state or for sale for export to this state. The fee shall be paid under s.  
24 168.125 and shall be based on the number of gallons reported under s. 168.125.

25           **SECTION 4483.** 168.12 (1g) of the statutes is created to read:

1           168.12 **(1g)** The fee under sub. (1) is not imposed on petroleum products that  
2 are shipped from storage at a refinery, marine terminal, pipeline terminal, pipeline  
3 tank farm or place of manufacture to a person for storage at another refinery, marine  
4 terminal, pipeline terminal, pipeline tank farm or place of manufacture.

5           **SECTION 4484.** 168.12 (1r) of the statutes is created to read:

6           168.12 **(1r)** The fee under sub. (1) is not imposed on petroleum products  
7 exported from this state by a person who is licensed under sub. (7) or s. 78.09.

8           **SECTION 4485.** 168.12 (2) of the statutes is repealed.

9           **SECTION 4486.** 168.12 (3) of the statutes is repealed.

10          **SECTION 4487.** 168.12 (4) of the statutes is repealed.

11          **SECTION 4487m.** 168.12 (5m) of the statutes is created to read:

12          168.12 **(5m)** All oil inspection fees paid to the department of transportation  
13 under s. 341.45 (1g) (a) in excess of oil inspection fee credits or refunds under s.  
14 341.45 (2) shall be deposited in the petroleum inspection fund. All oil inspection fees  
15 credited or refunded by the department of transportation under s. 341.45 (2) in  
16 excess of oil inspection fees paid to the department of transportation under s. 341.45  
17 (1g) (a) shall be paid from the petroleum inspection fund.

18          **SECTION 4488.** 168.12 (6) of the statutes is repealed.

19          **SECTION 4489.** 168.12 (7) of the statutes is created to read:

20          168.12 **(7)** No person may ship petroleum products into this state unless that  
21 person either has a license under s. 78.09 or obtains a petroleum products shipper  
22 license from the department of revenue by filing with that department an application  
23 prescribed and furnished by that department and verified by the owner of the  
24 business if the owner is an individual, by a member if the owner is an unincorporated

1 association, by a partner if the owner is a partnership or by the president and  
2 secretary if the owner is a corporation.

3 **SECTION 4490.** 168.12 (8) of the statutes is created to read:

4 168.12 (8) (a) To protect the revenues of this state, the department of revenue  
5 may require any person who is liable to that department for the fee under sub. (1)  
6 to place with it security in the amount that that department determines. The  
7 department of revenue may increase or decrease the amount of the security, but that  
8 amount may not exceed 3 times the person's average monthly liability for the fee  
9 under sub. (1) as estimated by that department. If any person fails to provide that  
10 security, the department of revenue may refuse to issue a license under sub. (7) or  
11 s. 78.09 or may revoke the person's license under sub. (7) or s. 78.09. If any taxpayer  
12 is delinquent in the payment of the fee under sub. (1), the department of revenue  
13 may, upon 10 days' notice, recover the fee, interest, penalties, costs and  
14 disbursements from the person's security. The department of revenue may not pay  
15 interest on any security deposit.

16 (b) The security required under par. (a) may be a surety bond furnished to the  
17 department of revenue and payable to this state. The department of revenue shall  
18 prescribe the form and contents of the bond.

19 (c) The surety of a bond under par. (b) may conditionally cancel the bond by  
20 filing written notice with the person who is liable for the fee under sub. (1) and with  
21 the department of revenue. A surety who files that notice is not discharged from any  
22 liability that has accrued or from any liability that accrues within 60 days after the  
23 filing. If the person who is liable for the fee under sub. (1) does not, within 60 days  
24 after receiving the notice, file with the department of revenue a new bond that is  
25 satisfactory to that department, that department shall revoke the person's license

1 under sub. (7) or s. 78.09. If the person furnishes a new bond, the department of  
2 revenue shall cancel and surrender the old bond when it is satisfied that all liability  
3 under the old bond has been discharged.

4 (d) If the liability on the bond is discharged or reduced or if the department of  
5 revenue determines that the bond is insufficient, that department shall require  
6 additional surety or new bonds. If any person who is liable for the fee under sub. (1)  
7 fails to file that additional bond within 5 days after the department of revenue  
8 provides written notice, that person's license under sub. (7) or s. 78.09 is revoked.

9 (e) Suspension, revocation or cancellation of a license under sub. (7) or s. 78.09,  
10 partial recovery on the bond or execution of a new bond does not affect the validity  
11 of a bond under this subsection.

12 **SECTION 4491.** 168.12 (9) of the statutes is created to read:

13 168.12 (9) Sections 78.65 to 78.74 and 78.79 to 78.81 as they apply to the taxes  
14 under ch. 78 apply to the fee under sub. (1).

15 **SECTION 4492.** 168.125 of the statutes is created to read:

16 **168.125 Reports; payment.** Persons who are liable for the fee under this  
17 chapter shall state the number of gallons of petroleum products on which the fee is  
18 due and the amount of their liability for the fee in the reports under s. 78.12 (1) to  
19 (3). The requirements for payment of the motor vehicle fuel tax under s. 78.12 (5)  
20 apply to the fee under this chapter.

21 **SECTION 4493.** 168.13 of the statutes is amended to read:

22 **168.13 Required records.** Every person receiving petroleum products in this  
23 state shall keep books and records of all petroleum products so received, together  
24 with bills of lading, waybills and other pertinent documents. Such books and records  
25 and other papers and documents shall, at all times during business hours of the day,

1 be subject to inspection by the department and its inspectors, and are subject to  
2 inspection by the department of revenue in regard to the fee under s. 168.12 (1). Such  
3 books, records and other papers and documents shall be preserved for not less than  
4 ~~3~~ 4 years, unless the department, in writing, authorizes their destruction or disposal  
5 at an earlier date.

6 **SECTION 4494.** 168.15 of the statutes is amended to read:

7 **168.15 Penalty.** Every person who violates any provision of this chapter that  
8 is not related to the fee under s. 168.12 (1) shall forfeit not less than \$10 nor more  
9 than \$100 for each violation. Each day a person fails to comply with any provision  
10 of this chapter is a separate violation.

11 **SECTION 4495.** 168.17 of the statutes is amended to read:

12 **168.17 Attorney general and district attorney to prosecute.** Upon  
13 request of the department, the attorney general or proper district attorney shall  
14 prosecute any action to enforce this chapter except the fee that is imposed under s.  
15 168.12 (1).

16 **SECTION 4496.** 175.45 (9) of the statutes is amended to read:

17 175.45 (9) COOPERATION. The departments of corrections, and health and social  
18 services and industry, labor and human relations shall cooperate with the  
19 department of justice in obtaining information under this section.

20 **SECTION 4496t.** 177.13 of the statutes is amended to read:

21 **177.13 Property held by courts and public agencies.** Except as provided  
22 in ss. 40.08 (8), 800.095 (7m), 852.01 (3), 863.37 (2) and 863.39, intangible property  
23 held for the owner by a court, state or other government, governmental subdivision  
24 or agency, public corporation or public authority that remains unclaimed by the

1 owner for more than one year after it became payable or distributable is presumed  
2 abandoned.

3 **SECTION 4497.** 177.30 (2) of the statutes is amended to read:

4 177.30 (2) The administrator, at reasonable times and upon reasonable notice,  
5 may examine the records of any person to determine whether the person has  
6 complied with this chapter. The administrator may designate the ~~commissioner~~  
7 division of banking or other appropriate regulatory authority to examine the records  
8 of regulated institutions to determine if the institutions have complied with this  
9 chapter. The administrator may conduct the examination even if the person believes  
10 it is not in possession of any property reportable or deliverable under this chapter.

11 **SECTION 4498b.** 179.01 (2m) of the statutes is created to read:

12 179.01 (2m) "Department" means the department of financial institutions.

13 **SECTION 4499b.** 179.03 (2) of the statutes is amended to read:

14 179.03 (2) The reservation shall be made by filing with the ~~secretary of state~~  
15 department an application executed by the applicant to reserve a specified name  
16 together with a fee of \$10, or making a telephone application to reserve a specified  
17 name. The fee for a telephone application to reserve a specified name for 60 days is  
18 \$20. If the ~~secretary of state~~ department finds that the name is available for use by  
19 a domestic limited partnership or foreign limited partnership, the ~~secretary of state~~  
20 department shall reserve the name for the exclusive use of the applicant for a period  
21 of 60 days. The ~~secretary of state~~ department shall cancel the telephone application  
22 to reserve a specified name if the ~~secretary of state~~ department does not receive the  
23 proper fee within 15 business days after the application. Once having reserved a  
24 name, the same applicant may not again reserve the same name until more than 60  
25 days after the expiration of the last 60-day period for which that applicant reserved

**SECTION 4499b**

1 that name. The right to the exclusive use of a reserved name may be transferred to  
2 any other person by filing ~~in the office of the secretary of state~~ with the department,  
3 together with a fee of \$10, a notice of the transfer executed by the applicant for whom  
4 the name was reserved and specifying the name and address of the transferee.

5 **SECTION 4500b.** 179.04 (2) of the statutes is amended to read:

6 179.04 (2) If a limited partnership fails to maintain an agent for service of  
7 process in this state or if the agent cannot with reasonable diligence be found,  
8 substituted service may be made on the ~~secretary of state~~ department by delivering  
9 duplicate copies of the process, together with a fee of \$10. The ~~secretary of state~~  
10 department shall forward one copy by registered mail, addressed to the limited  
11 partnership at its record office.

12 **SECTION 4501b.** 179.11 (1) (intro.) of the statutes is amended to read:

13 179.11 (1) (intro.) To form a limited partnership, a certificate of limited  
14 partnership must be executed and filed ~~in the office of the secretary of state~~ with the  
15 department. The certificate shall be filed together with a fee of \$70 and shall contain  
16 all of the following information:

17 **SECTION 4502b.** 179.11 (2) of the statutes is amended to read:

18 179.11 (2) A limited partnership is formed at the time of the filing of the  
19 certificate of limited partnership ~~in the office of the secretary of state~~ with the  
20 department or at any later time specified in the certificate of limited partnership, if  
21 there has been substantial compliance with this section.

22 **SECTION 4503b.** 179.12 (1) (intro.) of the statutes is amended to read:

23 179.12 (1) (intro.) A certificate of limited partnership is amended by filing a  
24 certificate of amendment ~~in the office of the secretary of state~~ with the department,  
25 together with a fee of \$25. The certificate shall specify all of the following:

**SECTION 4504b**

1           **SECTION 4504b.** 179.12 (6) of the statutes is amended to read:

2           179.12 (6) Except as otherwise provided in this chapter or in the certificate of  
3 amendment, a certificate of amendment is effective on its filing in the office of the  
4 secretary of state department.

5           **SECTION 4505b.** 179.13 (intro.) of the statutes is amended to read:

6           **179.13 Cancellation of certificate.** (intro.) A certificate of limited  
7 partnership shall be canceled upon the dissolution and the commencement of  
8 winding up of the limited partnership or at any other time that there are no limited  
9 partners. A certificate of cancellation shall be filed together with a fee of \$10 in the  
10 office of the secretary of state with the department and shall specify all of the  
11 following:

12           **SECTION 4506b.** 179.14 (1) (intro.) of the statutes is amended to read:

13           179.14 (1) (intro.) Each certificate required by this subchapter to be filed in the  
14 office of the secretary of state with the department shall be executed in the following  
15 manner:

16           **SECTION 4507b.** 179.15 of the statutes is amended to read:

17           **179.15 Execution of certificate by court order.** If a person required by s.  
18 179.14 to execute any certificate fails or refuses to do so, any other person who is  
19 adversely affected by the failure or refusal, may petition the circuit court to direct  
20 the execution of the certificate. If the court finds that it is proper for the certificate  
21 to be executed and that any person so designated has failed or refused to execute the  
22 certificate, it shall order the secretary of state department to record an appropriate  
23 certificate.

24           **SECTION 4508b.** 179.16 (title) of the statutes is amended to read:

1           **179.16** (title) **Filing with the ~~secretary of state~~ department of financial**  
2 **institutions.**

3           **SECTION 4509b.** 179.16 (1) (intro.) of the statutes is amended to read:

4           179.16 (1) (intro.) Two signed copies of the certificate of limited partnership  
5 and of any certificates of amendment or cancellation or of any court order under s.  
6 179.15 shall be delivered to the ~~secretary of state~~ department. A person who executes  
7 a certificate as an officer, general partner or fiduciary need not exhibit evidence of  
8 his or her authority as a prerequisite to filing. Unless the document does not conform  
9 to law, upon receipt of all filing fees the ~~secretary of state~~ department shall do all of  
10 the following:

11           **SECTION 4510b.** 179.16 (1) (b) of the statutes is amended to read:

12           179.16 (1) (b) File one duplicate original in ~~his or her office~~ the department.

13           **SECTION 4511b.** 179.16 (2) of the statutes is amended to read:

14           179.16 (2) Upon the filing of a certificate of amendment or court order of  
15 amendment in the ~~office of the secretary of state~~ department, the certificate of  
16 limited partnership shall be amended as set forth in the certificate or order, and upon  
17 the effective date of a certificate of cancellation or court order of cancellation, the  
18 certificate of limited partnership is canceled.

19           **SECTION 4512b.** 179.16 (3) (a) (intro.) of the statutes is amended to read:

20           179.16 (3) (a) (intro.) The ~~secretary of state~~ department may waive any of the  
21 following:

22           **SECTION 4513b.** 179.16 (3) (a) 2. of the statutes is amended to read:

23           179.16 (3) (a) 2. An omission or defect in a document, if the ~~secretary of state~~  
24 department determines from the face of the document that the omission or defect is  
25 immaterial.

1           **SECTION 4514b.** 179.16 (4) (intro.) of the statutes is amended to read:

2           179.16 (4) (intro.) The ~~secretary of state~~ department shall charge and collect  
3 for:

4           **SECTION 4515b.** 179.16 (5) of the statutes is amended to read:

5           179.16 (5) The ~~secretary of state~~ department shall charge and collect, for  
6 processing a document required or permitted to be filed under this chapter in an  
7 expeditious manner, or preparing the information under sub. (4) in an expeditious  
8 manner, the expedited service fee under ~~s. 14.38 (9)~~ s. 182.01 (4) in addition to the  
9 fee required by other provisions of this chapter.

10           **SECTION 4516b.** 179.18 of the statutes is amended to read:

11           **179.18 Notice conferred by filing.** The fact that a certificate of limited  
12 partnership is on file ~~in the office of the secretary of state~~ with the department is  
13 notice that the partnership is a limited partnership and the persons designated as  
14 general partners are general partners, but it is not notice of any other fact.

15           **SECTION 4517b.** 179.185 (1) of the statutes is amended to read:

16           179.185 (1) A limited partnership may integrate into a single instrument the  
17 operative provisions of its certificate of limited partnership, as shown by the original  
18 certificate and amendments filed under this subchapter, and it may at the same time  
19 also further amend its certificate of limited partnership by adopting a restated  
20 certificate of limited partnership. The restated certificate shall be filed together with  
21 a fee of \$25 ~~in the office of the secretary of state~~ with the department.

22           **SECTION 4518b.** 179.185 (4) of the statutes is amended to read:

23           179.185 (4) On filing the restated certificate with the ~~secretary of state~~  
24 department, the original certificate, as amended under this subchapter, is  
25 superseded. After its filing, the restated certificate is the certificate of limited

1 partnership of the limited partnership, but the original effective date of formation  
2 shall remain unchanged.

3 **SECTION 4519b.** 179.19 of the statutes is amended to read:

4 **179.19 Delivery of certificates to limited partners.** Upon the return by  
5 the ~~secretary of state~~ department under s. 179.16 of a certificate marked "Filed", the  
6 general partners shall promptly deliver or mail a copy of the certificate of limited  
7 partnership and each certificate to each limited partner unless the partnership  
8 agreement provides otherwise.

9 **SECTION 4520b.** 179.24 (1) (b) of the statutes is amended to read:

10 179.24 (1) (b) Withdraws from future equity participation in the enterprise by  
11 executing and filing ~~in the office of the secretary of state~~ with the department,  
12 together with a \$15 filing fee, a certificate declaring withdrawal under this  
13 paragraph.

14 **SECTION 4521b.** 179.82 (intro.) of the statutes is amended to read:

15 **179.82 Registration.** (intro.) Before transacting business in this state, a  
16 foreign limited partnership shall register with the ~~secretary of state~~ department. A  
17 foreign limited partnership shall submit in duplicate, together with a filing fee of  
18 \$75, an application for registration as a foreign limited partnership, signed and  
19 sworn to by a general partner and setting forth all of the following:

20 **SECTION 4522b.** 179.82 (5) of the statutes is amended to read:

21 179.82 (5) A statement that the ~~secretary of state~~ department is appointed the  
22 agent of the foreign limited partnership for service of process under s. 179.88 if the  
23 agent's authority has been revoked or the agent cannot be found or served with the  
24 exercise of reasonable diligence.

25 **SECTION 4523b.** 179.83 (1) (intro.) of the statutes is amended to read:

**SECTION 4523b**

1           179.83 (1) (intro.) If the ~~secretary of state~~ department finds that an application  
2 for registration conforms to law and all requisite fees have been paid, ~~he or she~~ the  
3 department shall:

4           **SECTION 4524b.** 179.83 (1) (b) of the statutes is amended to read:

5           179.83 (1) (b) File ~~in his or her office~~ a duplicate original of the application.

6           **SECTION 4525b.** 179.84 of the statutes is amended to read:

7           **179.84 Name.** A foreign limited partnership may register with the ~~secretary~~  
8 ~~of state~~ department under any name that includes without abbreviation the words  
9 “limited partnership” and that could be registered by a domestic limited partnership.

10          **SECTION 4526b.** 179.85 of the statutes is amended to read:

11          **179.85 Amendments.** If any statement in the application for registration of  
12 a foreign limited partnership was false when made or any arrangements or other  
13 facts described have changed, making the application inaccurate in any respect, the  
14 foreign limited partnership shall promptly file ~~in the office of the secretary of state~~  
15 with the department, together with a filing fee of \$15, a certificate, signed and sworn  
16 to by a general partner, correcting the statement.

17          **SECTION 4527b.** 179.86 (1) of the statutes is amended to read:

18          179.86 (1) A foreign limited partnership may cancel its registration by filing  
19 with the ~~secretary of state~~ department, together with a filing fee of \$15, a certificate  
20 of cancellation signed and sworn to by a general partner.

21          **SECTION 4528b.** 179.86 (2) of the statutes is amended to read:

22          179.86 (2) A cancellation does not terminate the authority of the ~~secretary of~~  
23 ~~state~~ department to accept service of process on the foreign limited partnership with  
24 respect to claims arising out of the transaction of business in this state.

25          **SECTION 4529b.** 179.87 (4) of the statutes is amended to read:

1           179.87 (4) A foreign limited partnership, by transacting business in this state  
2 without registration, appoints the ~~secretary of state~~ department as its agent for  
3 service of process under s. 179.88 with respect to claims arising out of the transaction  
4 of business in this state.

5           **SECTION 4530b.** 179.88 of the statutes is amended to read:

6           **179.88 Substituted service.** Service of process on the ~~secretary of state~~  
7 department under this subchapter shall be made by serving of duplicate copies of the  
8 process on the ~~secretary of state~~ department, together with a fee of \$10. The  
9 ~~secretary of state~~ department shall mail notice of the service and a copy of the process  
10 within 10 days addressed to the foreign limited partnership at its office in the state  
11 of its organization. The time within which the foreign limited partnership may  
12 answer or move to dismiss under s. 802.06 (2) does not start to run until 10 days after  
13 the date of the mailing. The ~~secretary of state~~ department shall keep a record of  
14 service of process under this section showing the day and hour of service and the date  
15 of mailing.

16           **SECTION 4531b.** 180.0103 (6m) of the statutes is created to read:

17           180.0103 (6m) “Department”, except in subs. (8) and (18), means the  
18 department of financial institutions.

19           **SECTION 4532b.** 180.0120 (1) (intro.) of the statutes is amended to read:

20           180.0120 (1) (intro.) Except as provided in sub. (4), a document required or  
21 permitted to be filed under this chapter ~~in the office of the secretary of state~~ with the  
22 department must satisfy all of the following requirements to be filed under s.  
23 180.0125 (2) (a):

24           **SECTION 4533b.** 180.0120 (1) (d) of the statutes is amended to read:

**SECTION 4533b**

1           180.0120 (1) (d) Contain the name of the drafter, if required by s. 14.38 (14)  
2           182.01 (3).

3           **SECTION 4534b.** 180.0120 (1) (f) of the statutes is amended to read:

4           180.0120 (1) (f) Be on the form prescribed by the ~~secretary of state~~ department  
5 if the document is described in s. 180.0121 (1).

6           **SECTION 4535b.** 180.0120 (1) (g) of the statutes is amended to read:

7           180.0120 (1) (g) Be delivered to the ~~office of the secretary of state~~ department  
8 for filing and be accompanied by one exact or conformed copy and the filing fee  
9 required by s. 180.0122.

10          **SECTION 4536b.** 180.0120 (2) of the statutes is amended to read:

11          180.0120 (2) The ~~secretary of state~~ department shall file photocopies or other  
12 reproduced copies of typewritten or printed documents if the copies are manually  
13 signed and satisfy this section.

14          **SECTION 4537b.** 180.0120 (4) of the statutes is amended to read:

15          180.0120 (4) The ~~secretary of state~~ department may waive any of the  
16 requirements of subs. (1) to (3) if it appears from the face of the document that the  
17 document's failure to satisfy the requirement is immaterial.

18          **SECTION 4538b.** 180.0121 (1) (a) (intro.) of the statutes is amended to read:

19          180.0121 (1) (a) (intro.) The ~~secretary of state~~ department shall prescribe and  
20 furnish on request forms for all of the following documents:

21          **SECTION 4539b.** 180.0121 (1) (b) of the statutes is amended to read:

22          180.0121 (1) (b) The forms prescribed by the ~~secretary of state~~ department  
23 under par. (a) 1., 2. and 3. shall require disclosure of only the information required  
24 under ss. 180.1503, 180.1520, 180.1622 and 180.1921, respectively.

25          **SECTION 4540b.** 180.0121 (2) of the statutes is amended to read:

**SECTION 4540b**

1           180.0121 (2) The ~~secretary of state~~ department may prescribe and furnish on  
2 request forms for other documents required or permitted to be filed by this chapter,  
3 but use of these forms is not mandatory.

4           **SECTION 4541b.** 180.0122 (1) (intro.) of the statutes is amended to read:

5           180.0122 (1) (intro.) The ~~secretary of state~~ department shall collect the  
6 following fees when the documents described in this subsection are delivered to ~~him~~  
7 ~~or her~~ for filing or, under pars. (e) and (f), the telephone applications are made:

8           **SECTION 4542b.** 180.0122 (2) of the statutes is amended to read:

9           180.0122 (2) The ~~secretary of state~~ department shall collect a \$10 fee each time  
10 process is served on ~~him or her~~ the department under this chapter. The party to a  
11 civil, criminal, administrative or investigatory proceeding causing service of process  
12 may recover this fee as costs if the party prevails in the proceeding.

13           **SECTION 4543b.** 180.0122 (3) (intro.) of the statutes is amended to read:

14           180.0122 (3) (intro.) The ~~secretary of state~~ department may not collect a fee for  
15 any of the following:

16           **SECTION 4544b.** 180.0122 (4) of the statutes is amended to read:

17           180.0122 (4) In addition to the fees required under sub. (1), the ~~secretary of~~  
18 ~~state~~ department shall collect the expedited service fee under ~~s. 14.38 (9)~~ s. 182.01  
19 (4) for processing in an expeditious manner a document required or permitted to be  
20 filed under this chapter or for preparing in an expeditious manner a certificate of  
21 status under s. 180.0128 (1) to (3) or a statement of status under s. 180.0128 (4).

22           **SECTION 4545b.** 180.0123 (1) (a) (intro.) of the statutes is amended to read:

23           180.0123 (1) (a) (intro.) Except as provided in sub. (2) or s. 180.0124 (3),  
24 180.1622 (5) or 180.1921 (4), a document filed by the ~~secretary of state~~ department

**SECTION 4545b**

1 under this chapter is effective on the date that it is received by the office of the  
2 secretary of state department for filing and at any of the following times on that date:

3 **SECTION 4546b.** 180.0123 (1) (b) of the statutes is amended to read:

4 180.0123 (1) (b) The date that a document is received by the office of the  
5 secretary of state department is determined by the secretary of state's department's  
6 endorsement on the original document under s. 180.0125 (1).

7 **SECTION 4547b.** 180.0124 (1) of the statutes is amended to read:

8 180.0124 (1) A domestic corporation or foreign corporation may correct a  
9 document that is filed by the secretary of state department before, on or after  
10 January 1, 1991, if the document contains a statement that was incorrect at the time  
11 of filing or was defectively executed, including defects in any attestation, seal,  
12 verification or acknowledgment.

13 **SECTION 4548b.** 180.0124 (2) (intro.) of the statutes is amended to read:

14 180.0124 (2) (intro.) To correct a document under sub. (1), a domestic  
15 corporation or foreign corporation shall prepare and deliver to the secretary of state  
16 department for filing articles of correction that satisfy all of the following:

17 **SECTION 4549b.** 180.0125 (title) of the statutes is amended to read:

18 **180.0125 (title) Filing duty of secretary of state department of financial**  
19 **institutions.**

20 **SECTION 4550b.** 180.0125 (1) of the statutes is amended to read:

21 180.0125 (1) Upon receipt of a document by the office of the secretary of state  
22 department for filing, the secretary of state department shall stamp or otherwise  
23 endorse the date and time of receipt on the original, the document copy and, upon  
24 request, any additional document copy received. The secretary of state department

1 shall return any additional document copy to the person delivering it, as  
2 confirmation of the date and time of receipt.

3 **SECTION 4551b.** 180.0125 (2) (a) of the statutes is amended to read:

4 180.0125 (2) (a) Except as provided in par. (b), if a document satisfies s.  
5 180.0120 and the terms of the document satisfy, if applicable, s. 180.0401 (1) and (2)  
6 or 180.1506 (1) and (2), the ~~secretary of state~~ department shall file the document by  
7 stamping or otherwise endorsing "Filed", together with ~~his or her~~ the department  
8 name ~~and official title~~, on both the original and the document copy. After filing a  
9 document, the ~~secretary of state~~ department shall deliver the document copy to the  
10 domestic corporation or foreign corporation, or its representative.

11 **SECTION 4552b.** 180.0125 (2) (b) of the statutes is amended to read:

12 180.0125 (2) (b) If a domestic corporation or foreign corporation is in default  
13 in the payment of any fee required under s. 180.0122 (1) (a) to (j) or (m) to (ym), the  
14 ~~secretary of state~~ department shall refuse to file any document relating to the  
15 domestic corporation or foreign corporation until all delinquent fees are paid by the  
16 domestic corporation or foreign corporation.

17 **SECTION 4553b.** 180.0125 (3) (a) of the statutes is amended to read:

18 180.0125 (3) (a) If the ~~secretary of state~~ department refuses to file a document,  
19 ~~he or she~~ the department shall return it to the domestic corporation or foreign  
20 corporation, or its representative, within 5 business days after the document was  
21 received by the ~~office of the secretary of state~~ department for filing, together with a  
22 brief, written explanation of the reason for ~~his or her~~ the refusal.

23 **SECTION 4554b.** 180.0125 (3) (b) of the statutes is amended to read:

**SECTION 4554b**

1           180.0125 (3) (b) ~~The secretary of state's~~ department's failure to either file or  
2 return a document within 5 business days after it was received constitutes a refusal  
3 to file the document.

4           **SECTION 4555b.** 180.0125 (3) (c) of the statutes is amended to read:

5           180.0125 (3) (c) Except as provided in s. 180.0124 (3), if a document that had  
6 been refused for filing by the ~~secretary of state~~ department is resubmitted and filed  
7 by the ~~secretary of state~~ department, the effective date of the filed document under  
8 s. 180.0123 is the date that the resubmitted document is received by the ~~office of the~~  
9 ~~secretary of state~~ department for filing or a delayed effective date specified in the  
10 resubmitted document in accordance with s. 180.0123 (2). The effective time of the  
11 resubmitted document shall be determined under s. 180.0123 (1) or (2), whichever  
12 is applicable.

13           **SECTION 4556b.** 180.0125 (4) (intro.) of the statutes is amended to read:

14           180.0125 (4) (intro.) Except as provided in s. 180.0203 (2), the ~~secretary of~~  
15 ~~state's~~ department's filing of a document or refusal to file a document does not do any  
16 of the following:

17           **SECTION 4557b.** 180.0126 of the statutes is amended to read:

18           **180.0126 Appeal from ~~secretary of state's~~ department of financial**  
19 **institutions' refusal to file document.** (1) If the ~~secretary of state~~ department  
20 refuses to file a document received by his or her office for filing, the domestic  
21 corporation or foreign corporation may appeal the refusal by filing a petition in  
22 circuit court to compel the ~~secretary of state~~ department to file the document. The  
23 domestic corporation or foreign corporation shall file the petition in the circuit court  
24 for the county where the domestic corporation's or foreign corporation's principal  
25 office or, if none in this state, its registered office is or will be located. The domestic

1 corporation or foreign corporation shall attach to the petition the document and any  
2 explanation by the ~~secretary of state~~ department of the reasons for his or her the  
3 refusal to file.

4 (2) The domestic corporation or foreign corporation shall file the petition under  
5 sub. (1) within 30 days after the ~~secretary of state~~ department returns the document  
6 under s. 180.0125 (3) (a). If the ~~secretary of state~~ department does not return the  
7 document within the period specified in s. 180.0125 (3) (b), the domestic corporation  
8 or foreign corporation shall file the petition within 30 days after the period specified  
9 in s. 180.0125 (3) (b) expires.

10 (3) The court may summarily order the ~~secretary of state~~ department to file the  
11 document or take other action that the court considers appropriate. The court's final  
12 decision may be appealed as in other civil proceedings.

13 **SECTION 4558b.** 180.0127 of the statutes is amended to read:

14 **180.0127 Evidentiary effect of copy of filed document.** A certificate that  
15 contains the ~~secretary of state's signature, produced manually or in facsimile, and~~  
16 ~~this state's seal and that is attached to a~~ certified copy of a document filed by the  
17 ~~secretary of state~~ department is conclusive evidence that the original document is on  
18 file with the ~~secretary of state~~ department.

19 **SECTION 4559b.** 180.0128 (1) of the statutes is amended to read:

20 180.0128 (1) Any person may obtain from the ~~secretary of state~~ department,  
21 upon request, a certificate of status for a domestic corporation or foreign corporation.

22 **SECTION 4560b.** 180.0128 (2) (b) 3. of the statutes is amended to read:

23 180.0128 (2) (b) 3. The domestic corporation or foreign corporation has, during  
24 its most recently completed report year, filed with the ~~secretary of state~~ department  
25 an annual report required by s. 180.1622, or, if a service corporation, by s. 180.1921.

**SECTION 4561b**

1           **SECTION 4561b.** 180.0128 (3) of the statutes is amended to read:

2           180.0128 (3) The certificate of status may include other facts of record in the  
3 ~~office of the secretary of state~~ department that are requested.

4           **SECTION 4562b.** 180.0128 (4) of the statutes is amended to read:

5           180.0128 (4) Upon request, the ~~secretary of state~~ department shall issue, by  
6 telegraph, teletype, facsimile or other form of wire or wireless communication, a  
7 statement of status, which shall contain the information required in a certificate of  
8 status under sub. (2) and may contain any other information permitted under sub.  
9 (3).

10          **SECTION 4563b.** 180.0128 (5) of the statutes is amended to read:

11          180.0128 (5) Subject to any qualification stated in a certificate or statement of  
12 status issued by the ~~secretary of state~~ department, the certificate or statement is  
13 conclusive evidence that the domestic corporation or foreign corporation is in  
14 existence or is authorized to transact business in this state.

15          **SECTION 4564b.** 180.0128 (6) of the statutes is amended to read:

16          180.0128 (6) Upon request by telephone or otherwise, the ~~office of the secretary~~  
17 ~~of state~~ department shall confirm, by telephone, any of the information required in  
18 a certificate of status under sub. (2) and may confirm any other information  
19 permitted under sub. (3).

20          **SECTION 4565b.** 180.0129 (1) of the statutes is amended to read:

21          180.0129 (1) A person may not sign a document with intent that it be delivered  
22 to the ~~secretary of state~~ department for filing or deliver, or cause to be delivered, a  
23 document to the ~~secretary of state~~ department for filing, if the person knows that the  
24 document is false in any material respect at the time of its delivery.

25          **SECTION 4566b.** 180.0203 (2) of the statutes is amended to read:

**SECTION 4566b**

1           180.0203 (2) The ~~secretary of state's~~ department's filing of the articles of  
2 incorporation is conclusive proof that the corporation is incorporated under this  
3 chapter, except in a proceeding by the state to cancel or revoke the incorporation or  
4 involuntarily dissolve the corporation.

5           **SECTION 4567b.** 180.0401 (2) (a) (intro.) of the statutes is amended to read:

6           180.0401 (2) (a) (intro.) Except as provided in subs. (3) and (4), the corporate  
7 name of a domestic corporation must be distinguishable upon the records of the  
8 ~~secretary of state~~ department from all of the following names:

9           **SECTION 4568b.** 180.0401 (3) (intro.) of the statutes is amended to read:

10          180.0401 (3) (intro.) A corporation may apply to the ~~secretary of state~~  
11 department for authorization to use a name that is not distinguishable upon the  
12 records of the ~~secretary of state~~ department from one or more of the names described  
13 in sub. (2). The ~~secretary of state~~ department shall authorize use of the name applied  
14 for if any of the following occurs:

15          **SECTION 4569b.** 180.0401 (3) (a) of the statutes is amended to read:

16          180.0401 (3) (a) The other corporation or the foreign corporation, limited  
17 liability company, nonstock corporation, limited partnership or cooperative  
18 association consents to the use in writing and submits an undertaking in a form  
19 satisfactory to the ~~secretary of state~~ department to change its name to a name that  
20 is distinguishable upon the records of the ~~secretary of state~~ department from the  
21 name of the applicant.

22          **SECTION 4570b.** 180.0401 (3) (b) of the statutes is amended to read:

23          180.0401 (3) (b) The applicant delivers to the ~~secretary of state~~ department a  
24 certified copy of a final judgment of a court of competent jurisdiction establishing the  
25 applicant's right to use the name applied for in this state.

**SECTION 4571b**

1           **SECTION 4571b.** 180.0402 (1) of the statutes is amended to read:

2           180.0402 (1) A person may reserve the exclusive use of a corporate name,  
3 including a fictitious name for a foreign corporation whose corporate name is not  
4 available, by delivering an application to the ~~secretary of state~~ department for filing  
5 or by making a telephone application. The application shall include the name and  
6 address of the applicant and the name proposed to be reserved. If the ~~secretary of~~  
7 ~~state~~ department finds that the corporate name applied for under this subsection is  
8 available, the ~~secretary of state~~ department shall reserve the name for the  
9 applicant's exclusive use for a 120-day period, which may be renewed by the  
10 applicant or a transferee under sub. (2) from time to time. If an application to reserve  
11 a name or to renew a reserved name is made by telephone, the ~~secretary of state~~  
12 department shall cancel the reservation or renewal if the ~~secretary of state~~  
13 department does not receive the fee required under s. 180.0122 (1) (e) or (f) within  
14 15 business days after the application is made.

15           **SECTION 4572b.** 180.0402 (2) of the statutes is amended to read:

16           180.0402 (2) A person who has the right to exclusive use of a reserved corporate  
17 name under sub. (1) may transfer the reservation to another person by delivering to  
18 the ~~secretary of state~~ department a written and signed notice of the transfer that  
19 states the name and address of the transferee.

20           **SECTION 4573b.** 180.0403 (1) (a) of the statutes is amended to read:

21           180.0403 (1) (a) A foreign corporation may register its corporate name if the  
22 name is distinguishable upon the records of the ~~secretary of state~~ department from  
23 the names described in s. 180.1506 (2) (a) 1. to 7. and if the foreign corporation  
24 delivers to the ~~secretary of state~~ department for filing an application complying with  
25 par. (b).

**SECTION 4574b**

1           **SECTION 4574b.** 180.0403 (1) (c) of the statutes is amended to read:

2           180.0403 (1) (c) The registration expires December 31. The foreign corporation  
3 may renew its registration by delivering to the ~~secretary of state~~ department for  
4 filing a renewal application, which complies with par. (b), between October 1 and  
5 December 31 of each year that the registration is in effect. The renewal application  
6 when filed renews the registration for the next year.

7           **SECTION 4575b.** 180.0403 (2) of the statutes is amended to read:

8           180.0403 (2) A domestic corporation or a foreign corporation authorized to  
9 transact business in this state may, upon merger, change of name or dissolution,  
10 register its corporate name for no more than 10 years by delivering to the ~~secretary~~  
11 ~~of state~~ department for filing an application, executed by the domestic corporation  
12 or foreign corporation, simultaneously with the delivery for filing of the articles of  
13 merger or dissolution, the articles of amendment or restated articles that change the  
14 corporate name or an application for an amended certificate of authority that  
15 changes the corporate name.

16           **SECTION 4576b.** 180.0403 (3m) of the statutes is amended to read:

17           180.0403 (3m) A person who has the right to exclusive use of a registered name  
18 under sub. (1) or (2) may transfer the registration to another person by delivering to  
19 the ~~secretary of state~~ department a written and signed notice of the transfer that  
20 states the name and address of the transferee.

21           **SECTION 4577b.** 180.0502 (1) (a) of the statutes is amended to read:

22           180.0502 (1) (a) Delivering to the ~~secretary of state~~ department for filing a  
23 statement of change.

24           **SECTION 4578b.** 180.0502 (1) (c) of the statutes is amended to read:

**SECTION 4578b**

1           180.0502 (1) (c) If a domestic corporation, including the name of its registered  
2 agent and the street address of its registered office, as changed, in its annual report  
3 under s. 180.1622 or 180.1921. A change under this paragraph is effective on the date  
4 the annual report is filed by the ~~office of the secretary of state~~ department.

5           **SECTION 4579b.** 180.0502 (3) of the statutes is amended to read:

6           180.0502 (3) If a registered agent changes the street address of his or her  
7 business office, he or she may change the street address of the registered office of any  
8 corporation for which he or she is the registered agent by notifying the corporation  
9 in writing of the change and by signing, either manually or in facsimile, and  
10 delivering to the ~~secretary of state~~ department for filing a statement that complies  
11 with sub. (2) and recites that the corporation has been notified of the change.

12           **SECTION 4580b.** 180.0503 (1) (intro.) of the statutes is amended to read:

13           180.0503 (1) (intro.) The registered agent of a corporation may resign by  
14 signing and delivering to the ~~secretary of state~~ department for filing a statement of  
15 resignation that includes all of the following information:

16           **SECTION 4581b.** 180.0503 (2) of the statutes is amended to read:

17           180.0503 (2) After filing the statement, the ~~secretary of state~~ department shall  
18 mail a copy to the corporation at its principal office.

19           **SECTION 4582b.** 180.0503 (3) (a) of the statutes is amended to read:

20           180.0503 (3) (a) Sixty days after the ~~secretary of state~~ department receives the  
21 statement of resignation for filing.”.

22           **SECTION 4583.** 180.0504 (3) of the statutes is renumbered 180.0504 (3) (a) and  
23 amended to read:

24           180.0504 (3) (a) If Except as provided in par. (b), if the address of the  
25 corporation’s principal office cannot be determined from the records of the secretary

1 of state, the corporation may be served by publishing a class 3 notice, under ch. 985,  
2 in the community where the corporation's principal office or registered office, as most  
3 recently designated in the records of the secretary of state, is located.

4 **SECTION 4584b.** 180.0504 (3) (a) of the statutes, as affected by 1995 Wisconsin  
5 Act .... (this act), is amended to read:

6 180.0504 (3) (a) Except as provided in par. (b), if the address of the corporation's  
7 principal office cannot be determined from the records of the ~~secretary of state~~ held  
8 by the department, the corporation may be served by publishing a class 3 notice,  
9 under ch. 985, in the community where the corporation's principal office or registered  
10 office, as most recently designated in the records of the ~~secretary of state~~ department,  
11 is located.

12 **SECTION 4585.** 180.0504 (3) (b) of the statutes is created to read:

13 180.0504 (3) (b) If a process, notice or demand is served by the secretary of state  
14 on a corporation under s. 180.1421 and the address of the corporation's principal  
15 office cannot be determined from the records of the secretary of state, the corporation  
16 may be served by publishing a class 2 notice, under ch. 985, in the official state  
17 newspaper.

18 **SECTION 4586b.** 180.0504 (3) (b) of the statutes, as created by 1995 Wisconsin  
19 Act .... (this act), is amended to read:

20 180.0504 (3) (b) If a process, notice or demand is served by the ~~secretary of state~~  
21 department on a corporation under s. 180.1421 and the address of the corporation's  
22 principal office cannot be determined from the records of the ~~secretary of state~~  
23 department, the corporation may be served by publishing a class 2 notice, under ch.  
24 985, in the official state newspaper.

25 **SECTION 4587b.** 180.0602 (2) (intro.) of the statutes is amended to read:

**SECTION 4587b**

1           180.0602 (2) (intro.) Before issuing any shares of a class or series under sub.  
2 (1), the corporation shall deliver to the ~~secretary of state~~ department for filing  
3 articles of amendment, which are effective without shareholder action, that include  
4 all of the following information:

5           **SECTION 4588b.** 180.0602 (3) of the statutes is amended to read:

6           180.0602 (3) After the articles of amendment are filed under sub. (2) and before  
7 the corporation issues any shares of the class or series that is the subject of the  
8 articles of amendment, the board of directors may alter or revoke any preferences,  
9 limitations or relative rights described in the articles of amendment, by adopting  
10 another resolution appropriate for that purpose. The corporation shall file with the  
11 ~~secretary of state~~ department revised articles of amendment that comply with sub.  
12 (2). A preference, limitation or relative right may not be altered or revoked after the  
13 issuance of any shares of the class or series that are subject to the preference,  
14 limitation or relative right, except by amendment of the articles of incorporation  
15 under s. 180.1003.

16           **SECTION 4589b.** 180.0620 (1) (b) of the statutes is amended to read:

17           180.0620 (1) (b) Unless the subscription agreement provides otherwise, the  
18 filing of the articles of incorporation by the ~~secretary of state~~ department constitutes  
19 acceptance by the corporation of all existing subscriptions to its shares.

20           **SECTION 4590b.** 180.0631 (3) (b) (intro.) of the statutes is amended to read:

21           180.0631 (3) (b) (intro.) If the articles of incorporation prohibit the reissuance  
22 of acquired shares, the number of authorized shares is reduced by the number of  
23 shares acquired by the corporation, effective upon amendment of the articles of  
24 incorporation. The board of directors may adopt articles of amendment under this

1 paragraph without shareholder action and deliver them to the ~~secretary of state~~  
2 department for filing. The articles shall include all of the following information:

3 **SECTION 4591b.** 180.0860 (1) of the statutes is amended to read:

4 180.0860 (1) Whenever initial directors and principal officers are selected, or  
5 changes are made in the directors or principal officers of a corporation, the  
6 corporation may file with the ~~secretary of state~~ department a statement that  
7 includes the names and addresses of all the directors or principal officers, or both if  
8 there have been changes in both. The information in the statement shall be current  
9 as of the date on which the statement is signed on behalf of the corporation.

10 **SECTION 4592b.** 180.0860 (2) of the statutes is amended to read:

11 180.0860 (2) A director who resigns under s. 180.0807 or a principal officer who  
12 resigns under s. 180.0843 (1) may file a copy of the resignation notice with the  
13 ~~secretary of state~~ department.

14 **SECTION 4593b.** 180.1002 (4) of the statutes is amended to read:

15 180.1002 (4) To delete the name and address of a former registered agent or  
16 registered office, if a statement of change is on file with the ~~secretary of state~~  
17 department.

18 **SECTION 4594b.** 180.1006 (intro.) of the statutes is amended to read:

19 **180.1006 Articles of amendment.** (intro.) A corporation amending its  
20 articles of incorporation shall deliver to the ~~secretary of state~~ department for filing  
21 articles of amendment that include all of the following information:

22 **SECTION 4595b.** 180.1007 (4) (intro.) of the statutes is amended to read:

23 180.1007 (4) (intro.) A corporation restating its articles of incorporation shall  
24 deliver to the ~~secretary of state~~ department for filing articles of restatement that

**SECTION 4595b**

1 include the name of the corporation and the text of the restated articles of  
2 incorporation together with a certificate including the following information:

3 **SECTION 4596b.** 180.1008 (2) (intro.) of the statutes is amended to read:

4 180.1008 (2) (intro.) The persons designated by the court shall deliver to the  
5 ~~secretary of state~~ department for filing articles of amendment that include all of the  
6 following information:

7 **SECTION 4597b.** 180.1104 (4) of the statutes is amended to read:

8 180.1104 (4) The parent may not deliver articles of merger to the ~~secretary of~~  
9 ~~state~~ department for filing until at least 30 days after the date on which it mailed a  
10 copy of the plan of merger to each shareholder of the subsidiary who did not waive  
11 the mailing requirement.

12 **SECTION 4598b.** 180.1105 (1) (intro.) of the statutes is amended to read:

13 180.1105 (1) (intro.) Except as provided in s. 180.1104 (4), after a plan of merger  
14 or share exchange is approved by the shareholders, or adopted by the board of  
15 directors if shareholder approval is not required, the surviving or acquiring  
16 corporation shall deliver to the ~~secretary of state~~ department for filing articles of  
17 merger or share exchange setting forth all of the following:

18 **SECTION 4599b.** 180.1107 (3) (a) of the statutes is amended to read:

19 180.1107 (3) (a) When a merger or share exchange under this section takes  
20 effect, the ~~secretary of state~~ department is the agent of the surviving foreign  
21 corporation of a merger or the acquiring foreign corporation in a share exchange, for  
22 service of process in a proceeding to enforce any obligation or the rights of dissenting  
23 shareholders of each domestic corporation that is party to the merger or share  
24 exchange.

25 **SECTION 4600b.** 180.1401 (2) (intro.) of the statutes is amended to read:

**SECTION 4600b**

1           180.1401 **(2)** (intro.) At any time after dissolution is authorized under sub. (1),  
2 the corporation may dissolve by delivering to the ~~secretary of state~~ department for  
3 filing articles of dissolution that include all of the following:

4           **SECTION 4601b.** 180.1403 (1) (intro.) of the statutes is amended to read:

5           180.1403 **(1)** (intro.) At any time after dissolution is authorized under s.  
6 180.1402, the corporation may dissolve by delivering to the ~~secretary of state~~  
7 department for filing articles of dissolution that include all of the following:

8           **SECTION 4602b.** 180.1404 (3) (intro.) of the statutes is amended to read:

9           180.1404 **(3)** (intro.) After the revocation of dissolution is authorized, the  
10 corporation may revoke the dissolution by delivering to the ~~secretary of state~~  
11 department for filing articles of revocation of dissolution, together with a copy of its  
12 articles of dissolution, that include all of the following:

13           **SECTION 4603b.** 180.1420 (intro.) of the statutes is amended to read:

14           **180.1420 Grounds for administrative dissolution.** (intro.) The ~~secretary~~  
15 ~~of state~~ department may bring a proceeding under s. 180.1421 to administratively  
16 dissolve a corporation if any of the following occurs:

17           **SECTION 4604b.** 180.1420 (1) of the statutes is amended to read:

18           180.1420 **(1)** The corporation does not pay, within one year after they are due,  
19 any fees or penalties due the ~~secretary of state~~ department under this chapter.

20           **SECTION 4605b.** 180.1420 (2) of the statutes is amended to read:

21           180.1420 **(2)** The corporation does not have on file its annual report with the  
22 ~~secretary of state~~ department within one year after it is due.

23           **SECTION 4606b.** 180.1420 (4) of the statutes is amended to read:

**SECTION 4606b**

1           180.1420 (4) The corporation does not notify the ~~secretary of state~~ department  
2           within one year that its registered agent or registered office has been changed, that  
3           its registered agent has resigned or that its registered office has been discontinued.

4           **SECTION 4607b.** 180.1421 (1) of the statutes is amended to read:

5           180.1421 (1) If the ~~secretary of state~~ department determines that one or more  
6           grounds exist under s. 180.1420 for dissolving a corporation, the ~~secretary of state~~  
7           department shall serve the corporation under s. 180.0504 with written notice of his  
8           or her the determination.

9           **SECTION 4608b.** 180.1421 (2) (a) of the statutes is amended to read:

10          180.1421 (2) (a) Within 60 days after service of the notice is perfected under  
11          s. 180.0504, the corporation shall correct each ground for dissolution or demonstrate  
12          to the reasonable satisfaction of the ~~secretary of state~~ department that each ground  
13          determined by the ~~secretary of state~~ department does not exist.

14          **SECTION 4609b.** 180.1421 (2) (b) of the statutes is amended to read:

15          180.1421 (2) (b) If the corporation fails to satisfy par. (a), the ~~secretary of state~~  
16          department shall administratively dissolve the corporation by ~~signing~~ issuing a  
17          certificate of dissolution that recites each ground for dissolution and its effective  
18          date. The ~~secretary of state~~ department shall file the original of the certificate and  
19          serve a copy on the corporation under s. 180.0504.

20          **SECTION 4610b.** 180.1422 (1) (intro.) of the statutes is amended to read:

21          180.1422 (1) (intro.) A corporation that is administratively dissolved may  
22          apply to the ~~secretary of state~~ department for reinstatement within 2 years after the  
23          later of January 1, 1991, or the effective date of dissolution. The application shall  
24          include all of the following:

25          **SECTION 4611b.** 180.1422 (2) (a) (intro.) of the statutes is amended to read:

**SECTION 4611b**

1           180.1422 (2) (a) (intro.) The ~~secretary of state~~ department shall cancel the  
2 certificate of dissolution and prepare a certificate of reinstatement that complies  
3 with par. (b) if the ~~secretary of state~~ department determines all of the following:

4           **SECTION 4612b.** 180.1422 (2) (a) 2. of the statutes is amended to read:

5           180.1422 (2) (a) 2. That all fees and penalties owed by the corporation to the  
6 ~~secretary of state~~ department have been paid.

7           **SECTION 4613b.** 180.1422 (2) (b) of the statutes is amended to read:

8           180.1422 (2) (b) The certificate of reinstatement shall state the ~~secretary of~~  
9 ~~state's~~ department's determination under par. (a) and the effective date of  
10 reinstatement. The ~~secretary of state~~ department shall file the original of the  
11 certificate and return a copy to the corporation or its representative.

12           **SECTION 4614b.** 180.1423 (1) of the statutes is amended to read:

13           180.1423 (1) If the ~~secretary of state~~ department denies a corporation's  
14 application for reinstatement under s. 180.1422, the ~~secretary of state~~ department  
15 shall serve the corporation under s. 180.0504 with a written notice that explains each  
16 reason for denial.

17           **SECTION 4615b.** 180.1423 (2) of the statutes is amended to read:

18           180.1423 (2) The corporation may appeal the denial of reinstatement to the  
19 circuit court for the county where the corporation's principal office or, if none in this  
20 state, its registered office is located, within 30 days after service of the notice of denial  
21 is perfected. The corporation shall appeal by petitioning the court to set aside the  
22 dissolution and attaching to the petition copies of the ~~secretary of state's~~  
23 department's certificate of dissolution, the corporation's application for  
24 reinstatement and the ~~secretary of state's~~ department's notice of denial.

25           **SECTION 4616b.** 180.1423 (3) of the statutes is amended to read:

**SECTION 4616b**

1           180.1423 (3) The court may order the ~~secretary of state~~ department to reinstate  
2 the dissolved corporation or may take other action that the court considers  
3 appropriate.

4           **SECTION 4617b.** 180.1433 (1) of the statutes is amended to read:

5           180.1433 (1) If after a hearing the court determines that one or more grounds  
6 for judicial dissolution described in s. 180.1430 exist, it may enter a decree dissolving  
7 the corporation and specifying the effective date of the dissolution. The clerk of the  
8 court shall deliver a certified copy of the decree to the ~~secretary of state~~ department  
9 for filing.

10          **SECTION 4618b.** 180.1501 (1) of the statutes is amended to read:

11          180.1501 (1) A foreign corporation may not transact business in this state until  
12 it obtains a certificate of authority from the ~~secretary of state~~ department.

13          **SECTION 4619b.** 180.1502 (5) (b) of the statutes is amended to read:

14          180.1502 (5) (b) The foreign corporation shall pay the amount owed under par.  
15 (a) to the ~~secretary of state~~ department, and the ~~secretary of state~~ department may  
16 not issue a certificate of authority to the foreign corporation until the amount owed  
17 is paid. The attorney general may enforce a foreign corporation's obligation to pay  
18 to the ~~secretary of state~~ department any amount owed under this subsection.

19          **SECTION 4620b.** 180.1503 (1) (intro.) of the statutes is amended to read:

20          180.1503 (1) (intro.) A foreign corporation may apply for a certificate of  
21 authority to transact business in this state by delivering an application to the  
22 ~~secretary of state~~ department for filing. The application shall set forth all of the  
23 following:

24          **SECTION 4621b.** 180.1503 (1) (j) of the statutes is amended to read:

**SECTION 4621b**

1           180.1503 (1) (j) The proportion of its capital which is represented in this state  
2           by its property to be located or to be acquired in this state and by its business to be  
3           transacted in this state. The proportion of capital employed in this state shall be  
4           computed by taking the estimate of the gross business of the foreign corporation to  
5           be transacted in this state in the following year and adding the same to the value of  
6           its property to be located or to be acquired in the state. The sum so obtained shall  
7           be the numerator of a fraction of which the denominator shall consist of the estimate  
8           of its total gross business for said year added to the value of its entire property. The  
9           fraction so obtained shall represent the proportion of the capital within the state.  
10          For the purposes of this section, the estimate of the business to be transacted and the  
11          property to be located or to be acquired in the state shall cover the period when it is  
12          estimated the foreign corporation will commence business in this state to and  
13          including December 31 of that year. ~~The secretary of state~~ department may demand,  
14          as a condition precedent to issuing a certificate of authority, such further information  
15          and statements as ~~he or she may deem~~ the department considers proper in order to  
16          determine the accuracy of the application submitted under this section.

17           **SECTION 4622b.** 180.1504 (1) (intro.) of the statutes is amended to read:

18           180.1504 (1) (intro.) A foreign corporation authorized to transact business in  
19           this state shall obtain an amended certificate of authority from the ~~secretary of state~~  
20           department if it changes any of the following:

21           **SECTION 4623b.** 180.1506 (1) of the statutes is amended to read:

22           180.1506 (1) If the corporate name of a foreign corporation is not available  
23           under sub. (2), the foreign corporation, to obtain or maintain a certificate of authority  
24           to transact business in this state, may use a fictitious name to transact business in  
25           this state if it delivers to the ~~secretary of state~~ department for filing a copy of the

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1 resolution of its board of directors, certified by any of its officers, adopting the  
2 fictitious name.

3 **SECTION 4624b.** 180.1506 (2) (a) (intro.) of the statutes is amended to read:

4 180.1506 (2) (a) (intro.) Except as authorized by sub. (3) or (4), the corporate  
5 name, including a fictitious name, of a foreign corporation must be distinguishable  
6 upon the records of the ~~secretary of state~~ department from all of the following names:

7 **SECTION 4625b.** 180.1506 (3) (intro.) of the statutes is amended to read:

8 180.1506 (3) (intro.) A foreign corporation may apply to the ~~secretary of state~~  
9 department for authorization to use in this state a name that is not distinguishable  
10 upon the records of the ~~secretary of state~~ department from one or more of the names  
11 described in sub. (2). The ~~secretary of state~~ department shall authorize use of the  
12 name applied for if any of the following occurs:

13 **SECTION 4626b.** 180.1506 (3) (a) of the statutes is amended to read:

14 180.1506 (3) (a) The other foreign corporation or the domestic corporation,  
15 limited liability company, nonstock corporation, limited partnership or cooperative  
16 association consents to the use in writing and submits an undertaking in a form  
17 satisfactory to the ~~secretary of state~~ department to change its name to a name that  
18 is distinguishable upon the records of the ~~secretary of state~~ department from the  
19 name of the applicant.

20 **SECTION 4627b.** 180.1506 (3) (b) of the statutes is amended to read:

21 180.1506 (3) (b) The applicant delivers to the ~~secretary of state~~ department a  
22 certified copy of a final judgment of a court of competent jurisdiction establishing the  
23 applicant's right to use the name applied for in this state.

24 **SECTION 4628b.** 180.1508 (1) (intro.) of the statutes is amended to read:

**SECTION 4628b**

1           180.1508 (1) (intro.) A foreign corporation authorized to transact business in  
2 this state may change its registered office or registered agent, or both, by delivering  
3 to the ~~secretary of state~~ department for filing a statement of change that, except as  
4 provided in sub. (2), includes all of the following:

5           **SECTION 4629b.** 180.1508 (2) of the statutes is amended to read:

6           180.1508 (2) If a registered agent changes the street address of his or her  
7 business office, he or she may change the street address of the registered office of any  
8 foreign corporation for which he or she is the registered agent by notifying the foreign  
9 corporation in writing of the change and by signing, either manually or in facsimile,  
10 and delivering to the ~~secretary of state~~ department for filing a statement of change  
11 that complies with sub. (1) and recites that the foreign corporation has been notified  
12 of the change.

13           **SECTION 4630b** 180.1509 (1) (intro.) of the statutes is amended to read:

14           180.1509 (1) (intro.) The registered agent of a foreign corporation may resign  
15 by signing and delivering to the ~~secretary of state~~ department for filing a statement  
16 of resignation that includes all of the following information:

17           **SECTION 4631b.** 180.1509 (2) of the statutes is amended to read:

18           180.1509 (2) After filing the statement, the ~~secretary of state~~ department shall  
19 mail a copy to the foreign corporation at its principal office.

20           **SECTION 4632b.** 180.1509 (3) (a) of the statutes is amended to read:

21           180.1509 (3) (a) Sixty days after the ~~secretary of state~~ department receives the  
22 statement of resignation for filing.

23           **SECTION 4633b.** 180.1510 (4) (a) (intro.) of the statutes is amended to read:

24           180.1510 (4) (a) (intro.) With respect to a foreign corporation described in sub.  
25 (2) or (3), the foreign corporation may be served by registered or certified mail, return

**SECTION 4633b**

1 receipt requested, addressed to the foreign corporation at its principal office as  
2 shown on the records of the ~~secretary of state~~ department, except as provided in par.

3 (b). Service is perfected under this paragraph at the earliest of the following:

4 **SECTION 4634.** 180.1510 (4) (b) of the statutes is renumbered 180.1510 (4) (b)

5 1. and amended to read:

6 180.1510 (4) (b) 1. ~~If Except as provided in subd. 2., if~~ the address of the foreign  
7 corporation's principal office cannot be determined from the records of the secretary  
8 of state, the foreign corporation may be served by publishing a class 3 notice, under  
9 ch. 985, in the community where the foreign corporation's principal office or  
10 registered office, as most recently designated in the records of the secretary of state,  
11 is located.

12 **SECTION 4635b.** 180.1510 (4) (b) 1. of the statutes, as affected by 1995  
13 Wisconsin Act .... (this act), is amended to read:

14 180.1510 (4) (b) 1. Except as provided in subd. 2., if the address of the foreign  
15 corporation's principal office cannot be determined from the records of the secretary  
16 of state department, the foreign corporation may be served by publishing a class 3  
17 notice, under ch. 985, in the community where the foreign corporation's principal  
18 office or registered office, as most recently designated in the records of the secretary  
19 of state department, is located.

20 **SECTION 4636.** 180.1510 (4) (b) 2. of the statutes is created to read:

21 180.1510 (4) (b) 2. If a process, notice or demand is served by the secretary of  
22 state on a foreign corporation under s. 180.1531 and the address of the foreign  
23 corporation's principal office cannot be determined from the records of the secretary  
24 of state, the foreign corporation may be served by publishing a class 2 notice, under  
25 ch. 985, in the official state newspaper.

**SECTION 4637b**

1           **SECTION 4637b.** 180.1510 (4) (b) 2. of the statutes, as created by 1995 Wisconsin  
2 Act .... (this act), is amended to read:

3           180.1510 (4) (b) 2. If a process, notice or demand is served by the ~~secretary of~~  
4 state department on a foreign corporation under s. 180.1531 and the address of the  
5 foreign corporation's principal office cannot be determined from the records of the  
6 ~~secretary of state~~ department, the foreign corporation may be served by publishing  
7 a class 2 notice, under ch. 985, in the official state newspaper.

8           **SECTION 4638b.** 180.1520 (1) of the statutes is amended to read:

9           180.1520 (1) A foreign corporation authorized to transact business in this state  
10 may not withdraw from this state until it obtains a certificate of withdrawal from the  
11 ~~secretary of state~~ department.

12           **SECTION 4639b.** 180.1520 (2) (intro.) of the statutes is amended to read:

13           180.1520 (2) (intro.) A foreign corporation authorized to transact business in  
14 this state may apply for a certificate of withdrawal by delivering an application to  
15 the ~~secretary of state~~ department for filing. The application shall include all of the  
16 following:

17           **SECTION 4640b.** 180.1520 (2) (e) of the statutes is amended to read:

18           180.1520 (2) (e) A commitment to notify the ~~secretary of state~~ department in  
19 the future of any change in the mailing address of its principal office.

20           **SECTION 4641b.** 180.1530 (1) (intro.) of the statutes is amended to read:

21           180.1530 (1) (intro.) Except as provided in sub. (1m), the ~~secretary of state~~  
22 department may bring a proceeding under s. 180.1531 to revoke the certificate of  
23 authority of a foreign corporation authorized to transact business in this state if any  
24 of the following applies:

25           **SECTION 4642b.** 180.1530 (1) (a) of the statutes is amended to read:

**SECTION 4642b**

1           180.1530 (1) (a) The foreign corporation fails to file its annual report with the  
2 ~~secretary of state~~ department within 4 months after it is due.

3           **SECTION 4643b.** 180.1530 (1) (b) of the statutes is amended to read:

4           180.1530 (1) (b) The foreign corporation does not pay, within 4 months after  
5 they are due, any fees or penalties due the ~~secretary of state~~ department under this  
6 chapter.

7           **SECTION 4644b.** 180.1530 (1) (d) of the statutes is amended to read:

8           180.1530 (1) (d) The foreign corporation does not inform the ~~secretary of state~~  
9 department under s. 180.1508 or 180.1509 that its registered agent or registered  
10 office has changed, that its registered agent has resigned or that its registered office  
11 has been discontinued, within 6 months of the change, resignation or  
12 discontinuance.

13           **SECTION 4645b.** 180.1530 (1) (f) of the statutes is amended to read:

14           180.1530 (1) (f) The ~~secretary of state~~ department receives a duly  
15 authenticated certificate from the secretary of state or other official having custody  
16 of corporate records in the state or country under whose law the foreign corporation  
17 is incorporated stating that it has been dissolved or disappeared as the result of a  
18 merger.

19           **SECTION 4646n.** 180.1530 (1m) of the statutes is amended to read:

20           180.1530 (1m) If the ~~secretary of state~~ department receives a certificate under  
21 sub. (1) (f) and a statement by the foreign corporation that the certificate is submitted  
22 by the foreign corporation to terminate its authority to transact business in this  
23 state, the ~~secretary of state~~ department shall issue a certificate of revocation under  
24 s. 180.1531 (2) (b).

25           **SECTION 4647b.** 180.1530 (2) of the statutes is amended to read:

1           180.1530 (2) A court may revoke under s. 946.87 the certificate of authority of  
2 a foreign corporation authorized to transact business in this state. The court shall  
3 notify the ~~secretary of state~~ department of the action, and the ~~secretary of state~~  
4 department shall issue a certificate of revocation under s. 180.1531 (2) (b).

5           **SECTION 4648b.** 180.1531 (1) of the statutes is amended to read:

6           180.1531 (1) If the ~~secretary of state~~ department determines that one or more  
7 grounds exist under s. 180.1530 (1) for revocation of a certificate of authority, the  
8 ~~secretary of state~~ department shall serve the foreign corporation under s. 180.1510  
9 with written notice of his or her the determination.

10          **SECTION 4649b.** 180.1531 (2) (a) of the statutes is amended to read:

11          180.1531 (2) (a) Within 60 days after service of the notice is perfected under  
12 s. 180.1510, the foreign corporation shall correct each ground for revocation or  
13 demonstrate to the reasonable satisfaction of the ~~secretary of state~~ department that  
14 each ground determined by the ~~secretary of state~~ department does not exist.

15          **SECTION 4650b.** 180.1531 (2) (b) of the statutes is amended to read:

16          180.1531 (2) (b) If the foreign corporation fails to satisfy par. (a), the ~~secretary~~  
17 ~~of state~~ department may revoke the foreign corporation's certificate of authority by  
18 ~~signing~~ issuing a certificate of revocation that recites each ground for revocation and  
19 its effective date. The ~~secretary of state~~ department shall file the original of the  
20 certificate and serve a copy on the foreign corporation under s. 180.1510.

21          **SECTION 4651b.** 180.1531 (2) (c) 1. (intro.) of the statutes is amended to read:

22          180.1531 (2) (c) 1. (intro.) If a foreign corporation's certificate of authority is  
23 revoked after December 31, 1991, the ~~secretary of state~~ department shall reinstate  
24 the certificate of authority if the foreign corporation does all of the following within

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1 the later of October 4, 1993 or 6 months after the effective date of the certificate of  
2 revocation:

3 **SECTION 4652b.** 180.1531 (2) (c) 1. b. of the statutes is amended to read:

4 180.1531 (2) (c) 1. b. Pays any fees or penalties due the ~~secretary of state~~  
5 department under s. 180.1502 (5) (a) or \$5,000, whichever is less.

6 **SECTION 4653b.** 180.1531 (4) of the statutes is amended to read:

7 180.1531 (4) If the ~~secretary of state~~ department or a court revokes a foreign  
8 corporation's certificate of authority, the foreign corporation may be served under s.  
9 180.1510 (3) and (4) or the foreign corporation's registered agent may be served until  
10 the registered agent's authority is terminated, in any civil, criminal, administrative  
11 or investigatory proceeding based on a cause of action which arose while the foreign  
12 corporation was authorized to transact business in this state.

13 **SECTION 4654b.** 180.1532 (1) of the statutes is amended to read:

14 180.1532 (1) A foreign corporation may appeal the ~~secretary of state's~~  
15 department's revocation of its certificate of authority under s. 180.1530 (1) to the  
16 circuit court for the county where the foreign corporation's principal office or, if none  
17 in this state, its registered office is located, within 30 days after service of the  
18 certificate of revocation is perfected under s. 180.1510. The foreign corporation shall  
19 appeal by petitioning the court to set aside the revocation and attaching to the  
20 petition copies of its certificate of authority and the ~~secretary of state's~~ department's  
21 certificate of revocation.

22 **SECTION 4655b.** 180.1532 (2) of the statutes is amended to read:

23 180.1532 (2) The court may order the ~~secretary of state~~ department to reinstate  
24 the certificate of authority or may take any other action that the court considers  
25 appropriate.

1           **SECTION 4656b.** 180.1622 (title) of the statutes is amended to read:

2           **180.1622** (title) **Annual report for ~~secretary of state~~ department of**  
3 **financial institutions.**

4           **SECTION 4657b.** 180.1622 (1) (intro.) of the statutes is amended to read:

5           180.1622 (1) (intro.) Except as provided in s. 180.1921, each domestic  
6 corporation and each foreign corporation authorized to transact business in this  
7 state shall file with the ~~secretary of state~~ department an annual report that includes  
8 all of the following information:

9           **SECTION 4658b.** 180.1622 (1) (i) of the statutes is amended to read:

10           180.1622 (1) (i) With respect to a foreign corporation, the proportion of the  
11 capital represented in this state by its property located and business transacted in  
12 this state during the preceding year. The proportion of capital employed in the state  
13 shall be computed by taking the gross business of the foreign corporation in the state  
14 and adding the same to the value of its property located in the state. The sum so  
15 obtained shall be the numerator of a fraction of which the denominator shall consist  
16 of its total gross business of said year added to the value of its entire property. The  
17 fraction so obtained shall represent the proportion of the capital within the state.  
18 The ~~secretary of state~~ department may demand, as a condition precedent to the filing  
19 of the annual report, such further information and statements as ~~he or she may deem~~  
20 the department considers proper in order to determine the accuracy of the report  
21 submitted.

22           **SECTION 4659b.** 180.1622 (2) (a) of the statutes is amended to read:

23           180.1622 (2) (a) Information in the annual report shall be current as of the date  
24 on which the annual report is executed on behalf of a domestic corporation, except  
25 that the information required by sub. (1) (f) and (g) shall be current as of the close

1 of the domestic corporation's fiscal year immediately before the date by which the  
2 annual report is required to be delivered to the ~~secretary of state~~ department.

3 **SECTION 4660b.** 180.1622 (2) (b) of the statutes is amended to read:

4 180.1622 (2) (b) Information in the annual report shall be current as of the date  
5 on which the annual report is executed on behalf of a foreign corporation, except that  
6 the information required by sub. (1) (f) to (i) shall be current as of the date of the close  
7 of the foreign corporation's fiscal year in the 12 months ending on the September 30  
8 immediately before the date by which the annual report is required to be delivered  
9 to the ~~secretary of state~~ department.

10 **SECTION 4661b.** 180.1622 (3) (a) of the statutes is amended to read:

11 180.1622 (3) (a) A domestic corporation shall deliver its annual report to the  
12 ~~secretary of state~~ department in each year following the calendar year in which the  
13 domestic corporation was incorporated, during the calendar year quarter in which  
14 the anniversary date of the incorporation occurs.

15 **SECTION 4662b.** 180.1622 (3) (b) of the statutes is amended to read:

16 180.1622 (3) (b) A foreign corporation authorized to transact business in this  
17 state shall deliver its annual report to the ~~secretary of state~~ department during the  
18 first calendar quarter of each year following the calendar year in which the foreign  
19 corporation becomes authorized to transact business in this state.

20 **SECTION 4663b.** 180.1622 (4) of the statutes is amended to read:

21 180.1622 (4) If an annual report does not contain the information required by  
22 this section, the ~~secretary of state~~ department shall promptly notify the reporting  
23 domestic corporation or foreign corporation in writing and return the report to it for  
24 correction. The notice shall comply with s. 180.0141. If the annual report is corrected  
25 to contain the information required by this section and delivered to the ~~secretary of~~

1 state department within 30 days after the effective date of the notice under s.  
2 180.0141 (5), the annual report is timely filed.

3 **SECTION 4664b.** 180.1622 (5) of the statutes is amended to read:

4 180.1622 (5) An annual report is effective on the date that it is filed by the office  
5 of the ~~secretary of state~~ department.

6 **SECTION 4665b.** 180.1708 (1) of the statutes is amended to read:

7 180.1708 (1) FILING DUTY; APPEAL. Sections 180.0125 and 180.0126 apply to a  
8 document delivered to the ~~office of the secretary of state~~ department for filing on or  
9 after January 1, 1991.

10 **SECTION 4666b.** 180.1708 (8) (b) of the statutes is amended to read:

11 180.1708 (8) (b) Sections 180.1530 (2) and 180.1531 (2) (b) and (3) to (5) apply  
12 to a judicial revocation under s. 946.87 of which the ~~secretary of state~~ department  
13 is notified under s. 180.1530 (2) on or after January 1, 1991. Section 180.1531 (2) (c)  
14 applies to a revocation based on grounds arising before, on or after January 1, 1991.

15 **SECTION 4667b.** 180.1909 of the statutes is amended to read:

16 **180.1909 Filing articles of incorporation.** Before commencing operations,  
17 a service corporation shall deliver its articles of incorporation to the ~~office of the~~  
18 ~~secretary of state~~ department for filing.

19 **SECTION 4668b.** 180.1921 (1) of the statutes is amended to read:

20 180.1921 (1) A service corporation shall deliver to the ~~office of the secretary of~~  
21 ~~state~~ department for filing a report in each year following the year in which the  
22 service corporation's articles of incorporation were filed by the ~~secretary of state~~  
23 department, during the calendar year quarter in which the anniversary of the filing  
24 occurs.

25 **SECTION 4669b.** 180.1921 (2) of the statutes is amended to read:

**SECTION 4669b**

1           180.1921 (2) The report shall show the address of this service corporation's  
2 principal office and the name and post-office address of each shareholder, director  
3 and officer of the service corporation and shall certify that, with the exceptions  
4 permitted in s. 180.1913, each shareholder, director and officer is licensed, certified,  
5 registered or otherwise legally authorized to render the same professional or other  
6 personal service in this state or is a health care professional. The service corporation  
7 shall prepare the report on forms prescribed and furnished by the ~~secretary of state~~  
8 department, and the report shall contain no fiscal or other information except that  
9 expressly called for by this section. The ~~secretary of state~~ department shall forward  
10 report blanks by 1st class mail to every service corporation in good standing, at least  
11 60 days before the date on which the service corporation is required by this section  
12 to file an annual report.

13           **SECTION 4670b.** 180.1921 (4) of the statutes is amended to read:

14           180.1921 (4) An annual report is effective on the date that it is filed by the ~~office~~  
15 ~~of the secretary of state~~ department.

16           **SECTION 4671b.** 181.02 (4m) of the statutes is created to read:

17           181.02 (4m) "Department" means the department of financial institutions.

18           **SECTION 4672b.** 181.06 (3) (intro.) of the statutes is amended to read:

19           181.06 (3) (intro.) Shall not be the same as or deceptively similar to the name  
20 of any corporation, limited liability company or limited partnership existing under  
21 any law of this state, or any foreign corporation, foreign limited liability company or  
22 foreign limited partnership authorized to transact business or conduct affairs in this  
23 state, or a name the exclusive right to which is at the time reserved in the manner  
24 provided in this chapter or reserved or registered in the manner provided in ch. 180,

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1 except that this subsection shall not apply if the applicant files with the ~~secretary of~~  
2 ~~state~~ department either of the following:

3 **SECTION 4673b.** 181.07 (2) of the statutes is amended to read:

4 181.07 (2) The reservation shall be made by filing with the ~~secretary of state~~  
5 ~~department~~ an application to reserve a specified corporate name, executed by the  
6 applicant or making a telephone application to reserve a specified corporate name.  
7 If the ~~secretary of state~~ department finds that the name is available for corporate use,  
8 the ~~secretary of state~~ department shall reserve the same for the exclusive use of the  
9 applicant for a period of 60 days. The ~~secretary of state~~ department shall cancel the  
10 telephone application to reserve a specified corporate name if the ~~secretary of state~~  
11 ~~department~~ does not receive the proper fee within 15 business days after the  
12 application.

13 **SECTION 4674b.** 181.07 (3) of the statutes is amended to read:

14 181.07 (3) Any corporation, domestic or foreign entitled to the use of its  
15 corporate name under the laws of this state, may upon merger, consolidation, change  
16 of name or dissolution reserve the exclusive right to that corporate name for a period  
17 of not to exceed 10 years by filing with the ~~secretary of state~~ department an  
18 application to reserve the right to that name, executed by the corporation. This  
19 application shall be filed with the ~~secretary of state~~ department simultaneously with  
20 the filing of articles of merger, consolidation or dissolution or with the filing of  
21 articles of amendment or restated articles which change the corporate name.

22 **SECTION 4675b.** 181.07 (5) of the statutes is amended to read:

23 181.07 (5) The right to the exclusive use of a specified corporate name so  
24 reserved may be transferred to any other person or corporation by filing ~~in the office~~  
25 ~~of the secretary of state~~ with the department a notice of such transfer, executed by

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1 the applicant for whom the name was reserved, and specifying the name and address  
2 of the transferee.

3 **SECTION 4676b.** 181.08 of the statutes is amended to read:

4 **181.08 Registered agent.** Each corporation shall have and continuously  
5 maintain in this state a registered agent, which agent may be an individual resident  
6 in this state, a domestic corporation organized under this chapter or ch. 180, a  
7 domestic limited liability company or a foreign corporation or foreign limited liability  
8 company authorized to transact business in this state. The name and address of the  
9 registered agent shall be filed with the ~~secretary of state~~ department.

10 **SECTION 4677b.** 181.09 (1) (intro.) of the statutes is amended to read:

11 181.09 (1) (intro.) A corporation may change its registered agent or the  
12 registered agent's address by executing and filing with the ~~secretary of state~~  
13 department a statement setting forth:

14 **SECTION 4678b.** 181.095 (1) (intro.) of the statutes is amended to read:

15 181.095 (1) (intro.) A registered agent may resign by executing and filing with  
16 the ~~secretary of state~~ department a statement in duplicate setting forth:

17 **SECTION 4679b.** 181.095 (3) of the statutes is amended to read:

18 181.095 (3) The ~~secretary of state~~ department shall note on one of the  
19 duplicates the date of filing and mail the same to the corporation at its principal office  
20 as shown by the statement filed.

21 **SECTION 4680b.** 181.10 (3) of the statutes is amended to read:

22 181.10 (3) If the address of the corporation's principal office cannot be  
23 determined from the records of the ~~secretary of state~~ held by the department, the  
24 corporation may be served by publishing a class 3 notice, under ch. 985, in the

1 community where the corporation's principal office or registered office, as most  
2 recently designated in the records of the ~~secretary of state~~ department, is located.

3 **SECTION 4681b.** 181.265 of the statutes is amended to read:

4 **181.265 Report of names and addresses of officers or directors.**

5 Whenever initial officers are selected, or changes are made in the principal officers  
6 or directors of a corporation, the corporation may file with the ~~secretary of state~~  
7 department a report setting forth the names and addresses of all the principal  
8 officers or directors, or both if there have been changes in both.

9 **SECTION 4682b.** 181.32 (1) of the statutes is amended to read:

10 181.32 (1) The articles of incorporation shall be filed and recorded as provided  
11 in s. 181.67. Duplicate originals of the articles of incorporation shall be submitted  
12 to the ~~secretary of state, who~~ department. ~~The department~~ shall file one original in  
13 ~~his or her office~~ and forward the other within 5 days to the register of deeds of the  
14 county in which the corporation's principal office is located for recording. On filing  
15 an original, the ~~secretary of state~~ department shall issue a certificate of  
16 incorporation.

17 **SECTION 4683b.** 181.32 (2) of the statutes is amended to read:

18 181.32 (2) Upon issuing a certificate of incorporation, the ~~secretary of state~~  
19 department shall inform the corporation of the reporting requirements under s.  
20 440.42 for charitable organizations that solicit contributions.

21 **SECTION 4684b.** 181.38 of the statutes is amended to read:

22 **181.38 Filing of articles of amendment.** The articles of amendment shall  
23 be filed and recorded, and upon filing of the articles, the ~~secretary of state~~  
24 department may issue a certificate of amendment.

25 **SECTION 4685b.** 181.39 (2) of the statutes is amended to read:

**SECTION 4685b**

1           181.39 (2) Restated articles of incorporation shall be executed, filed and  
2 recorded in the manner prescribed in this chapter for articles of amendment and on  
3 filing shall supersede and take the place of the theretofore existing articles of  
4 incorporation and amendments thereto. The ~~secretary of state~~ department shall  
5 upon request certify a copy of the articles of incorporation, or the articles of  
6 incorporation as restated, or any amendments to either thereof.

7           **SECTION 4686b.** 181.40 of the statutes is amended to read:

8           **181.40 Filing and recording court order under bankruptcy laws.** The  
9 ~~secretary of state~~ department and the register of deeds shall upon delivery to them  
10 respectively file and record in the manner and places and upon payment of fees as  
11 provided in this chapter in respect to articles of amendment, duly certified copies of  
12 any order of a court of the United States in proceedings under the national  
13 bankruptcy laws, if such order effects an amendment to the articles of incorporation.  
14 It shall be the duty of the principal officers of such corporation to cause each such  
15 order to be so filed and recorded promptly after such order has become final.

16           **SECTION 4687b.** 181.45 (2) of the statutes is amended to read:

17           181.45 (2) Such articles of merger or consolidation shall be filed ~~in the office~~  
18 ~~of the secretary of state~~ with the department and shall be recorded in the offices of  
19 the registers of deeds of the counties of this state in which the respective corporations  
20 so consolidating or merging have their principal offices and in the county in which  
21 the surviving or new corporation is to have its principal office.

22           **SECTION 4688b.** 181.45 (3) of the statutes is amended to read:

23           181.45 (3) The certificate of merger or consolidation may be issued by the  
24 ~~secretary of state~~ department upon expiration of the period for filing a certificate of  
25 abandonment.

1           **SECTION 4689b.** 181.46 of the statutes is amended to read:

2           **181.46 Effective date of merger or consolidation; abandonment.** The  
3 merger or consolidation shall be effected upon the filing of the articles of merger or  
4 consolidation, or at such time within 31 days thereafter as is designated in said  
5 articles. If, after the filing of articles of merger or consolidation, the merger or  
6 consolidation is abandoned pursuant to provisions therefor set forth in the plan of  
7 merger or consolidation, there shall be executed by the president or a vice president  
8 and the secretary or an assistant secretary of each corporation, and shall be sealed  
9 with the corporate seal of each corporation, a certificate of abandonment setting forth  
10 the fact and date of such abandonment; and such certificate shall within 30 days of  
11 such abandonment be filed ~~in the office of the secretary of state~~ with the department  
12 and recorded in each office in which such articles of merger or consolidation were  
13 recorded.

14           **SECTION 4690b.** 181.55 of the statutes is amended to read:

15           **181.55 Filing and recording of articles of dissolution and effect**  
16 **thereof.** The articles of dissolution shall be filed and recorded, and when the articles  
17 are filed the existence of the corporation shall cease, except for the purpose of suits,  
18 other proceedings and appropriate corporate action of members, directors and  
19 officers as provided in this chapter. Upon the filing of the articles, the ~~secretary of~~  
20 ~~state~~ department may issue a certificate of dissolution.

21           **SECTION 4691b.** 181.561 (intro.) of the statutes is amended to read:

22           **181.561 Grounds for administrative dissolution.** (intro.) The ~~secretary~~  
23 ~~of state~~ department may bring a proceeding under s. 181.562 to administratively  
24 dissolve a corporation if any of the following occurs:

25           **SECTION 4692b.** 181.561 (1) of the statutes is amended to read:

**SECTION 4692b**

1           181.561 (1) The corporation does not pay, within one year after they are due,  
2 any fees or penalties due the ~~secretary of state~~ department under this chapter.

3           **SECTION 4693b.** 181.561 (2) of the statutes is amended to read:

4           181.561 (2) The corporation does not have on file its annual report with the  
5 ~~secretary of state~~ department within one year after it is due.

6           **SECTION 4694b.** 181.561 (4) of the statutes is amended to read:

7           181.561 (4) The corporation does not notify the ~~secretary of state~~ department  
8 within one year that its registered agent or registered office has been changed, that  
9 its registered agent has resigned or that its registered office has been discontinued.

10          **SECTION 4695b.** 181.562 (1) of the statutes is amended to read:

11          181.562 (1) If the ~~secretary of state~~ department determines that one or more  
12 grounds exist under s. 181.561 for dissolving a corporation, the ~~secretary of state~~  
13 department shall serve the corporation under s. 181.10 with written notice of ~~his or~~  
14 ~~her~~ the determination.

15          **SECTION 4696b.** 181.562 (2) (a) of the statutes is amended to read:

16          181.562 (2) (a) Within 60 days after service of the notice is perfected under s.  
17 181.10 (2), the corporation shall correct each ground for dissolution or demonstrate  
18 to the reasonable satisfaction of the ~~secretary of state~~ department that each ground  
19 determined by the ~~secretary of state~~ department does not exist.

20          **SECTION 4697b.** 181.562 (2) (b) of the statutes is amended to read:

21          181.562 (2) (b) If the corporation fails to satisfy par. (a), the ~~secretary of state~~  
22 department shall administratively dissolve the corporation by ~~signing~~ issuing a  
23 certificate of dissolution that recites each ground for dissolution and its effective  
24 date. The ~~secretary of state~~ department shall file the original of the certificate and  
25 serve a copy on the corporation under s. 181.10.

**SECTION 4698b**

1           **SECTION 4698b.** 181.563 (1) (intro.) of the statutes is amended to read:

2           181.563 (1) (intro.) A corporation that is administratively dissolved may apply  
3 to the ~~secretary of state~~ department for reinstatement within 2 years after the later  
4 of January 1, 1994, or the effective date of dissolution. The application shall include  
5 all of the following:

6           **SECTION 4699b.** 181.563 (2) (a) (intro.) of the statutes is amended to read:

7           181.563 (2) (a) (intro.) The ~~secretary of state~~ department shall cancel the  
8 certificate of dissolution and prepare a certificate of reinstatement that complies  
9 with par. (b) if the ~~secretary of state~~ department determines all of the following:

10          **SECTION 4700b.** 181.563 (2) (a) 2. of the statutes is amended to read:

11          181.563 (2) (a) 2. That all fees and penalties owed by the corporation to the  
12 ~~secretary of state~~ department have been paid.

13          **SECTION 4701b.** 181.563 (2) (b) of the statutes is amended to read:

14          181.563 (2) (b) The certificate of reinstatement shall state the ~~secretary of~~  
15 ~~state's~~ department's determination under par. (a) and the effective date of  
16 reinstatement. The ~~secretary of state~~ department shall file the original of the  
17 certificate and serve a copy on the corporation under s. 181.10.

18          **SECTION 4702b.** 181.564 (1) of the statutes is amended to read:

19          181.564 (1) If the ~~secretary of state~~ department denies a corporation's  
20 application for reinstatement under s. 181.563, the ~~secretary of state~~ department  
21 shall serve the corporation under s. 181.10 with a written notice that explains each  
22 reason for denial.

23          **SECTION 4703b.** 181.564 (2) of the statutes is amended to read:

24          181.564 (2) The corporation may appeal the denial of reinstatement to the  
25 circuit court for the county where the corporation's principal office or, if none in this

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1 state, its registered office is located, within 30 days after service of the notice of denial  
2 is perfected. The corporation shall appeal by petitioning the court to set aside the  
3 dissolution and attaching to the petition copies of the ~~secretary of state's~~  
4 department's certificate of dissolution, the corporation's application for  
5 reinstatement and the ~~secretary of state's~~ department's notice of denial.

6 **SECTION 4704b.** 181.564 (3) of the statutes is amended to read:

7 181.564 (3) The court may order the ~~secretary of state~~ department to reinstate  
8 the dissolved corporation or may take other action that the court considers  
9 appropriate.

10 **SECTION 4705b.** 181.63 of the statutes is amended to read:

11 **181.63 Filing of decree of dissolution.** In case the court enters a decree  
12 dissolving a corporation the clerk of such court shall cause a certified copy of the  
13 decree to be filed and recorded. Upon the filing of the decree the ~~secretary of state~~  
14 department shall issue a certificate of dissolution. No fee shall be charged for such  
15 filing or recording.

16 **SECTION 4706b.** 181.651 (2) of the statutes is amended to read:

17 181.651 (2) The annual report shall be made on forms prescribed and furnished  
18 by the ~~secretary of state~~ department, and the information contained in the report  
19 shall be given as of the date of the execution of the report. It shall be executed by the  
20 corporation by its president, a vice president, secretary, assistant secretary, or  
21 treasurer, or, until the first election of officers, by one of its incorporators, or, if the  
22 corporation is in the hands of a receiver or trustee, it shall be executed on behalf of  
23 the corporation by such receiver or trustee.

24 **SECTION 4707b.** 181.651 (3) of the statutes is amended to read:

**SECTION 4707b**

1           181.651 (3) The ~~secretary of state~~ department shall forward by 1st class mail  
2 a report form to every corporation in good standing not later than 60 days before the  
3 date on which the corporation is required by this chapter to file an annual report.

4           **SECTION 4708b.** 181.651 (5) of the statutes is amended to read:

5           181.651 (5) A corporation shall deliver its annual report to the ~~secretary of~~  
6 ~~state~~ department in each year following the calendar year in which the corporation  
7 was incorporated, during the calendar year quarter in which the anniversary date  
8 of the incorporation occurs.

9           **SECTION 4709b.** 181.651 (6) of the statutes is amended to read:

10          181.651 (6) If an annual report does not contain the information required by  
11 this section, the ~~secretary of state~~ department shall promptly notify the reporting  
12 corporation in writing and return the report to it for correction. The notice shall  
13 comply with s. 181.10. If the annual report is corrected to contain the information  
14 required by this section and delivered to the ~~secretary of state~~ department within 30  
15 days after the effective date of the notice determined under s. 181.10 (2), the annual  
16 report is timely filed.

17          **SECTION 4710b.** 181.651 (7) of the statutes is amended to read:

18          181.651 (7) An annual report is effective on the date that it is filed by the ~~office~~  
19 ~~of the secretary of state~~ department.

20          **SECTION 4711b.** 181.66 (2) of the statutes is amended to read:

21          181.66 (2) A foreign corporation conducting its affairs or acquiring, holding or  
22 disposing of property in this state, shall by so doing be deemed to have thereby  
23 appointed the ~~secretary of state~~ department as its agent and representative upon  
24 whom any process, notice or demand may be served in any action or proceeding  
25 arising out of or relating to any affairs conducted or property acquired, held or

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1 disposed of within this state. Service of such process, notice or demand shall be made  
2 by serving a copy upon the ~~secretary of state or by filing such copy in the secretary~~  
3 ~~of state's office~~ department, and such service shall be sufficient service upon said  
4 foreign corporation, provided that notice of such service and a copy of the process,  
5 notice or demand are within 10 days thereafter sent by mail by the plaintiff to the  
6 defendant at its last-known address, and that the plaintiff's affidavit of compliance  
7 herewith is appended to the process, notice or demand. The ~~secretary of state~~  
8 department shall keep a record of all such processes, notices and demands which  
9 shows the day and hour of service.

10 **SECTION 4712b.** 181.667 (intro.) of the statutes is amended to read:

11 **181.667 Recording change of principal office.** (intro.) If a document  
12 submitted to the ~~secretary of state~~ department for filing under this chapter changes  
13 the county of the corporation's principal office:

14 **SECTION 4713b.** 181.667 (1) of the statutes is amended to read:

15 181.667 (1) An original of the document or a duplicate original ~~endorsed~~  
16 certified by the ~~secretary of state~~ department shall be recorded in each county;

17 **SECTION 4714b.** 181.667 (3) of the statutes is amended to read:

18 181.667 (3) A certificate of the ~~secretary of state~~ prepared by the department  
19 listing the type and date of filing of recordable documents previously filed by the  
20 corporation shall be recorded in the county of the new principal office.

21 **SECTION 4715b.** 181.67 (1) (a) of the statutes is amended to read:

22 181.67 (1) (a) Separate originals of the document for the ~~secretary of state~~  
23 department and for the register of deeds of each county in which the document is  
24 required to be recorded.

25 **SECTION 4716b.** 181.67 (1) (b) of the statutes is amended to read:

**SECTION 4716b**

1           181.67 (1) (b) A check payable to the ~~secretary of state~~ department in the  
2 amount of the filing fee prescribed under s. 181.68.

3           **SECTION 4717b.** 181.67 (2) (a) of the statutes is amended to read:

4           181.67 (2) (a) Unless the document does not conform to law, the ~~secretary of~~  
5 ~~state~~ department shall ~~endorse on~~ mark each original "Filed" and the date of filing  
6 and shall file one original ~~in his or her office~~.

7           **SECTION 4718b.** 181.67 (2) (b) of the statutes is amended to read:

8           181.67 (2) (b) The ~~secretary of state~~ department shall forward to each register  
9 of deeds the check under sub. (1) (c) and an original document or duplicate ~~endorsed~~  
10 certified by the ~~secretary of state~~ department, within 5 days of filing.

11          **SECTION 4719b.** 181.67 (3) (a) of the statutes is amended to read:

12          181.67 (3) (a) Each week the ~~secretary of state~~ department shall forward to  
13 each register of deeds a listing of all documents received during the preceding week  
14 for filing and recording as required under this chapter. For each document, the  
15 listing shall specify the type of document, the name of the corporation, the name of  
16 the county of the corporation's principal office, and the date of filing.

17          **SECTION 4720b.** 181.67 (3) (b) of the statutes is amended to read:

18          181.67 (3) (b) The ~~secretary of state~~ department of financial institutions shall  
19 forward to the department of regulation and licensing the name and address of any  
20 corporation filing articles of incorporation under this chapter.

21          **SECTION 4721b.** 181.67 (4) of the statutes is amended to read:

22          181.67 (4) A document required to be filed and recorded under this chapter is  
23 effective on filing with the ~~secretary of state~~ department, except as provided in s.  
24 181.46. An error or omission in recording the document or a certificate under s.  
25 181.667 (2) with a register of deeds does not affect its effectiveness.

**SECTION 4722b**

1           **SECTION 4722b.** 181.67 (5) of the statutes is amended to read:

2           181.67 (5) A document filed with the ~~secretary of state~~ department under this  
3 chapter before May 7, 1982 is effective unless the records of the ~~secretary of state~~  
4 department show that the document was recognized as ineffective because of a  
5 recording defect and the ~~secretary of state~~ department or the corporation acted in  
6 reliance on the ineffectiveness of the document.

7           **SECTION 4723b.** 181.67 (6) (a) (intro.) of the statutes is amended to read:

8           181.67 (6) (a) (intro.) The ~~secretary of state~~ department may waive any of the  
9 following:

10           **SECTION 4724b.** 181.67 (6) (a) 2. of the statutes is amended to read:

11           181.67 (6) (a) 2. An omission or defect in a document, if the ~~secretary of state~~  
12 department determines from the face of the document that the omission or defect is  
13 immaterial.

14           **SECTION 4725b.** 181.68 (1) (intro.) of the statutes is amended to read:

15           181.68 (1) (intro.) The ~~secretary of state~~ department shall charge and collect  
16 for:

17           **SECTION 4726b.** 181.68 (1) (b) of the statutes is amended to read:

18           181.68 (1) (b) Filing articles of amendment, \$25, except that no fee may be  
19 collected for an amendment showing only a change of address resulting from the  
20 action of a governmental agency if there is no corresponding change in physical  
21 location and if 2 copies of the notice of the action are submitted to the ~~secretary of~~  
22 state department;

23           **SECTION 4727b.** 181.68 (1) (e) of the statutes is amended to read:

24           181.68 (1) (e) Filing statement of change of registered agent or address of  
25 registered agent under s. 181.09 (1), or a statement of resignation of registered agent,

1 \$10, except that no fee may be collected for a change of address resulting from the  
2 action of a governmental agency if there is no corresponding change in physical  
3 location and if 2 copies of the notice of the action are submitted to the ~~secretary of~~  
4 state department;

5 **SECTION 4728b.** 181.68 (1) (f) of the statutes is amended to read:

6 181.68 (1) (f) Receiving service of any process, notice or demand authorized to  
7 be served on the ~~secretary of state~~ department by this chapter, \$10;

8 **SECTION 4729b.** 181.68 (3) of the statutes is amended to read:

9 181.68 (3) The ~~secretary of state~~ department shall not file any document  
10 relating to any corporation, domestic or foreign, organized under or subject to the  
11 provisions of this chapter, until all fees and charges provided to be paid in connection  
12 therewith shall have been paid to the ~~secretary of state~~ department or while the  
13 corporation is in default in the payment of any fees, charges or penalties herein  
14 provided to be paid by or assessed against it.

15 **SECTION 4730b.** 181.69 of the statutes is amended to read:

16 **181.69 Penalties for false statements.** Any officer or director or any other  
17 person who shall file or cause to be filed with the ~~secretary of state~~ department on  
18 behalf of any corporation subject to this chapter any certificate, report, statement,  
19 application or any other document required or permitted to be so filed under this  
20 chapter, known to such director, officer or other person to be false or misleading in  
21 any material respect shall be imprisoned in the Wisconsin state prisons not more  
22 than 3 years or in the county jail not more than one year or fined not more than  
23 \$1,000.

24 **SECTION 4731b.** 181.73 (title) of the statutes is amended to read:

1           **181.73** (title) ~~Appeal from secretary of state~~ department of financial  
2 institutions.

3           **SECTION 4732b.** 181.73 (1) of the statutes is amended to read:

4           **181.73 (1)** If the ~~secretary of state~~ department finds that any document  
5 required by this chapter to be filed ~~in the secretary's office~~ with the department does  
6 not conform to law, the ~~secretary~~ department shall, within 10 days after receipt of  
7 the document, give written notice of the ~~secretary's~~ decision to the person or  
8 corporation, domestic or foreign, delivering the document, specifying the reasons  
9 therefor. The decision shall be subject to such judicial proceedings as are provided  
10 by law, or such person or corporation, within 60 days after receipt of the notice of  
11 decision, may commence an action against the ~~secretary of state~~ department in the  
12 circuit court of Dane county by filing a summons and a complaint to set aside such  
13 finding. The proceedings shall be had as in other actions and the person or  
14 corporation shall receive a new trial on all issues relating to the ~~secretary's~~  
15 department's decision. The trial shall be conducted by the court without a jury, and  
16 the court shall either sustain the action of the ~~secretary of state~~ department or direct  
17 the ~~secretary~~ department to take such action as the court deems proper.

18           **SECTION 4733b.** 181.74 of the statutes is amended to read:

19           **181.74** (title) ~~Forms to be furnished by secretary of state~~ department  
20 of financial institutions. (1) All reports required by this chapter to be filed ~~in the~~  
21 ~~office of the secretary of state~~ with the department shall be made on forms prescribed  
22 and furnished by the ~~secretary of state~~ department.

23           (2) The ~~secretary of state~~ department may provide such forms for other  
24 documents to be filed ~~in the secretary of state's office~~ with the department under this  
25 chapter as in that the ~~secretary of state's judgment may be deemed~~ department

1 considers necessary for such purpose but the use thereof, unless otherwise  
2 specifically prescribed in this chapter, shall not be mandatory.

3 **SECTION 4733m.** 182.01 of the statutes is created to read:

4 **182.01 Business formation records. (1) DEFINITION.** In this section,  
5 “department” means the department of financial institutions.

6 **(2) RECORD KEEPING RESPONSIBILITY.** The department shall receive and maintain  
7 business formation records.

8 **(4) FURNISH CERTIFIED COPIES; FEES.** The department shall make a copy of any  
9 resolution, deed, bond, record, document or paper deposited or kept by the  
10 department under this section, upon request, attach a certificate and collect 50 cents  
11 per page and \$5 for a certificate; if a copy is not to be certified and if the reproduction  
12 is performed by the department, then collect a fee to cover the actual and necessary  
13 cost of reproduction and actual and necessary cost of transcription required to  
14 produce the copy or \$2, whichever is greater; also to record any document authorized  
15 or required by law to be recorded in the department, and to charge a fee of \$1 per  
16 page. The fee for certified copies of certificates of incorporations or amendments,  
17 licenses of foreign corporations, or similar certificates, and for certificates as to  
18 results of search of the records and files of the department, when a printed form is  
19 used, shall be \$5, but when a specially prepared form is required the fee shall be \$10.  
20 Telegraphic reports as to results of record searches shall be \$5 plus the cost of the  
21 telegram. The department shall charge and collect for preparing any record or  
22 certificate under this subsection in an expeditious manner, an expedited service fee  
23 of \$25 in addition to the fee otherwise required under this subsection, except that  
24 only one expedited service fee may be charged for multiple identical corporation or

1 limited partnership certificates of status if the certificates of status are requested at  
2 the same time and issued at the same time.

3 **(5) CONDITIONAL ACCEPTANCE OF FILING FEES.** Before actually filing any  
4 document by making an endorsement on that document, the department may accept  
5 and deposit the filing fee submitted with that document upon the condition that if  
6 subsequent examination of the document establishes that it does not meet the  
7 requirements for filing, the fee may be refunded and upon the condition that if a  
8 discrepancy in the amount of the fee is subsequently discovered the department may  
9 then demand further payment of a shortage or refund an overpayment subject to s.  
10 20.905 (3).

11 **SECTION 4734b.** 182.031 (2) of the statutes is amended to read:

12 182.031 **(2) POWERS; PLACE OF BUSINESS.** Every such corporation shall possess  
13 all the rights and powers conferred upon corporations by chs. 180 and 184. It may  
14 have its principal place of business without the state. If its principal place of business  
15 is outside the state, process in actions against it may be served as provided in s.  
16 180.1510 for service on a foreign stock corporation authorized to transact business  
17 in this state or upon the ~~secretary of state~~ department of financial institutions as  
18 provided in s. 181.66 (2) for service upon a foreign nonprofit corporation.

19 **SECTION 4735b.** 182.34 (7) of the statutes is amended to read:

20 182.34 **(7)** Tolls and license fees authorized under s. 182.33 (2) shall be so fixed  
21 and adjusted in respect of the aggregate of tolls of each turnpike project including  
22 any extension or section thereof in connection with which the bonds of any issue shall  
23 have been issued as to provide a fund sufficient with other revenue from such  
24 turnpike project or extensions or sections thereof, if any, to pay a) the cost of  
25 maintaining, repairing and operating such turnpike project or extension or section

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1       thereof, including the legal liabilities of the corporation, and b) the principal of and  
2       the interest on such bonds as the same shall become due and payable, and to create  
3       reserve for such purposes. Such tolls shall not be subject to supervision or regulation  
4       by any commission, board, bureau or agency of the state. The tolls and all other  
5       revenues derived from each turnpike project or extensions or sections in connection  
6       with which the bonds of any issue shall have been issued, except such part thereof  
7       as may be necessary to pay such costs of maintenance, repair and operation including  
8       the legal liabilities of the corporation, and to provide such reserves therefor as may  
9       be provided for in the resolution authorizing the issuance of such bonds or in the trust  
10      agreement securing the same, shall be set aside at such regular intervals as may be  
11      provided in such resolution or such trust agreement in a sinking fund which shall be  
12      pledged to and charged with, the payment of the principal of and the interest on such  
13      bonds as the same shall become due, and the redemption price and the purchase price  
14      of bonds retired by call or purchase as therein provided. Such pledge shall be valid  
15      and binding from the time when the pledge is made; the tolls or other revenues or  
16      other moneys so pledged and thereafter received by the corporation shall  
17      immediately be subject to the lien of such pledge without any physical delivery  
18      thereof, or further act, and the lien of any such pledge shall be valid and binding as  
19      against all parties having claims of any kind in tort, contract or otherwise against  
20      the corporation. All trust agreements and all resolutions relating thereto shall be  
21      filed ~~in the office of the secretary of state~~ with the department of financial  
22      institutions and recorded in the records of the corporation.

23           **SECTION 4736b.** 182.45 of the statutes is amended to read:

24           **182.45 Reports.** On or before the first day of February of each year, the  
25      corporation shall make an annual report of its activities for the preceding calendar

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1 year to the ~~secretary of state~~ department of financial institutions. Each such report  
2 shall set forth a complete operating and financial statement covering its operations  
3 during the year. The corporation shall cause an audit of its books to be made at least  
4 once each year by certified public accountants and the cost thereof may be treated  
5 as a part of the cost of the construction or of operations of the project.

6 **SECTION 4737b.** 183.0102 (3m) of the statutes is created to read:

7 183.0102 (3m) "Department" means the department of financial institutions.

8 **SECTION 4738b.** 183.0102 (17) of the statutes is amended to read:

9 183.0102 (17) "Organizer" means the person who signs and delivers the articles  
10 of organization for filing to the ~~secretary of state~~ department.

11 **SECTION 4739b.** 183.0103 (2) (intro.) of the statutes is amended to read:

12 183.0103 (2) (intro.) Except as provided in sub. (4), the name of a domestic  
13 limited liability company shall be distinguishable upon the records of the ~~secretary~~  
14 ~~of state~~ department from all of the following names:

15 **SECTION 4740b.** 183.0103 (4) (intro.) of the statutes is amended to read:

16 183.0103 (4) (intro.) A limited liability company may apply to the ~~secretary of~~  
17 ~~state~~ department for authorization to use a name that is not distinguishable upon  
18 the records of the ~~secretary of state~~ department from one or more of the names  
19 described in sub. (2) (a) to (c). The ~~secretary of state~~ department shall authorize use  
20 of the name applied for if any of the following occurs:

21 **SECTION 4741b.** 183.0103 (4) (a) of the statutes is amended to read:

22 183.0103 (4) (a) The other limited liability company, corporation, nonstock  
23 corporation, limited partnership or cooperative association consents to the use in  
24 writing and submits an undertaking in a form satisfactory to the ~~secretary of state~~

1 department to change its name to a name that is distinguishable upon the records  
2 of the ~~secretary of state~~ department from the name of the applicant.

3 **SECTION 4742b.** 183.0103 (4) (b) of the statutes is amended to read:

4 183.0103 (4) (b) The applicant delivers to the ~~secretary of state~~ department a  
5 certified copy of a final judgment of a court of competent jurisdiction establishing the  
6 applicant's right to use the name applied for in this state.

7 **SECTION 4743b.** 183.0104 (1) of the statutes is amended to read:

8 183.0104 (1) A person may reserve the exclusive use of a limited liability  
9 company name, including a fictitious name for a foreign limited liability company  
10 whose name is not available, by delivering an application to the ~~secretary of state~~  
11 department for filing or by making a telephone application. The application shall  
12 include the applicant's name and address and the name proposed to be reserved. If  
13 the ~~secretary of state~~ department finds that the name applied for under this  
14 subsection is available, the ~~secretary of state~~ department shall reserve the name for  
15 the applicant's exclusive use for a 120-day period, which may be renewed by the  
16 applicant or a transferee under sub. (2) from time to time. If an application to reserve  
17 a name or to renew a reserved name is made by telephone, the ~~secretary of state~~  
18 department shall cancel the reservation or renewal if the ~~secretary of state~~  
19 department does not receive the fee required under s. 183.0114 (1) (e) or (f) within  
20 10 business days after the day on which the application is made.

21 **SECTION 4744b.** 183.0104 (2) of the statutes is amended to read:

22 183.0104 (2) A person who has the right to exclusive use of a reserved name  
23 under sub. (1) may transfer the reservation to another person by delivering to the  
24 ~~secretary of state~~ department a written and signed notice of the transfer that states  
25 the name and address of the transferee.

**SECTION 4745b**

1           **SECTION 4745b.** 183.0104 (3) (a) of the statutes is amended to read:

2           183.0104 (3) (a) A foreign limited liability company may register its name if the  
3 name is distinguishable upon the records of the ~~secretary of state~~ department from  
4 the names described in s. 183.0103 (2) (a) to (c) and if the foreign limited liability  
5 company delivers to the ~~secretary of state~~ department for filing an application  
6 complying with par. (b).

7           **SECTION 4746b.** 183.0104 (3) (c) of the statutes is amended to read:

8           183.0104 (3) (c) The registration expires annually on December 31. A foreign  
9 limited liability company may renew its registration by delivering to the ~~secretary~~  
10 ~~of state~~ department for filing a renewal application, which complies with par. (b),  
11 between October 1 and December 31 of each year that the registration is in effect.  
12 The renewal application when filed renews the registration for the next year.

13           **SECTION 4747b.** 183.0105 (2) (a) of the statutes is amended to read:

14           183.0105 (2) (a) Delivering to the ~~secretary of state~~ department for filing a  
15 statement of change.

16           **SECTION 4748.** 183.0105 (2) (c) of the statutes is created to read:

17           183.0105 (2) (c) In the case of a foreign limited liability company, including the  
18 name of its registered agent and the street address of its registered office, as changed,  
19 in its annual report under s. 183.0120. A change under this paragraph is effective  
20 on the date the annual report is filed by the office of the secretary of state.

21           **SECTION 4749b.** 183.0105 (2) (c) of the statutes, as created by 1995 Wisconsin  
22 Act .... (this act), is amended to read:

23           183.0105 (2) (c) In the case of a foreign limited liability company, including the  
24 name of its registered agent and the street address of its registered office, as changed,

1 in its annual report under s. 183.0120. A change under this paragraph is effective  
2 on the date the annual report is filed by the office of the ~~secretary of state~~ department.

3 **SECTION 4750b.** 183.0105 (4) of the statutes is amended to read:

4 183.0105 (4) If a registered agent changes the street address of the registered  
5 agent's business office, the registered agent may change the street address of the  
6 registered office of any limited liability company for which that person is the  
7 registered agent by notifying the limited liability company in writing of the change  
8 and by signing, either manually or in facsimile, and delivering to the ~~secretary of~~  
9 state department for filing a statement that complies with sub. (3) and recites that  
10 the limited liability company has been notified of the change.

11 **SECTION 4751b.** 183.0105 (5) (intro.) of the statutes is amended to read:

12 183.0105 (5) (intro.) The registered agent of a limited liability company may  
13 resign as registered agent by delivering to the ~~secretary of state~~ department for filing  
14 a written statement that includes all of the following information:

15 **SECTION 4752b.** 183.0105 (6) of the statutes is amended to read:

16 183.0105 (6) After filing the statement required under sub. (5), the ~~secretary~~  
17 ~~of state~~ department shall mail a copy of the statement to the limited liability  
18 company at its principal office.

19 **SECTION 4754b.** 183.0105 (8) (c) of the statutes is amended to read:

20 183.0105 (8) (c) If the address of the limited liability company's principal office  
21 cannot be determined from the records of the ~~secretary of state~~ department, the  
22 limited liability company may be served by publishing a class 3 notice, under ch. 985,  
23 in the community where the limited liability company's registered office, as most  
24 recently designated in the records of the ~~secretary of state~~ department, is located.

25 **SECTION 4757b.** 183.0107 (1) (intro.) of the statutes is amended to read:

**SECTION 4757b**

1           183.0107 (1) (intro.) Except as provided in this chapter, any document required  
2 or permitted by this chapter to be delivered for filing to the ~~secretary of state~~  
3 department shall be executed by any of the following:

4           **SECTION 4758b.** 183.0107 (3) of the statutes is amended to read:

5           183.0107 (3) The person executing the document may do so as an  
6 attorney-in-fact. Powers of attorney relating to the execution of the document do  
7 not need to be shown to or filed with the ~~secretary of state~~ department.

8           **SECTION 4759b.** 183.0108 (1) (intro.) of the statutes is amended to read:

9           183.0108 (1) (intro.) Except as provided in sub. (3), to be filed under s. 183.0110,  
10 a document required or permitted to be filed under this chapter ~~in the office of the~~  
11 ~~secretary of state~~ with the department shall satisfy all of the following requirements:

12           **SECTION 4760b.** 183.0108 (1) (c) of the statutes is amended to read:

13           183.0108 (1) (c) Contain the name of the drafter, if required by s. ~~14.38 (14)~~  
14 182.01 (3).

15           **SECTION 4761b.** 183.0108 (1) (e) of the statutes is amended to read:

16           183.0108 (1) (e) Be on the form prescribed by the ~~secretary of state~~ department  
17 if the document is described in s. 183.0109 (1).

18           **SECTION 4762b.** 183.0108 (1) (f) of the statutes is amended to read:

19           183.0108 (1) (f) Be delivered to the office of the ~~secretary of state~~ department  
20 for filing and be accompanied by one exact or conformed copy and the filing fee  
21 required by s. 183.0114.

22           **SECTION 4763b.** 183.0108 (2) of the statutes is amended to read:

23           183.0108 (2) The ~~secretary of state~~ department shall file photocopies or other  
24 reproduced copies of typewritten or printed documents if the copies are manually  
25 signed and satisfy this section.

1           **SECTION 4764b.** 183.0108 (3) of the statutes is amended to read:

2           183.0108 (3) The ~~secretary of state~~ department may waive any of the  
3 requirements of subs. (1) and (2) and of s. 183.0107 if it appears from the face of the  
4 document that the document's failure to satisfy the requirement is immaterial.

5           **SECTION 4765b.** 183.0109 (1) (a) (intro.) of the statutes is amended to read:

6           183.0109 (1) (a) (intro.) The ~~secretary of state~~ department shall prescribe, and  
7 furnish on request, forms for all of the following documents:

8           **SECTION 4766.** 183.0109 (1) (a) 4. of the statutes is created to read:

9           183.0109 (1) (a) 4. A foreign limited liability company's annual report under  
10 s. 183.0120.

11           **SECTION 4767.** 183.0109 (1) (b) of the statutes is amended to read:

12           183.0109 (1) (b) The forms prescribed by the secretary of state under par. (a)  
13 1. to ~~3.~~ 4. shall require disclosure of only the information required under ss. 183.1004,  
14 183.1006 ~~and~~, 183.1011 ~~and~~ 183.0120, respectively.

15           **SECTION 4768b.** 183.0109 (1) (b) of the statutes, as affected by 1995 Wisconsin  
16 Act .... (this act), is amended to read:

17           183.0109 (1) (b) The forms prescribed by the ~~secretary of state~~ department  
18 under par. (a) 1. to 3. shall require disclosure of only the information required under  
19 ss. 183.1004, 183.1006, 183.1011 and 183.0120, respectively.

20           **SECTION 4769b.** 183.0109 (2) of the statutes is amended to read:

21           183.0109 (2) The ~~secretary of state~~ department may prescribe, and furnish on  
22 request, forms for other documents required or permitted to be filed by this chapter,  
23 but use of these forms is not mandatory.

24           **SECTION 4770b.** 183.0110 (title) of the statutes is amended to read:

1           **183.0110** (title) **Filing duty of secretary of state department of financial**  
2 **institutions.**

3           **SECTION 4771b.** 183.0110 (1) of the statutes is amended to read:

4           183.0110 (1) Upon receipt of a document by the ~~office of the secretary of state~~  
5 department for filing under this chapter, the ~~secretary of state~~ department shall  
6 stamp or otherwise endorse the date and time of receipt on the original, the document  
7 copy and, upon request, any additional document copy received. The ~~secretary of~~  
8 ~~state~~ department shall return any additional document copy to the person delivering  
9 it, as confirmation of the date and time of receipt.

10          **SECTION 4772b.** 183.0110 (2) (a) of the statutes is amended to read:

11          183.0110 (2) (a) Except as provided in par. (b), if a document satisfies s.  
12 183.0108 and the terms of the document satisfy the applicable provisions of this  
13 chapter, the ~~secretary of state~~ department shall file the document by stamping or  
14 otherwise endorsing "filed", together with the ~~secretary of state's~~ department's name  
15 and official title, on both the original and the document copy. After filing a document,  
16 the ~~secretary of state~~ department shall deliver the document copy to the domestic  
17 limited liability company or foreign limited liability company, or its representative.

18          **SECTION 4773b.** 183.0110 (2) (b) of the statutes is amended to read:

19          183.0110 (2) (b) If a domestic limited liability company or foreign limited  
20 liability company is in default in the payment of any fee required under this chapter,  
21 the ~~secretary of state~~ department shall refuse to file any document relating to the  
22 domestic limited liability company or foreign limited liability company until all  
23 delinquent fees are paid by the domestic limited liability company or foreign limited  
24 liability company.

25          **SECTION 4774b.** 183.0110 (3) (a) of the statutes is amended to read:

**SECTION 4774b**

1           183.0110 (3) (a) If the ~~secretary of state~~ department refuses to file a document,  
2           the ~~secretary of state~~ department shall return it to the domestic limited liability  
3           company or foreign limited liability company, or its representative, within 5 business  
4           days after the date on which the document is received by the ~~office of the secretary~~  
5           of state department for filing, together with a brief, written explanation of the reason  
6           for the refusal.

7           **SECTION 4775b.** 183.0110 (3) (b) of the statutes is amended to read:

8           183.0110 (3) (b) The ~~secretary of state's~~ department's failure to either file or  
9           return a document within 5 business days after the date on which it is received  
10          constitutes a refusal to file the document.

11          **SECTION 4776b.** 183.0110 (3) (c) of the statutes is amended to read:

12          183.0110 (3) (c) Except as provided in s. 183.0112 (3), if a document that had  
13          been refused for filing by the ~~secretary of state~~ department is resubmitted to and filed  
14          by the ~~secretary of state~~ department, the effective date of the filed document under  
15          s. 183.0111 is the date that the resubmitted document is received by the ~~office of the~~  
16          ~~secretary of state~~ department for filing or a delayed effective date specified in the  
17          resubmitted document in accordance with s. 183.0111 (2). The effective time of the  
18          resubmitted documents shall be determined under s. 183.0111 (1) or (2), whichever  
19          is applicable.

20          **SECTION 4777b.** 183.0110 (4) (intro.) of the statutes is amended to read:

21          183.0110 (4) (intro.) Except as provided in s. 183.0204 (2), the ~~secretary of~~  
22          ~~state's~~ department's filing of a document or refusal to file a document does not do any  
23          of the following:

24          **SECTION 4778.** 183.0111 (1) (a) (intro.) of the statutes is amended to read:

1           183.0111 (1) (a) (intro.) Except as provided in sub. (2) and ss. 183.0105 (7),  
2           183.0112 (3), 183.0120 (5) and 183.1009 (3), a document filed by the secretary of state  
3           under this chapter is effective on the date that it is received by the office of the  
4           secretary of state for filing and at any of the following times on that date:

5           **SECTION 4779b.** 183.0111 (1) (a) (intro.) of the statutes, as affected by this 1995  
6           Wisconsin Act .... (this act), is amended to read:

7           183.0111 (1) (a) (intro.) Except as provided in sub. (2) and ss. 183.0105 (7),  
8           183.0112 (3), 183.0120 (5) and 183.1009 (3), a document filed by the ~~secretary of state~~  
9           department under this chapter is effective on the date that it is received by the ~~office~~  
10          ~~of the secretary of state~~ department for filing and at any of the following times on that  
11          date:

12          **SECTION 4780b.** 183.0111 (1) (b) of the statutes is amended to read:

13          183.0111 (1) (b) The date that a document is received by the ~~office of the~~  
14          ~~secretary of state~~ department is determined by the ~~secretary of state's~~ department's  
15          endorsement on the original document under s. 183.0110 (1).

16          **SECTION 4781b.** 183.0112 (1) of the statutes is amended to read:

17          183.0112 (1) A domestic limited liability company or foreign limited liability  
18          company may correct a document that is filed by the ~~secretary of state~~ department  
19          if the document contains a statement that was incorrect at the time of filing or was  
20          defectively executed, including defects in any attestation, seal, verification or  
21          acknowledgment.

22          **SECTION 4782b.** 183.0112 (2) (intro.) of the statutes is amended to read:

23          183.0112 (2) (intro.) To correct a document under sub. (1), a domestic limited  
24          liability company or foreign limited liability company shall prepare and deliver to the

1 ~~secretary of state~~ department for filing articles of correction that satisfy all of the  
2 following:

3 **SECTION 4783b.** 183.0113 (1) of the statutes is amended to read:

4 183.0113 (1) Any person may obtain from the ~~secretary of state~~ department,  
5 upon request, a certificate of status for a domestic limited liability company or  
6 foreign limited liability company.

7 **SECTION 4784.** 183.0113 (2) (b) 1m. of the statutes is created to read:

8 183.0113 (2) (b) 1m. In the case of a foreign limited liability company, the  
9 foreign limited liability company has, during its most recently completed report year,  
10 filed with the secretary of state an annual report required by s. 183.0120.

11 **SECTION 4785b.** 183.0113 (2) (b) 1m. of the statutes, as created by 1995  
12 Wisconsin Act .... (this act), is amended to read:

13 183.0113 (2) (b) 1m. In the case of a foreign limited liability company, the  
14 foreign limited liability company has, during its most recently completed report year,  
15 filed with the ~~secretary of state~~ department an annual report required by s. 183.0120.

16 **SECTION 4786.** 183.0113 (2) (b) 4. of the statutes is created to read:

17 183.0113 (2) (b) 4. The foreign limited liability company is not the subject of a  
18 proceeding to revoke its certificate of registration under s. 183.1021.

19 **SECTION 4787b.** 183.0113 (3) of the statutes is amended to read:

20 183.0113 (3) The certificate of status may include other facts of record in the  
21 office of the ~~secretary of state~~ department that are requested.

22 **SECTION 4788b.** 183.0113 (4) of the statutes is amended to read:

23 183.0113 (4) Upon request, the ~~secretary of state~~ department shall issue, by  
24 telegraph, teletype, facsimile or other form of wire or wireless communication, a  
25 statement of status, which shall contain the information required in a certificate of

1 status under sub. (2) and may contain any other information permitted under sub.  
2 (3).

3 **SECTION 4789b.** 183.0113 (5) of the statutes is amended to read:

4 183.0113 (5) Subject to any qualification stated in a certificate or statement of  
5 status issued by the ~~secretary of state~~ department, the certificate or statement is  
6 conclusive evidence that the domestic limited liability company or foreign limited  
7 liability company is in existence or is authorized to transact business in this state.

8 **SECTION 4790b.** 183.0113 (6) of the statutes is amended to read:

9 183.0113 (6) Upon request by telephone or otherwise, the ~~office of the secretary~~  
10 ~~of state~~ department shall confirm, by telephone, any of the information required in  
11 a certificate of status under sub. (2) and may confirm any other information  
12 permitted under sub. (3).

13 **SECTION 4791b.** 183.0114 (1) (intro.) of the statutes is amended to read:

14 183.0114 (1) (intro.) The ~~secretary of state~~ department shall collect the  
15 following fees when the documents described in this subsection are delivered to ~~him~~  
16 ~~or her~~ for filing, or, under pars. (e) and (f), the telephone applications are made:

17 **SECTION 4791m.** 183.0114 (1) (a) of the statutes is amended to read:

18 183.0114 (1) (a) Articles of organization, ~~\$90~~ \$130.

19 **SECTION 4793.** 183.0114 (1) (w) of the statutes is created to read:

20 183.0114 (1) (w) Annual report of a foreign limited liability company, \$50.

21 **SECTION 4796.** 183.0114 (2) (c) of the statutes is created to read:

22 183.0114 (2) (c) Filing a certificate of revocation of registration to transact  
23 business.

24 **SECTION 4797.** 183.0120 of the statutes is created to read:

1           **183.0120 Annual report for foreign limited liability companies. (1)**

2           Each foreign limited liability company registered to transact business in this state  
3           shall file with the secretary of state an annual report that includes all of the following  
4           information:

5           (a) The name of the foreign limited liability company and the state or country  
6           under whose law it is organized.

7           (b) The address of the foreign limited liability company's registered office and  
8           the name of its registered agent at that office in this state.

9           (c) The address of the foreign limited liability company's principal office.

10          (d) If management of the foreign limited liability company is vested in one or  
11          more managers, the name and business address of each manager.

12          (e) The name and business address of each member of the foreign limited  
13          liability company.

14          (f) A brief description of the nature of the foreign limited liability company's  
15          business.

16          **(2)** Information in the annual report shall be current as of the date on which  
17          the annual report is executed on behalf of a foreign limited liability company, except  
18          that the information required by sub. (1) (e) shall be current as of the close of the  
19          foreign limited liability company's fiscal year immediately before the date by which  
20          the annual report is required to be delivered to the secretary of state.

21          **(3)** A foreign limited liability company registered to transact business in this  
22          state shall deliver its annual report to the secretary of state during the first calendar  
23          quarter of each year following the calendar year in which the foreign limited liability  
24          company becomes registered to transact business in this state.

1           (4) If an annual report does not contain the information required by this  
2 section, the secretary of state shall promptly notify the reporting foreign limited  
3 liability company in writing and return the report to it for correction.

4           (5) An annual report is effective on the date that it is filed by the office of the  
5 secretary of state.

6           **SECTION 4798b.** 183.0120 (1) (intro.) and (2) to (5) of the statutes, as created  
7 by 1995 Wisconsin Act .... (this act), are amended to read:

8           183.0120 (1) (intro.) Each domestic limited liability company and each foreign  
9 limited liability company registered to transact business in this state shall file with  
10 the ~~secretary of state~~ department an annual report that includes all of the following  
11 information:

12           (2) Information in the annual report shall be current as of the date on which  
13 the annual report is executed on behalf of a domestic limited liability company or a  
14 foreign limited liability company, except that the information required by sub. (1) (e)  
15 shall be current as of the close of the domestic limited liability company's or foreign  
16 limited liability company's fiscal year immediately before the date by which the  
17 annual report is required to be delivered to the ~~secretary of state~~ department.

18           (3) (a) A domestic limited liability company shall deliver its annual report to  
19 the ~~secretary of state~~ department in each year following the calendar year in which  
20 the domestic limited liability company was organized, during the calendar year  
21 quarter in which the anniversary date of the organization occurs.

22           (b) A foreign limited liability company registered to transact business in this  
23 state shall deliver its annual report to the ~~secretary of state~~ department during the  
24 first calendar quarter of each year following the calendar year in which the foreign  
25 limited liability company becomes registered to transact business in this state.

1           (4) If an annual report does not contain the information required by this  
2 section, the ~~secretary of state~~ department shall promptly notify the reporting  
3 domestic limited liability company or foreign limited liability company in writing  
4 and return the report to it for correction.

5           (5) An annual report is effective on the date that it is filed by the ~~office of the~~  
6 ~~secretary of state~~ department.

7           **SECTION 4799b.** 183.0201 of the statutes is amended to read:

8           **183.0201 Organization.** One or more persons may organize a limited liability  
9 company by signing and delivering articles of organization to the ~~secretary of state~~  
10 department for filing. The organizer or organizers need not be members of the  
11 limited liability company at the time of organization or thereafter. A limited liability  
12 company shall have 2 or more members.

13           **SECTION 4800b.** 183.0203 (2) (intro.) of the statutes is amended to read:

14           183.0203 (2) (intro.) A limited liability company amending its articles of  
15 organization shall deliver to the ~~secretary of state~~ department for filing articles of  
16 amendment that include all of the following information:

17           **SECTION 4801b.** 183.0204 (2) of the statutes is amended to read:

18           183.0204 (2) The ~~secretary of state's~~ department's filing of the articles of  
19 organization is conclusive proof that the limited liability company is organized and  
20 formed under this chapter.

21           **SECTION 4803b.** 183.0906 (intro.) of the statutes is amended to read:

22           **183.0906 Articles of dissolution.** (intro.) After the dissolution of a limited  
23 liability company under s. 183.0901, the limited liability company may file articles  
24 of dissolution with the ~~secretary of state~~ department that include all of the following:

25           **SECTION 4812b.** 183.1002 (1) of the statutes is amended to read:

**SECTION 4812b**

1           183.1002 (1) A foreign limited liability company may not transact business in  
2 this state until it obtains a certificate of registration from the ~~secretary of state~~  
3 department.

4           **SECTION 4813b.** 183.1003 (5) (b) of the statutes is amended to read:

5           183.1003 (5) (b) The foreign limited liability company shall pay the amount  
6 owed under par. (a) to the ~~secretary of state~~ department. The ~~secretary of state~~  
7 department may not issue a certificate of registration to the foreign limited liability  
8 company until the amount owed is paid. The attorney general may enforce a foreign  
9 limited liability company's obligation to pay to the ~~secretary of state~~ department any  
10 amount owed under par. (a).

11           **SECTION 4814b.** 183.1004 (intro.) of the statutes is amended to read:

12           **183.1004 Application for certificate of registration.** (intro.) A foreign  
13 limited liability company may apply for a certificate of registration to transact  
14 business in this state by delivering an application to the ~~secretary of state~~  
15 department for filing. The application shall include all of the following:

16           **SECTION 4815b.** 183.1006 (1) (intro.) of the statutes is amended to read:

17           183.1006 (1) (intro.) A foreign limited liability company authorized to transact  
18 business in this state shall obtain an amended certificate of registration from the  
19 ~~secretary of state~~ department if the foreign limited liability company changes any of  
20 the following:

21           **SECTION 4816b.** 183.1008 (1) (intro.) of the statutes is amended to read:

22           183.1008 (1) (intro.) A foreign limited liability company authorized to transact  
23 business in this state may change its registered office or registered agent, or both,  
24 by delivering to the ~~secretary of state~~ department for filing a statement of change  
25 that, except as provided in sub. (2), includes all of the following:

1           **SECTION 4817b.** 183.1008 (2) of the statutes is amended to read:

2           183.1008 (2) If a registered agent changes the street address of the registered  
3 agent's business office, the registered agent may change the street address of the  
4 registered office of any foreign limited liability company for which the person is the  
5 registered agent by notifying the foreign limited liability company in writing of the  
6 change and by signing, either manually or in facsimile, and delivering to the  
7 ~~secretary of state~~ department for filing a statement that complies with sub. (1) and  
8 recites that the foreign limited liability company has been notified of the change.

9           **SECTION 4818b.** 183.1009 (1) (intro.) of the statutes is amended to read:

10          183.1009 (1) (intro.) The registered agent of a foreign limited liability company  
11 may resign by signing and delivering to the ~~secretary of state~~ department for filing  
12 a statement of resignation that includes all of the following information:

13          **SECTION 4819b.** 183.1009 (2) of the statutes is amended to read:

14          183.1009 (2) After filing the statement, the ~~secretary of state~~ department shall  
15 mail a copy to the foreign limited liability company at its principal office.

16          **SECTION 4820b.** 183.1010 (4) (a) (intro.) of the statutes is amended to read:

17          183.1010 (4) (a) (intro.) With respect to a foreign limited liability company  
18 described in sub. (2) or (3), the foreign limited liability company may be served by  
19 registered or certified mail, return receipt requested, addressed to the foreign  
20 limited liability company at its principal office as shown on the records of the  
21 ~~secretary of state~~ department, except as provided in par. (b). Service is perfected  
22 under this paragraph at the earliest of the following:

23          **SECTION 4821.** 183.1010 (4) (b) of the statutes is renumbered 183.1010 (4) (b)

24          1. and amended to read:

**SECTION 4821**

1           183.1010 (4) (b) 1. If Except as provided in subd. 2., if the address of the foreign  
2 limited liability company's principal office cannot be determined from the records of  
3 the secretary of state, the foreign limited liability company may be served by  
4 publishing a class 3 notice, under ch. 985, in the community where the foreign limited  
5 liability company's principal office or, if not in this state, its registered office, as most  
6 recently designated in the records of the secretary of state, is located.

7           **SECTION 4822b.** 183.1010 (4) (b) 1. of the statutes, as affected by 1995  
8 Wisconsin Act .... (this act), is amended to read:

9           183.1010 (4) (b) 1. Except as provided in subd. 2., if the address of the foreign  
10 limited liability company's principal office cannot be determined from the records of  
11 ~~the secretary of state~~ department, the foreign limited liability company may be  
12 served by publishing a class 3 notice, under ch. 985, in the community where the  
13 foreign limited liability company's principal office or, if not in this state, its registered  
14 office, as most recently designated in the records of ~~the secretary of state~~ department,  
15 is located.

16           **SECTION 4823.** 183.1010 (4) (b) 2. of the statutes is created to read:

17           183.1010 (4) (b) 2. If a process, notice or demand is served by the secretary of  
18 state on a foreign limited liability company under s. 183.1021 and the address of the  
19 foreign limited liability company's principal office cannot be determined from the  
20 records of the secretary of state, the foreign limited liability company may be served  
21 by publishing a class 2 notice, under ch. 985, in the official state newspaper.

22           **SECTION 4824b.** 183.1010 (4) (b) 2. of the statutes, as created by 1995 Wisconsin  
23 Act .... (this act), is amended to read:

24           183.1010 (4) (b) 2. If a process, notice or demand is served by the secretary of  
25 ~~state~~ department on a foreign limited liability company under s. 183.1021 and the

1 address of the foreign limited liability company's principal office cannot be  
2 determined from the records of the ~~secretary of state~~ department, the foreign limited  
3 liability company may be served by publishing a class 2 notice, under ch. 985, in the  
4 official state newspaper.

5 **SECTION 4825b.** 183.1011 (1) of the statutes is amended to read:

6 183.1011 (1) A foreign limited liability company authorized to transact  
7 business in this state may not withdraw from this state until it obtains a certificate  
8 of withdrawal from the ~~secretary of state~~ department.

9 **SECTION 4826b.** 183.1011 (2) (intro.) of the statutes is amended to read:

10 183.1011 (2) (intro.) A foreign limited liability company authorized to transact  
11 business in this state may apply for a certificate of withdrawal by delivering an  
12 application to the ~~secretary of state~~ department for filing. The application shall  
13 include all of the following:

14 **SECTION 4827b.** 183.1011 (2) (e) of the statutes is amended to read:

15 183.1011 (2) (e) A commitment to notify the ~~secretary of state~~ department in  
16 the future of any change in the mailing address of the foreign limited liability  
17 company principal office.

18 **SECTION 4828.** 183.1020 of the statutes is created to read:

19 **183.1020 Grounds for revocation.** (1) Except as provided in sub. (2), the  
20 secretary of state may bring a proceeding under s. 183.1021 to revoke the certificate  
21 of registration of a foreign limited liability company registered to transact business  
22 in this state if any of the following applies:

23 (a) The foreign limited liability company fails to file its annual report with the  
24 secretary of state within 4 months after it is due.

1 (b) The foreign limited liability company does not pay, within 4 months after  
2 they are due, any fees or penalties due the secretary of state under this chapter.

3 (c) The foreign limited liability company is without a registered agent or  
4 registered office in this state for at least 6 months.

5 (d) The foreign limited liability company does not inform the secretary of state  
6 under s. 183.1008 or 183.1009 that its registered agent or registered office has  
7 changed, that its registered agent has resigned or that its registered office has been  
8 discontinued, within 6 months of the change, resignation or discontinuance.

9 (e) The foreign limited liability company obtained its certificate of registration  
10 through fraud.

11 (f) The secretary of state receives an authenticated certificate from the  
12 secretary of state or other official having custody of limited liability company records  
13 in the state or country under whose law the foreign limited liability company is  
14 incorporated stating that it has been dissolved or disappeared as the result of a  
15 merger.

16 **(2)** If the secretary of state receives a certificate under sub. (1) (f) and a  
17 statement by the foreign limited liability company that the certificate is submitted  
18 by the foreign limited liability company to terminate its registration to transact  
19 business in this state, the secretary of state shall issue a certificate of revocation  
20 under s. 183.1021 (2) (b).

21 **(3)** A court may revoke under s. 946.87 the certificate of registration of a foreign  
22 limited liability company registered to transact business in this state. The court  
23 shall notify the secretary of state of the action, and the secretary of state shall issue  
24 a certificate of revocation under s. 183.1021 (2) (b).

**SECTION 4829b**

1           **SECTION 4829b.** 183.1020 (1) (intro.), (a), (b), (d) and (f), (2) and (3) of the  
2 statutes, as created by 1995 Wisconsin Act ... (this act), are amended to read:

3           183.1020 (1) (intro.) Except as provided in sub. (2), the ~~secretary of state~~  
4 department may bring a proceeding under s. 183.1021 to revoke the certificate of  
5 registration of a foreign limited liability company registered to transact business in  
6 this state if any of the following applies:

7           (a) The foreign limited liability company fails to file its annual report with the  
8 ~~secretary of state~~ department within 4 months after it is due.

9           (b) The foreign limited liability company does not pay, within 4 months after  
10 they are due, any fees or penalties due the ~~secretary of state~~ department under this  
11 chapter.

12           (d) The foreign limited liability company does not inform the ~~secretary of state~~  
13 department under s. 183.1008 or 183.1009 that its registered agent or registered  
14 office has changed, that its registered agent has resigned or that its registered office  
15 has been discontinued, within 6 months of the change, resignation or  
16 discontinuance.

17           (f) The ~~secretary of state~~ department receives an authenticated certificate from  
18 the secretary of state or other official having custody of limited liability company  
19 records in the state or country under whose law the foreign limited liability company  
20 is incorporated stating that it has been dissolved or disappeared as the result of a  
21 merger.

22           **(2)** If the ~~secretary of state~~ department receives a certificate under sub. (1) (f)  
23 and a statement by the foreign limited liability company that the certificate is  
24 submitted by the foreign limited liability company to terminate its registration to

1 transact business in this state, the ~~secretary of state~~ department shall issue a  
2 certificate of revocation under s. 183.1021 (2) (b).

3 (3) A court may revoke under s. 946.87 the certificate of registration of a foreign  
4 limited liability company registered to transact business in this state. The court  
5 shall notify the ~~secretary of state~~ department of the action, and the ~~secretary of state~~  
6 department shall issue a certificate of revocation under s. 183.1021 (2) (b).

7 **SECTION 4830.** 183.1021 of the statutes is created to read:

8 **183.1021 Procedure for and effect of revocation.** (1) If the secretary of  
9 state determines that one or more grounds exist under s. 183.1020 (1) for revocation  
10 of a certificate of registration, the secretary of state shall serve the foreign limited  
11 liability company under s. 183.1010 with written notice of the determination.

12 (2) (a) Within 60 days after service of the notice is perfected under s. 183.1010,  
13 the foreign limited liability company shall correct each ground for revocation or  
14 demonstrate to the reasonable satisfaction of the secretary of state that each ground  
15 determined by the secretary of state does not exist.

16 (b) If the foreign limited liability company fails to satisfy par. (a), the secretary  
17 of state may revoke the foreign limited liability company's certificate of registration  
18 by signing a certificate of revocation that recites each ground for revocation and its  
19 effective date. The secretary of state shall file the original of the certificate and serve  
20 a copy on the foreign limited liability company under s. 183.1010.

21 (3) The authority of a foreign limited liability company to transact business in  
22 this state, other than as provided in s. 183.1002 (2), ends on the date shown on the  
23 certificate revoking its certificate of registration.

24 (4) If the secretary of state or a court revokes a foreign limited liability  
25 company's certificate of registration, the foreign limited liability company may be

1 served under s. 183.1010 (3) and (4) or the foreign limited liability company's  
2 registered agent may be served until the registered agent's authority is terminated,  
3 in any civil, criminal, administrative or investigatory proceeding based on a cause  
4 of action which arose while the foreign limited liability company was registered to  
5 transact business in this state.

6 (5) Revocation of a foreign limited liability company's certificate of registration  
7 does not terminate the authority of its registered agent.

8 **SECTION 4831b.** 183.1021 (1), (2) and (4) of the statutes, as created by 1995  
9 Wisconsin Act .... (this act), are amended to read:

10 183.1021 (1) If the ~~secretary of state~~ department determines that one or more  
11 grounds exist under s. 183.1020 (1) for revocation of a certificate of registration, the  
12 ~~secretary of state~~ department shall serve the foreign limited liability company under  
13 s. 183.1010 with written notice of the determination.

14 (2) (a) Within 60 days after service of the notice is perfected under s. 183.1010,  
15 the foreign limited liability company shall correct each ground for revocation or  
16 demonstrate to the reasonable satisfaction of the ~~secretary of state~~ department that  
17 each ground determined by the ~~secretary of state~~ department does not exist.

18 (b) If the foreign limited liability company fails to satisfy par. (a), the ~~secretary~~  
19 ~~of state~~ department may revoke the foreign limited liability company's certificate of  
20 registration by signing a certificate of revocation that recites each ground for  
21 revocation and its effective date. The ~~secretary of state~~ department shall file the  
22 original of the certificate and serve a copy on the foreign limited liability company  
23 under s. 183.1010.

24 (4) If the ~~secretary of state~~ department or a court revokes a foreign limited  
25 liability company's certificate of registration, the foreign limited liability company

**SECTION 4831b**

1 may be served under s. 183.1010 (3) and (4) or the foreign limited liability company's  
2 registered agent may be served until the registered agent's authority is terminated,  
3 in any civil, criminal, administrative or investigatory proceeding based on a cause  
4 of action which arose while the foreign limited liability company was registered to  
5 transact business in this state.

6 **SECTION 4832.** 183.1022 of the statutes is created to read:

7 **183.1022 Appeal from revocation. (1)** A foreign limited liability company  
8 may appeal the secretary of state's revocation of its certificate of registration under  
9 s. 183.1020 (1) to the circuit court for the county where the foreign limited liability  
10 company's principal office or, if none in this state, its registered office is located,  
11 within 30 days after service of the certificate of revocation is perfected under s.  
12 183.1010. The foreign limited liability company shall appeal by petitioning the court  
13 to set aside the revocation and attaching to the petition copies of its certificate of  
14 registration and the secretary of state's certificate of revocation.

15 **(2)** The court may order the secretary of state to reinstate the certificate of  
16 registration or may take any other action that the court considers appropriate.

17 **(3)** The court's final decision may be appealed as in other civil proceedings.

18 **SECTION 4833b.** 183.1022 (1) and (2) of the statutes, as created by 1995  
19 Wisconsin Act .... (this act), are amended to read:

20 183.1022 **(1)** A foreign limited liability company may appeal the secretary of  
21 state's department's revocation of its certificate of registration under s. 183.1020 (1)  
22 to the circuit court for the county where the foreign limited liability company's  
23 principal office or, if none in this state, its registered office is located, within 30 days  
24 after service of the certificate of revocation is perfected under s. 183.1010. The  
25 foreign limited liability company shall appeal by petitioning the court to set aside the

1 revocation and attaching to the petition copies of its certificate of registration and the  
2 ~~secretary of state's~~ department's certificate of revocation.

3 (2) The court may order the ~~secretary of state~~ department to reinstate the  
4 certificate of registration or may take any other action that the court considers  
5 appropriate.

6 **SECTION 4834b.** 183.1204 (1) (intro.) of the statutes is amended to read:

7 183.1204 (1) (intro.) The surviving limited liability company shall deliver to the  
8 ~~secretary of state~~ department articles of merger, executed by each party to the plan  
9 of merger, that include all of the following:

10 **SECTION 4835b.** 183.1301 of the statutes is amended to read:

11 **183.1301 Execution by judicial act.** Any person who is adversely affected  
12 by the failure or refusal of any person to execute and file any articles or other  
13 document to be filed under this chapter may petition the circuit court for the county  
14 in which the registered office of the limited liability company is located or, if no  
15 address is on file with the ~~secretary of state~~ department, in the circuit court for Dane  
16 county, to direct the execution and filing of the articles or other document. If the court  
17 finds that it is proper for the articles or other document to be executed and filed and  
18 that there has been failure or refusal to execute and file the document, the court shall  
19 order the ~~secretary of state~~ department to file the appropriate articles or other  
20 document.

21 **SECTION 4838b.** 185.01 (3m) of the statutes is created to read:

22 185.01 (3m) "Department", except in s. 185.45 (3) (c) and (4) (d), means the  
23 department of financial institutions.

24 **SECTION 4939b.** 185.05 (3) of the statutes is amended to read:

**SECTION 4939b**

1           185.05 (3) The articles shall be filed and recorded as provided in s. 185.82. The  
2 legal existence of a cooperative begins when the articles are filed. Upon the filing of  
3 the articles, the ~~secretary of state~~ department shall issue a certificate of  
4 incorporation. The ~~secretary of state~~ department shall forward within 5 days a  
5 duplicate original of the articles to the register of deeds of the county of the  
6 cooperative's principal office or registered agent for recording.

7           **SECTION 4840b.** 185.08 (3) of the statutes is amended to read:

8           185.08 (3) A registered agent may resign by mailing a written notice to both  
9 the ~~secretary of state~~ department and the cooperative. The resignation becomes  
10 effective when the cooperative names a new registered agent or 60 days after the  
11 receipt of notice by the ~~secretary of state~~ department, whichever is sooner.

12           **SECTION 4841b.** 185.31 (3) of the statutes is amended to read:

13           185.31 (3) The directors constituting the temporary board, named in the  
14 articles, shall hold office until the first member meeting. At that meeting and  
15 thereafter, directors shall be elected by the members at a member meeting in the  
16 manner and for the terms provided in the bylaws. If the bylaws provide that directors  
17 be from specified districts, the articles may limit voting for any director to members  
18 from within the district from which the director is to be elected. Unless the bylaws  
19 provide otherwise, a director's term of office shall be one year. Each director shall  
20 hold office for the term for which elected and until a successor takes office. The  
21 bylaws may permit selection of alternates to take the place of directors absent at a  
22 meeting of the board. Whenever any change is made in the board, the cooperative  
23 shall file within 20 days with the ~~secretary of state~~ department a report showing the  
24 names and addresses of all directors.

25           **SECTION 4842b.** 185.35 (1) of the statutes is amended to read:

**SECTION 4842b**

1           185.35 (1) Unless the articles of incorporation provide otherwise, the principal  
2 officers of a cooperative are a president, one or more vice presidents as prescribed in  
3 the bylaws, a secretary and a treasurer. They shall be elected annually by the board  
4 at such time and in such manner as the bylaws provide. Upon original election and  
5 whenever any change is made in the officers, the cooperative shall file with the  
6 ~~secretary of state~~ department, within 20 days, a report showing the name and  
7 address of all officers. Each principal officer except the secretary and the treasurer  
8 must be a director of the cooperative. The offices of secretary and treasurer may be  
9 combined in one person.

10           **SECTION 4843b.** 185.48 (2) of the statutes is amended to read:

11           185.48 (2) The annual report shall be made on forms furnished by the ~~secretary~~  
12 ~~of state~~ department, and the information therein contained shall be given as of the  
13 date of the execution of the report. The ~~secretary of state~~ department shall forward  
14 by 1st class mail report blanks to each cooperative in good standing not later than  
15 60 days prior to the date on which the cooperative is required to file an annual report  
16 under this chapter.

17           **SECTION 4844b.** 185.48 (3) of the statutes is amended to read:

18           185.48 (3) The annual report shall be delivered to the ~~secretary of state~~  
19 department in each year following the year in which the cooperative's articles are  
20 filed by the ~~secretary of state~~ department, during the calendar year quarter in which  
21 the anniversary of the filing occurs. If the report does not conform to requirements,  
22 it shall be returned to the cooperative for necessary corrections. The penalties for  
23 failure to file such report shall not apply if it is corrected and returned within 30 days  
24 after receipt thereof.

25           **SECTION 4845b.** 185.48 (4) of the statutes is amended to read:

**SECTION 4845b**

1           185.48 (4) Any report not filed as required by sub. (3) may be filed only upon  
2 payment to the ~~secretary of state~~ department of \$26.

3           **SECTION 4846b.** 185.48 (5) of the statutes is amended to read:

4           185.48 (5) If the report is not filed within a year from the first day of the quarter  
5 calendar year in which the report is required, under sub. (3), to be delivered, the  
6 cooperative is not in good standing. Within the next 6 months the ~~secretary of state~~  
7 department shall mail to the cooperative a notice that it is no longer in good standing.  
8 If a cooperative has been out of good standing for more than 3 consecutive years  
9 immediately prior to January 1, 1978, the ~~secretary of state~~ department shall  
10 provide only the notice required under s. 185.72 (3). Until restored to good standing,  
11 the ~~secretary of state~~ department shall not accept for filing any document respecting  
12 such cooperative except those incident to its dissolution.

13           **SECTION 4847b.** 185.48 (6) of the statutes is amended to read:

14           185.48 (6) The cooperative may be restored to good standing by delivering to  
15 the ~~secretary of state~~ department a current annual report and by paying the \$26 late  
16 filing fee plus \$15 for each calendar year or part thereof during which it was not in  
17 good standing, not exceeding a total of \$176.

18           **SECTION 4848b.** 185.53 (2) of the statutes is amended to read:

19           185.53 (2) The amendment shall be filed and recorded as provided in s. 185.82.  
20 The amendment becomes effective upon filing, and the ~~secretary of state~~ department  
21 may then issue a certificate of amendment.

22           **SECTION 4849b.** 185.62 (1m) of the statutes is amended to read:

23           185.62 (1m) If after the filing of the articles under sub. (1), but before the  
24 merger or consolidation is effective, the merger or consolidation is abandoned, as  
25 provided in s. 185.61 (5), 2 principal officers of each merging or consolidating

**SECTION 4849b**

1 cooperative shall sign a certificate of abandonment stating that the merger or  
2 consolidation is abandoned and the date of abandonment, and shall seal the  
3 certificate with the seal of each cooperative. The certificate of abandonment shall be  
4 filed and recorded prior to the date the merger or consolidation would otherwise be  
5 effective, ~~in the office of the secretary of state~~ with the department and in each county  
6 where the cooperatives have their principal offices or registered agents, in the  
7 manner provided in s. 185.82.

8 **SECTION 4850b.** 185.72 (3) (a) (intro.) of the statutes is amended to read:

9 185.72 (3) (a) (intro.) If it is established by the records in the ~~office of the~~  
10 ~~secretary of state~~ department that a cooperative failed to file its annual report as  
11 required by this chapter for the preceding 3 years, the ~~secretary of state~~ department  
12 may involuntarily dissolve the cooperative in the following manner:

13 **SECTION 4851b.** 185.72 (3) (a) 1. of the statutes is amended to read:

14 185.72 (3) (a) 1. The ~~secretary of state~~ department shall give the cooperative  
15 notice of its delinquency by 1st class mail addressed to its situs.

16 **SECTION 4852b.** 185.72 (3) (a) 2. of the statutes is amended to read:

17 185.72 (3) (a) 2. If the delinquent cooperative is not restored to good standing  
18 under s. 185.48 (6) within 90 days after the notice was mailed, the ~~secretary of state~~  
19 department shall issue a certificate of involuntary dissolution, which shall state the  
20 fact of involuntary dissolution, the date and cause of the dissolution and the  
21 dissolved cooperative's situs.

22 **SECTION 4853b.** 185.72 (3) (a) 3. of the statutes is amended to read:

23 185.72 (3) (a) 3. The ~~secretary of state~~ department shall file the original  
24 certificate of involuntary dissolution and mail a copy to the former cooperative at its  
25 situs.

**SECTION 4854b**

1           **SECTION 4854b.** 185.72 (3) (bm) (intro.) of the statutes is amended to read:

2           185.72 (3) (bm) (intro.) The ~~secretary of state~~ department shall rescind the  
3 dissolution of a cooperative involuntarily dissolved under this subsection and issue  
4 a certificate stating the rescision if all of the following are met:

5           **SECTION 4855b.** 185.72 (3) (bm) 1. of the statutes is amended to read:

6           185.72 (3) (bm) 1. The cooperative files with the ~~secretary of state~~ department  
7 2 affidavits, each executed by a different person who is a principal officer of the  
8 cooperative, stating that the cooperative did not receive the notice under par. (a) 1.

9           **SECTION 4856b.** 185.72 (3) (bm) 2. of the statutes is amended to read:

10          185.72 (3) (bm) 2. The cooperative pays to the ~~secretary of state~~ department  
11 \$100 in liquidated damages to cover the efforts of the ~~secretary of state~~ department  
12 in rescinding the involuntary dissolution.

13          **SECTION 4857b.** 185.815 (intro.) of the statutes is amended to read:

14          **185.815 Recording change of principal office or registered agent.**  
15 (intro.) If a document submitted to the ~~secretary of state~~ department for filing under  
16 this chapter changes the county of the principal office or of the registered agent:

17          **SECTION 4858b.** 185.815 (1) of the statutes is amended to read:

18          185.815 (1) An original of the document or a duplicate original endorsed by the  
19 ~~secretary of state~~ department shall be recorded in each county;

20          **SECTION 4859b.** 185.815 (3) of the statutes is amended to read:

21          185.815 (3) A certificate of the ~~secretary of state~~ department listing the type  
22 and date of filing of recordable documents previously filed by the cooperative shall  
23 be recorded in the county of the new principal office or of the registered agent.

24          **SECTION 4860b.** 185.82 (1) (a) of the statutes is amended to read:

1           185.82 (1) (a) Separate originals of the document for the ~~secretary of state~~  
2           department and for the register of deeds of each county in which the document is  
3           required to be recorded.

4           **SECTION 4861b.** 185.82 (1) (b) of the statutes is amended to read:

5           185.82 (1) (b) A check payable to the ~~secretary of state~~ department in the  
6           amount of the filing fee prescribed under s. 185.83.

7           **SECTION 4862b.** 185.82 (2) (a) of the statutes is amended to read:

8           185.82 (2) (a) Unless the document does not conform to law, the ~~secretary of~~  
9           ~~state~~ department shall endorse on each original "Filed" and the date of filing and  
10          shall file one original ~~in his or her office~~.

11          **SECTION 4863b.** 185.82 (2) (b) of the statutes is amended to read:

12          185.82 (2) (b) The ~~secretary of state~~ department shall forward to each register  
13          of deeds the check under sub. (1) (c) and an original document or duplicate endorsed  
14          by the ~~secretary of state~~ department, within 5 days of filing.

15          **SECTION 4864b.** 185.82 (3) of the statutes is amended to read:

16          185.82 (3) Each week the ~~secretary of state~~ department shall forward to each  
17          register of deeds a listing of all documents received during the preceding week for  
18          filing and recording as required under this chapter. For each document, the listing  
19          shall specify the type of document, the name of the cooperative, the name of the  
20          county of the cooperative's principal office or registered agent, and the date of filing.

21          **SECTION 4865b.** 185.82 (4) of the statutes is amended to read:

22          185.82 (4) A document required to be filed and recorded under this chapter is  
23          effective on filing with the ~~secretary of state~~ department, except as provided in s.  
24          185.62. An error or omission in recording the document or a certificate under s.  
25          185.815 (2) with a register of deeds does not affect its effectiveness.

**SECTION 4866b**

1           **SECTION 4866b.** 185.82 (5) of the statutes is amended to read:

2           185.82 (5) A document filed with the ~~secretary of state~~ department under this  
3 chapter before May 7, 1982 is effective unless the records of the ~~secretary of state~~  
4 department show that the document was recognized as ineffective because of a  
5 recording defect and the ~~secretary of state~~ department or the cooperative acted in  
6 reliance on the ineffectiveness of the document.

7           **SECTION 4867b.** 185.82 (6) (a) (intro.) of the statutes is amended to read:

8           185.82 (6) (a) (intro.) The ~~secretary of state~~ department may waive any of the  
9 following:

10          **SECTION 4868b.** 185.82 (6) (a) 2. of the statutes is amended to read:

11          185.82 (6) (a) 2. An omission or defect in a document, if the ~~secretary of state~~  
12 department determines from the face of the document that the omission or defect is  
13 immaterial.

14          **SECTION 4869b.** 185.83 (1) (intro.) of the statutes is amended to read:

15          185.83 (1) (intro.) The ~~secretary of state~~ department shall charge and collect  
16 for:

17          **SECTION 4870b.** 185.83 (1) (b) of the statutes is amended to read:

18          185.83 (1) (b) Filing an amendment to or restatement of the articles or articles  
19 of merger, consolidation or division, \$10, except that no fee may be collected for an  
20 amendment showing only a change of address resulting from the action of a  
21 governmental agency if there is no corresponding change in physical location and if  
22 2 copies of the notice of the action are submitted to the ~~secretary of state~~ department;  
23 and an additional fee of \$1.25 for each \$1,000 of authorized stock not authorized at  
24 the time of amendment, restatement, merger, consolidation or division.

25          **SECTION 4871b.** 185.83 (1) (d) of the statutes is amended to read:

1           185.83 (1) (d) Receiving services of any process, notice or demand, authorized  
2 to be served on the secretary of state department by this chapter, \$10.

3           **SECTION 4872b.** 185.85 of the statutes is amended to read:

4           **185.85** (title) **Forms to be furnished by secretary of state department**  
5 **of financial institutions.** The ~~secretary of state~~ department may provide forms for  
6 any document to be filed in the office of the secretary of state with the department  
7 under this chapter.

8           **SECTION 4873.** 185.981 (5) of the statutes is amended to read:

9           185.981 (5) Every such cooperative association is hereby ~~declared to be a~~  
10 charitable and benevolent corporation, ~~and its property, real, personal and mixed, its~~  
11 ~~income and property transferred to it, shall be exempt from taxation as provided in~~  
12 ~~ss. 70.11, 71.26 (1) (c) and 71.45 (1) and its employes shall be are excluded from the~~  
13 provisions of ch. 108 as provided in s. 108.02.

14           **SECTION 4874.** 186.01 (1) of the statutes is repealed.

15           **SECTION 4875.** 186.012 (title) of the statutes is amended to read:

16           **186.012** (title) **Commissioner Office of credit unions.**

17           **SECTION 4876.** 186.012 (1) of the statutes is repealed.

18           **SECTION 4877.** 186.012 (2) of the statutes is amended to read:

19           186.012 (2) The ~~commissioner~~ office of credit unions shall enforce the laws of  
20 this chapter and other laws relating to credit unions.

21           **SECTION 4878.** 186.012 (3) of the statutes is amended to read:

22           186.012 (3) Except as otherwise provided in s. 186.015, any interested person  
23 or credit union aggrieved by an act, order or determination of the ~~commissioner~~ office  
24 of credit unions may, within 30 days from the date thereof, apply to the credit union  
25 review board to review the same. All such applications for review shall be considered

1 and disposed of as speedily as possible. The credit union review board may require  
2 the ~~commissioner~~ office of credit unions to submit any of the ~~commissioner's~~ official  
3 actions subject to such review to the board for its approval.

4 **SECTION 4879.** 186.012 (4) of the statutes is amended to read:

5 186.012 (4) Unless the ~~commissioner~~ office of credit unions is expressly  
6 restricted by statute from acting under this subsection with respect to a specific  
7 power, right or privilege, the ~~commissioner~~ office of credit unions by rule may, with  
8 the approval of the credit union review board, authorize credit unions to exercise any  
9 power under the notice, disclosure or procedural requirements governing federally  
10 chartered credit unions or to make any loan or investment or exercise any right,  
11 power or privilege of federally chartered credit unions permitted under a federal law,  
12 regulation or interpretation. Notice, disclosure and procedures prescribed by statute  
13 which may be modified by a rule adopted under this subsection include, but are not  
14 limited to, those provided under s. 138.056. A rule adopted under this subsection  
15 may not affect s. 138.041 or chs. 421 to 428 or restrict powers granted credit unions  
16 under this chapter.

17 **SECTION 4880.** 186.015 (1) of the statutes is amended to read:

18 186.015 (1) The ~~commissioner~~ office of credit unions shall confer with the credit  
19 union review board on matters affecting credit unions and the ~~commissioner's~~ office.  
20 Detailed minutes of each board meeting shall be kept, and the decision of the board  
21 with reference to all orders issued, or policies established by the ~~commissioner~~ office  
22 of credit unions pursuant to this chapter is final, except for judicial review as  
23 provided in ch. 227.

24 **SECTION 4881.** 186.015 (2) of the statutes is amended to read:

1           186.015 (2) The board shall advise the ~~commissioner~~ office of credit unions and  
2 others in improving the condition and service of credit unions. In addition, the board  
3 shall review the acts and decisions of the ~~commissioner~~ office of credit unions in  
4 relation to credit unions and shall serve as an appeal board for credit unions with the  
5 same procedure and powers as the banking review board has under ch. 220 and  
6 perform other review functions in relation to credit unions as provided by law. The  
7 board may issue subpoenas, take testimony and administer oaths to witnesses.

8           **SECTION 4882.** 186.015 (3) (a) of the statutes is amended to read:

9           186.015 (3) (a) The board may require the ~~commissioner~~ office of credit unions  
10 to submit any of the ~~commissioner's~~ official actions to the board for its approval. The  
11 board may make rules of procedure as provided in ch. 227.

12           **SECTION 4883.** 186.015 (3) (b) of the statutes is amended to read:

13           186.015 (3) (b) Any interested person aggrieved by any act, order or  
14 determination of the ~~commissioner~~ office of credit unions may apply for review  
15 thereof by filing a petition with the secretary of the board within 30 days after the  
16 act, order or determination to be reviewed. The petition shall state the nature of the  
17 petitioner's interest, facts showing that the petitioner is aggrieved and directly  
18 affected by the act, order or determination to be reviewed and the ground or grounds  
19 upon which the petitioner claims that the act, order or determination should be  
20 modified or reversed. The issues raised by the petition for review shall be considered  
21 by the board upon giving at least 10 days' written notice of the time and place when  
22 said matter will be heard to the ~~commissioner~~ office of credit unions and the person  
23 applying for review or the applying person's attorney and upon any other person who  
24 participated in the proceedings before the ~~commissioner~~ office or that other person's  
25 attorney. Notice of hearing may be given by registered mail, return receipt

1 requested, and the return receipt signed by the addressee or the addressee's agent  
2 shall be presumptive evidence that such notice was received by the addressee on the  
3 day stated on the receipt. Any other interested party shall have the right to appear  
4 in any proceeding before the board.

5 **SECTION 4884.** 186.015 (3) (c) of the statutes is amended to read:

6 186.015 (3) (c) The board shall base its determination upon the record made  
7 by the ~~commissioner~~ office of credit unions and may also receive additional evidence  
8 to supplement such record if it finds it necessary. The board shall affirm, modify or  
9 reverse the act, order or determination under review. The burden of overcoming the  
10 act, order or determination of the ~~commissioner~~ office of credit unions under review  
11 shall be on the person seeking the review. Any findings of fact made by the  
12 ~~commissioner~~ office of credit unions shall be sustained if supported by substantial  
13 evidence in the record made by the ~~commissioner~~ office or in such record  
14 supplemented by evidence taken by the board. The board shall have the powers  
15 granted by s. 885.01 (4). Any person causing a witness to be subpoenaed shall  
16 advance and pay the fees and mileage of such witness which shall be the same as in  
17 circuit court. The fees and mileage of witnesses who are called at the instance of the  
18 ~~commissioner~~ office of credit unions shall be paid by the state in the same manner  
19 that other expenses are audited and paid upon presentation of properly verified  
20 vouchers approved by at least one member of the board and charged to the  
21 appropriation of the office of the ~~commissioner~~.

22 **SECTION 4885.** 186.02 (1) of the statutes is amended to read:

23 186.02 (1) Seven or more residents of this state may organize a credit union by  
24 filing with the ~~commissioner~~ office of credit unions the proposed articles of  
25 incorporation in duplicate and a verified copy of the proposed original bylaws,

1 together with a \$5 filing fee. The articles of incorporation shall state the name and  
2 purpose of the credit union, the location of its initial principal office, the par value  
3 of its shares, and the names, residences and occupations of the incorporators.

4 **SECTION 4886.** 186.02 (3) (a) of the statutes is amended to read:

5 186.02 (3) (a) Subject to par. (b), a credit union may not be organized unless the  
6 articles and bylaws are approved by the ~~commissioner~~ office of credit unions. If the  
7 ~~commissioner~~ office of credit unions approves the articles and bylaws, the  
8 ~~commissioner~~ office shall return one duplicate original of the articles of  
9 incorporation to the incorporators endorsed with ~~his or her~~ approval, and the  
10 incorporators shall within 30 days record the articles of incorporation in the office  
11 of the register of deeds of the county in which the credit union is to be located. The  
12 legal existence of the credit union commences on the date and time the articles are  
13 recorded. The register of deeds shall transmit to the ~~commissioner~~ office of credit  
14 unions a certificate stating the date and time when the articles were recorded, and  
15 the ~~commissioner~~ office of credit unions shall issue a certificate of incorporation to  
16 the credit union.

17 **SECTION 4887.** 186.02 (3) (b) of the statutes is amended to read:

18 186.02 (3) (b) If the ~~commissioner~~ office of credit unions refuses to approve the  
19 articles or bylaws, the incorporators may appeal the refusal to the credit union  
20 review board and the decision of the board is final, subject to judicial review under  
21 ch. 227.

22 **SECTION 4888.** 186.02 (4) (a) of the statutes is amended to read:

23 186.02 (4) (a) Amendments to the articles of incorporation adopted by a vote  
24 of two-thirds of the members of the credit union present at an annual meeting or a  
25 special meeting called for that purpose may be filed with the ~~commissioner~~ office of

1 credit unions upon payment of a \$5 fee. If approved by the ~~commissioner~~ office of  
2 credit unions, amendments to the articles are effective on recording in the office of  
3 the register of deeds in the same manner as the original articles.

4 **SECTION 4889.** 186.02 (4) (b) of the statutes is amended to read:

5 186.02 (4) (b) All amendments to the bylaws shall be filed with the  
6 ~~commissioner~~ office of credit unions and shall take effect only after being approved  
7 by the ~~commissioner~~ office.

8 **SECTION 4890.** 186.03 of the statutes is amended to read:

9 **186.03 Use of name exclusive.** No person, partnership, limited liability  
10 company, association or corporation, except corporations formed under this chapter,  
11 may transact within this state the business authorized by this chapter or any other  
12 business whatever under any name or title which includes the 2 words "credit" and  
13 "union", except that any organization whose membership is made up of credit unions  
14 may use the name, with the consent of the ~~commissioner~~ office of credit unions.  
15 Violations of this section may be enjoined at the instance of the ~~commissioner~~ office  
16 of credit unions or of any credit union. A violator of this section may be fined not less  
17 than \$300 nor more than \$1,000 or imprisoned for not less than 60 days nor more  
18 than one year in the county jail or both.

19 **SECTION 4891.** 186.04 (1) of the statutes is amended to read:

20 186.04 (1) The ~~commissioner~~ office of credit unions, with the approval of the  
21 credit union review board, shall fix the amounts to be assessed against credit unions  
22 for their supervision and the examination under and by virtue of this chapter. Such  
23 amounts shall be determined and paid as provided in this section.

24 **SECTION 4892.** 186.04 (2) of the statutes is amended to read:

**SECTION 4892**

1           186.04 (2) On or before July 15 of each year, each credit union shall pay to the  
2 office of the ~~commissioner~~ credit unions an annual fee to be determined as provided  
3 in sub. (1), which shall represent as nearly as practicable its fair share of the  
4 maintenance of the office of ~~the commissioner~~.

5           **SECTION 4893.** 186.04 (5) of the statutes is amended to read:

6           186.04 (5) If the amounts collected under this section are in excess of the actual  
7 amounts necessary for the supervision and examination of credit unions in each year,  
8 the excess shall be retained by the ~~commissioner~~ office of credit unions and applied  
9 in reducing the amounts chargeable for ensuing years.

10          **SECTION 4894.** 186.098 (7) of the statutes is amended to read:

11          186.098 (7) The ~~commissioner~~ office of credit unions may reduce the loan limits  
12 specified in sub. (6) on an individual basis.

13          **SECTION 4895.** 186.098 (8) (b) of the statutes is amended to read:

14          186.098 (8) (b) With the approval of the ~~commissioner~~ office of credit unions,  
15 credit unions may utilize credit cards, including point-of-purchase credit, providing  
16 the credit committee or loan officer, upon their own motion or upon application by a  
17 member, has predetermined the extent of credit extension.

18          **SECTION 4896.** 186.098 (10) of the statutes is amended to read:

19          186.098 (10) Loans to members secured by mortgages on real estate may be  
20 made subject to the rules prescribed by the ~~commissioner~~ office of credit unions.  
21 Such loans may provide for additional advances, but any additional advance made  
22 to a member, if the mortgage and mortgage note so provide, may not exceed an  
23 amount specified in the mortgage.

24          **SECTION 4897.** 186.098 (12) of the statutes is amended to read:

1           186.098 (12) A credit union may make loans to members secured by  
2 assignment or transfer of stock certificates or other evidence of the borrower's  
3 ownership interest in a corporation formed for the cooperative ownership of real  
4 estate. Sections 846.10 and 846.101, as they apply to a foreclosure of a mortgage  
5 involving a one-family residence, apply to a proceeding to enforce the lender's rights  
6 in security given for a loan under this subsection. The ~~commissioner~~ office of credit  
7 unions shall promulgate joint rules with the ~~commissioners~~ divisions of savings and  
8 loan and of banking that establish procedures for enforcing a lender's rights in  
9 security given for a loan under this subsection.

10           **SECTION 4898.** 186.11 (1) of the statutes is amended to read:

11           186.11 (1) GENERAL. The board of directors may invest credit union funds in  
12 U.S. government direct and agency obligations, municipal bonds issued by  
13 municipalities of the state, central credit unions, banks, savings banks and savings  
14 and loans associations located in Wisconsin and may, with the approval of the  
15 ~~commissioner~~ office of credit unions, make other investments including investments  
16 in credit unions.

17           **SECTION 4899.** 186.11 (2) (b) of the statutes is amended to read:

18           186.11 (2) (b) The board of directors may purchase, lease or construct a building  
19 for the operation of the credit union, provided the aggregate cost of the building,  
20 remodeling of the building, land improvements and land acquisition does not exceed  
21 100% of the credit union's regular reserve unless prior approval for greater amounts  
22 is given by the ~~commissioner~~ office of credit unions. The cost of land acquisition may  
23 include vicinal property for future expansion but may not exceed the aggregate cost  
24 limitation. Nothing in this subsection authorizes a credit union to lease a building  
25 owned by a director or by a corporation, limited liability company, partnership or

1 association controlled by a director. The credit union may rent or lease a portion of  
2 its building or property.

3 **SECTION 4900.** 186.112 of the statutes is amended to read:

4 **186.112 Credit union borrowing.** The board of directors may borrow money  
5 from any source if the amount borrowed does not exceed 50% of the credit union's  
6 total savings, deposits and reserves and the loan is not for a period longer than 12  
7 months. The limitations of this subsection do not apply to national corporate central  
8 credit unions. The 12-month limitation under this subsection does not apply to  
9 money borrowed by a credit union to acquire credit union property, buildings,  
10 remodeling or equipment. ~~The commissioner~~ office of credit unions may exempt any  
11 credit union from the limitations of this subsection.

12 **SECTION 4901.** 186.113 (1) of the statutes is amended to read:

13 186.113 (1) If the need and necessity exists, establish subsidiary offices where  
14 permanent records may be maintained within the state with the approval of the  
15 ~~commissioner~~ office of credit unions.

16 **SECTION 4902.** 186.113 (1m) (a) 3. of the statutes is amended to read:

17 186.113 (1m) (a) 3. The establishment of such offices has been approved by the  
18 ~~commissioner~~ office of credit unions.

19 **SECTION 4903.** 186.113 (1m) (a) 4. of the statutes is amended to read:

20 186.113 (1m) (a) 4. Such offices are established and operated in accordance  
21 with rules promulgated by the ~~commissioner~~ office of credit unions.

22 **SECTION 4904.** 186.113 (2) of the statutes is amended to read:

23 186.113 (2) Share office space with one or more credit unions and contract with  
24 a corporation to provide facilities or personnel. Such service center corporation shall

1 be deemed thereby to be under the supervision of the ~~commissioner~~ office of credit  
2 unions.

3 **SECTION 4905.** 186.113 (15) (a) of the statutes is amended to read:

4 186.113 (15) (a) Directly or indirectly, acquire, place and operate, or participate  
5 in the acquisition, placement and operation of, at locations other than its offices,  
6 remote terminals, in accordance with rules established by the ~~commissioner~~ office  
7 of credit unions. The rules ~~of the commissioner~~ shall provide that any remote  
8 terminal shall be available for use, on a nondiscriminatory basis, by any state or  
9 federal credit union which has its principal place of business in this state, by any  
10 other credit union obtaining the consent of a state or federal credit union which has  
11 its principal place of business in this state and is using the terminal and by all  
12 members designated by a credit union using the terminal. This subsection does not  
13 authorize a credit union which has its principal place of business outside the state  
14 to conduct business as a credit union in this state. The remote terminals also shall  
15 be available for use, on a nondiscriminatory basis, by any state or national bank,  
16 state or federal savings bank or state or federal savings and loan association, whose  
17 home office is located in this state, if the bank, savings bank or savings and loan  
18 association requests to share its use, subject to the joint rules established under s.  
19 221.04 (1) (k). The rules of the ~~commissioner~~ office of credit unions shall prohibit any  
20 advertising with regard to a shared remote terminal which suggests or implies  
21 exclusive ownership or control of the shared terminal by any credit union or group  
22 of credit unions operating or participating in the operation of the terminal. The  
23 ~~commissioner~~ office of credit unions by order may authorize the installation and  
24 operation of a remote terminal in a mobile facility, after notice and hearing upon the  
25 proposed service stops of the mobile facility.

1           **SECTION 4906.** 186.113 (15) (c) of the statutes is amended to read:

2           186.113 (15) (c) If any person primarily engaged in the retail sale of goods or  
3 services owns or operates a remote terminal on such person's premises and allows  
4 access to the unit by any financial institution, group of financial institutions or their  
5 customers, nothing in this subsection or in rules established by the ~~commissioner~~  
6 office of credit unions shall, or shall be construed or interpreted to, require such  
7 person to accept any connection to or use of the unit on its premises for any other  
8 purpose or function or to accept any connection to the unit on its premises by any  
9 other financial institution.

10           **SECTION 4907.** 186.113 (15) (d) of the statutes is amended to read:

11           186.113 (15) (d) If a person primarily engaged in the retail sale of goods or  
12 services owns or operates a remote terminal on such person's premises and allows  
13 access to the unit by any financial institution, group of financial institutions or their  
14 customers for any purpose or function, no laws governing such institutions or rules  
15 established by the ~~commissioner~~ office of credit unions shall apply to such person  
16 other than those laws or rules directly related to the particular function performed  
17 by the unit on such person's premises for a financial institution.

18           **SECTION 4908.** 186.115 (1) of the statutes is amended to read:

19           186.115 (1) Subject to any regulatory approval required by law and subject to  
20 sub. (2), a credit union directly or through a subsidiary, may undertake any activity,  
21 exercise any power or offer any financially related product or service in this state that  
22 any other provider of financial products or services may undertake, exercise or  
23 provide or that the ~~commissioner~~ office of credit unions finds to be financially related.

24           **SECTION 4909.** 186.115 (2) of the statutes is amended to read:



1           **SECTION 4912.** 186.16 (2) of the statutes is amended to read:

2           186.16 (2) The ~~commissioner~~ office of credit unions may establish the  
3 maximum dividend that a credit union and a central credit union may pay in each  
4 classification of its savings.

5           **SECTION 4913.** 186.17 (2) of the statutes is amended to read:

6           186.17 (2) Special reserves may be required by the ~~commissioner~~ office of credit  
7 unions on an individual credit union basis for purchased accounts or when serious  
8 threat of impairment threatens regular reserve.

9           **SECTION 4914.** 186.18 of the statutes is amended to read:

10          **186.18 Dissolution.** Upon the unanimous recommendation of the board of  
11 directors, the members may vote to dissolve the credit union. If a majority of the total  
12 membership vote by ballot in person or by letter or other written communication in  
13 favor of dissolution, and if not more than 15 members or 10% of the total membership,  
14 whichever is greater, by written notice vote against dissolution, the credit union shall  
15 be dissolved. If both the number of votes in favor of dissolution and the number of  
16 votes against dissolution are each less than 50% of the total number of members the  
17 board of directors may, with the permission of the ~~commissioner~~ office of credit  
18 unions, cause written notice to be mailed to each member at the member's  
19 last-known address which expressly states that the board's proposal to dissolve the  
20 credit union will be approved or disapproved at a special or annual meeting to be held  
21 at the time and place specified in the notice. The credit union shall be dissolved only  
22 if a majority of the members present at the meeting vote in favor of the board's  
23 proposal to dissolve the credit union. If the members vote to dissolve the credit union,  
24 a committee of 3 shall be elected by the members to liquidate the assets of the credit  
25 union. After assets are liquidated and debts paid members shall be paid a

1 liquidating dividend in proportion to their savings from remaining assets. The  
2 committee in charge of liquidation may sell or dispose of the assets in whole or in part  
3 at a public or private sale subject to confirmation by the board of directors and the  
4 ~~commissioner~~ office of credit unions.

5 **SECTION 4915.** 186.19 (1) of the statutes is amended to read:

6 186.19 (1) As a condition precedent to qualification or entry upon the discharge  
7 of his or her duties, every person appointed or elected to any position requiring the  
8 receipt, payment or custody of money or other personal property owned by a credit  
9 union or in its custody or control as collateral or otherwise shall give a bond in some  
10 responsible corporate surety company, licensed to do business in this state, in such  
11 adequate sum as the directors shall require and approve. In lieu of individual bonds  
12 the ~~commissioner~~ office of credit unions may accept a schedule or blanket bond which  
13 covers all of the officers and employes of any credit union whose duties include the  
14 receipt, payment or custody of money or other personal property for or on behalf of  
15 the credit union. All such bonds shall be in the form prescribed by the ~~commissioner~~  
16 office of credit unions.

17 **SECTION 4916.** 186.19 (2) of the statutes is amended to read:

18 186.19 (2) No officer or employe who is required to give bond shall be deemed  
19 qualified nor shall be permitted to enter upon the discharge of that officer's or  
20 employe's duties until that officer's or employe's bond shall have been approved by  
21 a majority of the board of directors. Such bonds shall be filed with the ~~commissioner~~  
22 office of credit unions within 10 days next after approval thereof by the board of  
23 directors. The minute books of each credit union shall contain a record of each bond  
24 executed and approved.

25 **SECTION 4917.** 186.19 (3) of the statutes is amended to read:

**SECTION 4917**

1           186.19 (3) Such bond shall be sufficient in amount to protect the credit union  
2 from loss by reason of acts of fraud or dishonesty including forgery, theft,  
3 embezzlement, wrongful abstraction or misapplication on the part of the person,  
4 directly or through connivance with others. At any time the ~~commissioner~~ office of  
5 credit unions may require additional bond or security, when, in the ~~commissioner's~~  
6 office's opinion, the bonds then executed and approved are insufficient.

7           **SECTION 4918.** 186.19 (4) (a) of the statutes is amended to read:

8           186.19 (4) (a) No cancellation or other termination of this bond shall be  
9 effective unless the surety gives in advance at least 10 days' written notice by  
10 registered mail to the ~~commissioner~~ office of credit unions. If this bond is canceled  
11 or terminated at the request of the insured (employer) this provision nevertheless  
12 shall apply, it being the duty of the surety to give the required written notice to the  
13 ~~commissioner~~ office of credit unions, such notice to be given promptly and in any  
14 event within 10 days after the receipt of such request.

15           **SECTION 4919.** 186.19 (4) (b) of the statutes is amended to read:

16           186.19 (4) (b) The surety agrees to furnish the ~~commissioner~~ office of credit  
17 unions a copy of all riders and indorsements executed subsequently to the effective  
18 date of this bond.

19           **SECTION 4920.** 186.19 (5) of the statutes is amended to read:

20           186.19 (5) For reasons which the ~~commissioner~~ office of credit unions deems  
21 valid and sufficient the ~~commissioner~~ office may waive as to the cancellation or  
22 termination of any such bond the 10-day written notice in advance required by sub.  
23 (4) (a) and the ~~commissioner~~ office may give written consent to the termination or  
24 cancellation being made effective as of a date agreed upon and requested by the  
25 surety and credit union.

**SECTION 4921**

1           **SECTION 4921.** 186.21 (1) of the statutes is amended to read:

2           186.21 (1) It shall be the duty of the office of ~~the commissioner~~ of credit unions  
3 to promote the extension of credit at the lowest possible rates and cooperate with  
4 every group of people who may be or may become interested in the formation and  
5 development of a credit union in this state for that purpose, and it may do all things  
6 reasonably necessary for the discharge of this duty.

7           **SECTION 4922.** 186.21 (2) of the statutes is amended to read:

8           186.21 (2) The office of ~~the commissioner~~ of credit unions shall carry on  
9 advertising of whatever character is most suitable and effective to acquaint the  
10 people of this state with the agencies and organizations dealing in consumer credit,  
11 and of the rates of interest, the condition of loans, the benefits and safeguards and  
12 the savings features of each such type, agency and organization.

13           **SECTION 4923.** 186.21 (3) of the statutes is amended to read:

14           186.21 (3) The office of ~~the commissioner~~ of credit unions shall further offer  
15 without charge to any group, either joined in a credit union or considering such an  
16 organization, whatever advice and direction on accounting practice and managerial  
17 problems that may be needful.

18           **SECTION 4924.** 186.21 (4) of the statutes is amended to read:

19           186.21 (4) The office of ~~the commissioner~~ of credit unions shall provide  
20 application blanks, model bylaws, and whatever other material may be needful or  
21 helpful in the organization, efficient functioning and expansion of credit unions.

22           **SECTION 4925.** 186.22 (1) (intro.) of the statutes is amended to read:

23           186.22 (1) ORGANIZATION. (intro.) When authorized by the ~~commissioner~~ office  
24 of credit unions, 10 or more credit unions, the aggregate resources of which shall not  
25 be less than \$50,000, may form the "Credit Union Finance Corporation". Each of

1 such credit unions shall subscribe, acknowledge and submit to the ~~commissioner~~  
2 office of credit unions an organization certificate in duplicate which shall specifically  
3 state:

4 **SECTION 4926.** 186.22 (2) (intro.) of the statutes is amended to read:

5 186.22 (2) PROPOSED BYLAWS. (intro.) The incorporators shall subscribe and  
6 acknowledge and submit to the ~~commissioner~~ office of credit unions proposed bylaws  
7 in duplicate, which shall prescribe the manner in which the business of such credit  
8 union finance corporation shall be conducted with reference to the following matters:

9 **SECTION 4927.** 186.22 (3) (intro.) of the statutes is amended to read:

10 186.22 (3) WHEN CORPORATE EXISTENCE BEGINS; CONDITIONS PRECEDENT TO  
11 COMMENCING BUSINESS. (intro.) When the ~~commissioner shall have indorsed the~~  
12 ~~commissioner's approval on~~ office of credit unions approves the organization  
13 certificate, the corporate existence of the credit union finance corporation shall begin  
14 and it shall then have power to elect officers and transact such other business as  
15 relates to its organization; but such credit union finance corporation shall transact  
16 no other business until:

17 **SECTION 4928.** 186.22 (3) (a) of the statutes is amended to read:

18 186.22 (3) (a) Subscriptions to its shares aggregating \$2,000 shall have been  
19 paid in cash and an affidavit stating that such subscriptions have been so paid,  
20 subscribed and sworn to by its 2 principal officers, shall have been filed with the  
21 ~~secretary of state~~ department of financial institutions and a certified copy thereof in  
22 the office of the ~~commissioner~~ credit unions.

23 **SECTION 4929.** 186.22 (3) (b) of the statutes is amended to read:

24 186.22 (3) (b) The ~~commissioner~~ office of credit unions shall have duly issued  
25 to it an authorization certificate.

**SECTION 4930**

1           **SECTION 4930.** 186.22 (4) (d) of the statutes is amended to read:

2           186.22 (4) (d) To receive by assignment from its members and to deposit in trust  
3 with the ~~commissioner~~ office of credit unions to be held by the ~~commissioner~~ office  
4 as security for its and their outstanding obligations any first mortgages on real estate  
5 and the bonds secured thereby and such other securities as are provided for in s.  
6 186.11 and are legally receivable by credit unions; to empower such credit unions as  
7 agents of the credit union finance corporation to collect and immediately pay over to  
8 the credit union the dues, interest and other sums payable under the terms,  
9 conditions and covenants of the bonds and mortgages or, prior to a default upon any  
10 such bond and mortgage so assigned and when adequate security has been given to  
11 the credit union finance corporation, by any such credit union, to retain such  
12 collections until a payment to the credit union finance corporation from such credit  
13 union becomes due; to return to, or permit such credit unions to retain any sums of  
14 money so collected in excess of the amount required to meet the obligations of such  
15 credit unions respectively.

16           **SECTION 4931.** 186.22 (4) (g) of the statutes is amended to read:

17           186.22 (4) (g) With the advice and approval of the ~~commissioner~~ office of credit  
18 unions, to become a member of or to subscribe for and purchase notes and debentures  
19 issued by any federal finance or credit corporation which may be organized by act of  
20 congress for aiding and assisting credit unions to utilize their resources and credit,  
21 or to borrow from such finance or credit corporation, in either case, in an amount not  
22 exceeding in the aggregate amount two-fifths of the assets on hand.

23           **SECTION 4932.** 186.22 (5) (c) of the statutes is amended to read:

1           186.22 (5) (c) Invest more than 25 ~~per centum~~ % of its surplus in real estate  
2 occupied, or to be occupied, by it for office purposes, without the written approval of  
3 the ~~commissioner~~ office of credit unions.

4           **SECTION 4933.** 186.22 (6) of the statutes is amended to read:

5           186.22 (6) ISSUING OF BONDS. Bonds shall be issued in series of not less than  
6 \$10,000. All bonds issued by the credit union finance corporation may be called on  
7 any interest day at 102 1/2% and interest by publishing a class 1 notice, under ch.  
8 985, not less than 60 days prior to said day. Any member credit union which is not  
9 indebted for borrowed money to any other bank or trust company which does  
10 business exclusively with the credit union finance corporation shall submit a  
11 schedule of assets from time to time as the board of directors of such finance  
12 corporation shall require. Any member credit union which may have a loan from any  
13 other banking institution may borrow money from such credit union finance  
14 corporation upon pledging therefor such amount of its mortgages with the bonds  
15 secured thereby as collateral security for bonds issued on its behalf as the  
16 ~~commissioner~~ office of credit unions and the board of directors of such credit union  
17 finance corporation may require; provided that the aggregate of all loans made by  
18 such credit union shall not exceed 40% of its assets as provided in s. 186.11. The  
19 amortization payments upon all mortgages accepted by the credit union finance  
20 corporation as collateral security for bonds shall be sufficient to liquidate the debt  
21 in a period not exceeding 40 years. In the event of any default for more than 90 days  
22 in the payment of the principal of, or for more than 90 days in the payment of any  
23 instalment of interest upon, any of said bonds, the ~~commissioner~~ office of credit  
24 unions may, on the ~~commissioner's~~ office's own motion, and shall, upon the request  
25 in writing of the holders of said bonds in default to the amount of \$10,000, forthwith

1 take possession of and proceed to liquidate the credit union finance corporation.  
2 Upon such liquidation it shall be entitled in the name of the credit union finance  
3 corporation to enforce all of its rights and securities and to collect and realize upon  
4 all of its assets, including all mortgages assigned to said credit union finance  
5 corporation by the several member credit unions, and deposited with the state  
6 treasurer, up to the amounts advanced by the credit union finance corporation to the  
7 several member credit unions thereon. Upon any such liquidation all said bonds  
8 then issued and outstanding shall forthwith become due and payable equally and  
9 ratably out of all the assets of said credit union finance corporation in advance of any  
10 other debts thereof not specifically preferred by law.

11 **SECTION 4934.** 186.22 (10) of the statutes is amended to read:

12 186.22 (10) QUALIFICATIONS AND DISQUALIFICATIONS OF DIRECTORS; BOND. All of  
13 the directors of the credit union finance corporation must reside in the state of  
14 Wisconsin during their term of office, and all must be citizens of the United States.  
15 No person shall be elected a director unless the person is a shareholder of a member  
16 credit union and has been nominated by it for that office; and every person elected  
17 to be a director who, after such election, shall cease to be a shareholder of a member  
18 credit union, shall cease to be a director of the credit union finance corporation, and  
19 the person's office shall be vacant. Directors who have the custody or possession of  
20 money, securities or property shall give bond to the credit union finance corporation  
21 in an amount commensurate with their liability, as approved by the ~~commissioner~~  
22 office of credit unions.

23 **SECTION 4935.** 186.22 (11) of the statutes is amended to read:

24 186.22 (11) OATH OF DIRECTORS. Each director, when appointed or elected, shall  
25 take an oath that the director will, so far as the duty devolves upon the director,

1 diligently and honestly administer the affairs of the credit union finance corporation,  
2 and will not knowingly violate, or willingly permit to be violated, any of the  
3 provisions of law applicable to such corporation, and that the director is the owner  
4 in good faith and in the director's own right on the books of the credit union which  
5 nominated the director of shares in value of not less than \$100, or other shares of the  
6 withdrawal value of \$100, and that the same is not hypothecated, or in any way  
7 pledged as security for any loan or debt and, in case of reelection that such share was  
8 not hypothecated or in any way pledged as security for any loan or debt during the  
9 director's previous term. Such oath shall be subscribed by the directors and officers  
10 making it, and certified by an officer authorized by law to administer oaths, and  
11 immediately transmitted to the ~~commissioner~~ office of credit unions.

12 **SECTION 4936.** 186.22 (15) of the statutes is amended to read:

13 186.22 (15) PREFERENCE OF CREDIT. All the property of any bank, trust company  
14 or credit union which shall become insolvent shall be applied by the trustees,  
15 assignees or receivers thereof or by the ~~commissioner~~ office of credit unions in the  
16 first place to the payment in full of any sum or sums of money deposited therewith  
17 by the credit union finance corporation or due to the credit union finance corporation  
18 for subscriptions, sinking funds, interest and principal of bonds, or guaranty of  
19 mortgages, ratably and proportionately but not to an amount exceeding that  
20 authorized to be so deposited or contracted by the provisions of this section and in  
21 accordance and on an equality with any other preference provided for in this section.

22 **SECTION 4937.** 186.23 of the statutes is amended to read:

23 **186.23 Rules and regulations.** The ~~commissioner~~ office of credit unions  
24 shall, with the approval of the credit union review board, issue orders prescribing  
25 reasonable rules and regulations in conducting the business of credit unions or

1 corporations operating as provided in this chapter and it may in like manner issue  
2 orders amending, modifying, repealing or supplementing rules or orders. The  
3 violation of any such rule may be cause for the removal of any officer, director or  
4 employe of any credit union or corporation.

5 **SECTION 4938.** 186.24 (1) of the statutes is amended to read:

6 186.24 (1) Whenever the ~~commissioner~~ office of credit unions is of the opinion  
7 that the loaning, investing or other policies and practices of any officer, director or  
8 committee member of any credit union have been prejudicial to the best interest of  
9 such credit union or its investors, or that such policies or practices, if put into  
10 operation or continued, will endanger the safety or solvency of said credit union or  
11 impair the interest of its investors, the ~~commissioner~~ office of credit unions may  
12 request the removal of such officer, director or committee member. Such request  
13 shall be served on the credit union and on such officer, director or committee member  
14 in the manner provided by law for serving a summons in a court of record, or shall  
15 be transmitted to the credit union and the officer, director or committee member by  
16 registered mail, with return receipt requested. Such request shall specify the  
17 reasons for the removal of such officer, director or committee member, and also shall  
18 advise such officer, director or committee member relative to that person's rights to  
19 a hearing before the credit union review board as provided in this section. A copy of  
20 such request for removal shall be transmitted to each member of the credit union  
21 review board at the same time such request is being served upon the credit union and  
22 officer, director or committee member involved. If such request for removal is not  
23 complied with within a reasonable time fixed by the ~~commissioner~~ office of credit  
24 unions, the ~~commissioner~~ office may by order, with approval of the credit union  
25 review board, remove such officer, director or committee member, but no order for

1 removal shall be entered until after an opportunity for a hearing before the credit  
2 union review board is given such officer, director or committee member upon not less  
3 than 30 days' notice. An order for removal shall take effect as of the date issued.

4 **SECTION 4939.** 186.24 (2) of the statutes is amended to read:

5 186.24 (2) Any removal under this section shall be effective in all respects the  
6 same as if made by the board of directors or stockholders of said credit union. Any  
7 officer, director or committee member removed from such office under the provisions  
8 of this section shall not be reelected as an officer, director or committee member of  
9 any credit union without the approval of the ~~commissioner~~ office of credit unions and  
10 advisory committee.

11 **SECTION 4940.** 186.24 (3) of the statutes is amended to read:

12 186.24 (3) If the removal under sub. (1) or the resignation or death of credit  
13 union directors prevents a credit union board of directors from securing the quorum  
14 required at board meetings and thus prevents continued operation of the credit  
15 union, the ~~commissioner~~ office of credit unions may appoint temporary directors to  
16 fill the vacancies for up to 120 days or until an election of directors to fill the vacancies  
17 has been held at a special meeting of the membership called for such purpose.

18 **SECTION 4941.** 186.25 of the statutes is amended to read:

19 **186.25 Supervision; reports.** All credit unions formed under this or other  
20 similar law, or authorized to transact in this state a business similar to that  
21 authorized to be done by this chapter, shall be under the control and supervision of  
22 the ~~commissioner~~ office of credit unions. Every such corporation shall make a full  
23 and detailed report of its business as of December 31 for that year, and of its condition  
24 on such date, in such form and containing such information as the ~~commissioner~~  
25 office of credit unions may prescribe, and shall file with the ~~commissioner~~-a true and

**SECTION 4941**

1 verified copy thereof on or before February 1 thereafter. Accompanying the same  
2 shall be attached a copy of the statement of the credit union at the close of its last  
3 fiscal year. If any such credit union fails or refuses to furnish the report herein  
4 required, it shall be subject, at the discretion of the ~~commissioner~~ office of credit  
5 unions, to a forfeiture of \$1 to \$10 per day for each day of default, and the  
6 ~~commissioner~~ office of credit unions may maintain an action in the name of the state  
7 to recover such penalty, and the same shall be paid into the state treasury. A credit  
8 union shall publish the report as a class 1 notice, under ch. 985, in the municipality,  
9 as defined in s. 985.01 (3), where the credit union is located if the credit union has  
10 assets of \$10,000,000 or more or has a membership as described in s. 186.02 (2) (b)  
11 2. The published report shall be in the condensed form as the ~~commissioner~~ office  
12 of credit unions prescribes. Proof of publication shall be furnished to the  
13 ~~commissioner~~ office of credit unions within 45 days after the date of the report.

14 **SECTION 4942.** 186.26 (1) (a) of the statutes is amended to read:

15 186.26 (1) (a) At least once each year, the ~~commissioner~~ office of credit unions  
16 shall make or cause to be made an examination of the cash, bills, collaterals,  
17 securities, assets, books of account, condition and affairs of each credit union and for  
18 that purpose the ~~commissioner or the examiners appointed by the commissioner~~  
19 office of credit unions shall have full access to, and may compel the production of,  
20 each credit union's books, papers, securities and moneys, administer oaths to and  
21 examine each credit union's officers and agents as to their respective affairs. Special  
22 examination shall be made upon written request of 5 or more members, if those  
23 members guarantee the expense of the special examination. The refusal of any credit  
24 union to submit to an examination ordered or requested shall be reported to the

1 department of justice for the purpose of instituting proceedings to have the charter  
2 of the credit union revoked because of the refusal.

3 **SECTION 4943.** 186.26 (1) (b) of the statutes is amended to read:

4 186.26 (1) (b) In lieu of an annual examination of a credit union under par. (a),  
5 the ~~commissioner~~ office of credit unions may accept an audit report of the condition  
6 of the credit union made by a certified public accountant not an employe of the credit  
7 union in accordance with rules promulgated by the ~~commissioner~~ office of credit  
8 unions. The cost of the audit shall be paid by the credit union. A copy of each audit  
9 under this paragraph shall be furnished to the Wisconsin credit union savings  
10 insurance corporation if the credit union's savings are protected or guaranteed by the  
11 Wisconsin credit union savings insurance corporation.

12 **SECTION 4944.** 186.26 (2) of the statutes is amended to read:

13 186.26 (2) If records are located outside this state, at the option of the  
14 ~~commissioner~~ office of credit unions, the credit union shall either make the records  
15 available to the ~~commissioner~~ office of credit unions at a convenient location within  
16 this state or pay the reasonable and necessary expenses for the ~~commissioner or~~  
17 ~~examiners~~ office to examine the records at the place where they are maintained. The  
18 ~~commissioner~~ office of credit unions may designate examiners, including comparable  
19 officials of the state in which the records are located, to inspect them on the  
20 ~~commissioner's~~ office's behalf. Except as provided in s. 186.113 (1m), the  
21 maintenance of any office or branch outside this state is not allowed under this  
22 chapter.

23 **SECTION 4945.** 186.27 (intro.) of the statutes is amended to read:

24 **186.27 Disclosure of information.** (intro.) ~~The commissioner, all other~~  
25 ~~officers and employes of the office,~~ Employes of the office of credit unions and

1 members of the review board shall keep secret all the facts and information obtained  
2 in the course of examinations, except:

3 **SECTION 4946.** 186.27 (3) (intro.) of the statutes is amended to read:

4 186.27 (3) (intro.) The ~~commissioner~~ office of credit unions may do any of the  
5 following:

6 **SECTION 4947.** 186.27 (3) (b) of the statutes is amended to read:

7 186.27 (3) (b) Give access to and disclose to the national board or any official  
8 or examiner of it any information possessed by the ~~commissioner~~ office of credit  
9 unions about the conditions or affairs of any credit union whose savings are insured  
10 by the national board.

11 **SECTION 4948.** 186.28 (title) of the statutes is amended to read:

12 **186.28 (title) Bookkeeping; forfeiture for failure to obey commissioner.**

13 **SECTION 4949.** 186.28 (1) of the statutes is amended to read:

14 186.28 (1) A credit union shall open and keep accurate and convenient records  
15 of its transactions and accounts. If the ~~commissioner~~ office of credit unions  
16 determines that a credit union does not keep its books and accounts in a manner  
17 which enables the ~~commissioner~~ office to readily ascertain the true condition of the  
18 credit union, the ~~commissioner~~ office of credit unions may require any officer of the  
19 credit union to open and keep such books or accounts as the ~~commissioner~~ office may  
20 prescribe in order to remedy the deficiency.

21 **SECTION 4950.** 186.28 (2) of the statutes is amended to read:

22 186.28 (2) Any credit union that refuses or neglects to maintain books or  
23 accounts in the manner prescribed under sub. (1) shall be subject, upon written  
24 notification of the ~~commissioner~~ office of credit unions, to a forfeiture not to exceed  
25 \$10 for each day it is in violation. If any credit union fails or refuses to pay the

1 forfeiture, the ~~commissioner~~ office of credit unions may institute proceedings to  
2 enforce its collection.

3 **SECTION 4951.** 186.29 (title) of the statutes is amended to read:

4 **186.29 (title) Possession by ~~commissioner~~ office.**

5 **SECTION 4952.** 186.29 (1) (intro.) of the statutes is amended to read:

6 186.29 (1) CONDITIONS FOR TAKING POSSESSION. (intro.) The ~~commissioner~~ office  
7 of credit unions may forthwith take possession and control of the business and  
8 property of any credit union to which this chapter is applicable whenever the  
9 ~~commissioner~~ office of credit unions finds a credit union violating this chapter or that  
10 the credit union:

11 **SECTION 4953.** 186.29 (1) (h) of the statutes is amended to read:

12 186.29 (1) (h) Has neglected or refused to comply with the terms of a duly issued  
13 order of the ~~commissioner~~ office of credit unions; or

14 **SECTION 4954.** 186.29 (1m) (a) of the statutes is amended to read:

15 186.29 (1m) (a) The ~~commissioner~~ office of credit unions may suspend, for a  
16 period of up to 120 days, the business or an officer, director, committee member or  
17 employe of a credit union if the ~~commissioner~~ office finds the existence of any  
18 condition under sub. (1) (a) to (k). The ~~commissioner~~ office of credit unions may  
19 renew a suspension under this paragraph any number of times and for periods of up  
20 to 120 days if the ~~commissioner~~ office finds that the condition or conditions continue  
21 to exist.

22 **SECTION 4955.** 186.29 (1m) (b) of the statutes is amended to read:

23 186.29 (1m) (b) The ~~commissioner~~ office of credit unions shall suspend the  
24 business of a credit union, other than a corporate central credit union, if the credit  
25 union does not comply with s. 186.34 (2) (a). The ~~commissioner~~ office of credit unions

1 shall then liquidate the credit union under this section unless the credit union files  
2 a complete application for federal share insurance from the national board within 30  
3 days after the date the suspension under this paragraph commences. The  
4 ~~commissioner~~ office of credit unions shall authorize a credit union to resume its  
5 business if it files an application within the time period specified in this paragraph.

6 **SECTION 4956.** 186.29 (1p) (title) of the statutes is amended to read:

7 186.29 (1p) (title) POSSESSION BY ~~COMMISSIONER~~ OFFICE OF CREDIT UNIONS.

8 **SECTION 4957.** 186.29 (1p) (a) of the statutes is amended to read:

9 186.29 (1p) (a) *Discretionary possession.* The ~~commissioner~~ office of credit  
10 unions may take possession of the business and property of a credit union if the  
11 ~~commissioner~~ office finds the existence of any condition under sub. (1) (a) to (k).

12 **SECTION 4958.** 186.29 (1p) (b) of the statutes is amended to read:

13 186.29 (1p) (b) *Mandatory possession.* The ~~commissioner~~ office of credit unions  
14 shall take possession of the business and property of a credit union that violates s.  
15 186.34 (2) (b), unless the ~~commissioner~~ office approves a consolidation under s.  
16 186.31, and of a credit union that the ~~commissioner~~ office of credit unions is required  
17 to liquidate under sub. (1m) (b).

18 **SECTION 4959.** 186.29 (2) (intro.) of the statutes is amended to read:

19 186.29 (2) PROCEDURE ON TAKING POSSESSION. (intro.) Upon taking possession  
20 of the business and property of any such credit union the ~~commissioner~~ office of credit  
21 unions shall forthwith:

22 **SECTION 4960.** 186.29 (2) (a) of the statutes is amended to read:

23 186.29 (2) (a) Serve a notice in writing upon the president and secretary of said  
24 credit union setting forth therein that the ~~commissioner~~ office of credit unions has  
25 taken possession and control of the business and property of said credit union. Said

1 notice shall be executed in duplicate, and immediately after the same has been  
2 served, one of the said notices shall be filed with the clerk of the circuit court of the  
3 county where said credit union is located together with proof of service.

4 **SECTION 4961.** 186.29 (2) (b) of the statutes is amended to read:

5 186.29 (2) (b) Give notice to all individuals, partnerships, corporations, limited  
6 liability companies and associations known to the ~~commissioner~~ office of credit  
7 unions to be holding or in possession of any assets of such credit union.

8 **SECTION 4962.** 186.29 (2) (c) of the statutes is amended to read:

9 186.29 (2) (c) The ~~commissioner~~ office of credit unions may appoint one or more  
10 special ~~deputy commissioners~~ deputies as ~~agent~~ agents to assist in the duty of  
11 liquidation and distribution of the assets of one or more credit unions of whose  
12 business and property the ~~commissioner~~ office of credit unions shall have taken  
13 possession pursuant to the provisions of this chapter. A certificate of such  
14 appointment shall be filed in the office of the ~~commissioner~~ credit unions and a  
15 certified copy in the office of the clerk of the circuit court for the county in which such  
16 credit union is located. The ~~commissioner~~ office of credit unions may employ such  
17 counsel and procure such expert assistance and advice as may be necessary in the  
18 liquidation and distribution of the assets of such credit union, and may retain such  
19 of the officers or employes of such credit union as the ~~commissioner~~ office deems  
20 necessary. The special deputy ~~commissioner~~ and assistants shall furnish such  
21 security for the faithful discharge of their duties as the ~~commissioner~~ office of credit  
22 unions deems proper. ~~Such~~ The special deputy ~~commissioner~~ may execute,  
23 acknowledge and deliver any and all deeds, assignments, releases or other  
24 instruments necessary and proper to effect any sale and transfer or incumbrance of  
25 real estate or personal property and may borrow money for use in the liquidation

1 after the same has been approved by the ~~commissioner~~ office of credit unions and an  
2 order obtained from the circuit court of the county in which said credit union is  
3 located as hereinafter provided.

4 **SECTION 4963.** 186.29 (2) (d) of the statutes is amended to read:

5 186.29 (2) (d) Upon taking possession of the property and business of such  
6 credit union, the special deputy ~~commissioner~~ is authorized to collect all moneys due  
7 to such credit union, and do such other acts as are necessary to conserve its assets  
8 and business, and shall proceed to liquidate the affairs thereof as hereinafter  
9 provided. The special deputy ~~commissioner~~ shall collect all debts due and claims  
10 belonging to it, and upon a petition approved by the ~~commissioner~~ office of credit  
11 unions and upon order of the circuit court of the county in which such credit union  
12 is located, may sell or compound all bad or doubtful debts, or do any act or execute  
13 any other necessary instruments and upon like petition and order may sell all the  
14 real and personal property of such credit union on such terms as the court shall  
15 approve. ~~Such~~ The special deputy ~~commissioner~~ may, if necessary, enforce individual  
16 liability of the stockholders to pay the debts of such corporation.

17 **SECTION 4964.** 186.29 (3) of the statutes is amended to read:

18 186.29 (3) NOTICE, ALLOWANCE AND PAYMENT OF CLAIMS. The special deputy  
19 ~~commissioner~~ shall cause a class 3 notice, under ch. 985, to be published, calling on  
20 all persons who may have claims against such credit union, to present the same to  
21 the special deputy ~~commissioner~~ and make legal proof thereof at a place and within  
22 a time, not earlier than the last day of publication, to be therein specified. The special  
23 deputy ~~commissioner~~ shall mail a similar notice to all persons at their last-known  
24 address, whose names appear as creditors upon the books of the credit union. Proof  
25 of service of such notice shall be filed with the clerk of said court. The special deputy

1 commissioner may reject any claim. Any party interested may also file written  
2 objections to any claim with the special deputy commissioner and after notice by  
3 registered mail of such rejection, said claimant shall be barred unless the claimant  
4 commences an action thereon within 3 months. Claims presented after the  
5 expiration of the time fixed in the notice to creditors shall be entitled to share in the  
6 distribution only to the extent of the assets then in the hands of the special deputy  
7 commissioner equitably applicable thereto.

8 **SECTION 4965.** 186.29 (4) of the statutes is amended to read:

9 186.29 (4) INVENTORY OF ASSETS AND STATEMENT OF LIABILITIES. Upon taking  
10 possession of the property and assets of such credit union, the special deputy  
11 commissioner shall make an inventory of the assets of such credit union, in duplicate,  
12 one to be filed in the office of the commissioner credit unions and one in the office of  
13 the clerk of circuit court for the county in which such credit union is located. Upon  
14 the expiration of the time fixed for the presentation of claims, the special deputy  
15 commissioner shall make in duplicate a full and complete list of the claims presented,  
16 including and specifying such claims as have been rejected by the special deputy  
17 commissioner, one to be filed in the office of the commissioner credit unions, and one  
18 in the office of the clerk of circuit court for the county in which such credit union is  
19 located. Such inventory and list of claims shall be open at all reasonable times to  
20 inspection.

21 **SECTION 4966.** 186.29 (5) of the statutes is amended to read:

22 186.29 (5) ADJUSTMENT OF LOANS AND WITHDRAWAL VALUE OF SHARES. The value  
23 of shares pledged upon a loan to the credit union shall be applied and credited to the  
24 loan and the borrower shall be liable only for the balance. The rate of interest  
25 charged upon the balance shall be the legal rate. The value shall be determined in

1 such manner as the ~~commissioner~~ office of credit unions prescribes, and shall be  
2 made under s. 186.30 (1) and (3), or in such other manner as the ~~commissioner~~ office  
3 may prescribe. Upon the approval of the value by the ~~commissioner~~ office of credit  
4 unions and the circuit court of the county in which the credit union is located, the  
5 book value of each member shall be reduced proportionately. At least 5 days' written  
6 notice of the determination of value shall be given to all shareholders of the time and  
7 place the value shall be submitted to the circuit court for approval. Approval of the  
8 circuit court shall be by an order entered under s. 807.11 (2). Any stockholder or  
9 creditor of the credit union aggrieved by the determination of value may appeal to  
10 the court of appeals.

11 **SECTION 4967.** 186.29 (6) of the statutes is amended to read:

12 186.29 (6) COMPENSATION AND EXPENSES IN CONNECTION WITH LIQUIDATION. The  
13 compensation of the special ~~deputy commissioners~~ deputies, counsel and other  
14 employes and assistants, and all expenses of supervision and liquidation shall be  
15 fixed by the ~~commissioner~~ office of credit unions, subject to the approval of the circuit  
16 court for the county in which the credit union is located, and shall upon the certificate  
17 of the ~~commissioner~~ office of credit unions be paid out of the funds of the credit union.  
18 Expenses of supervision and liquidation include the cost of the services rendered by  
19 the office of ~~the commissioner~~ credit unions to the credit union being liquidated. The  
20 cost of these services shall be determined by the ~~commissioner~~ office of credit unions  
21 and paid to the office of ~~the commissioner~~ from the assets of the credit union as other  
22 expenses of liquidation are paid. The moneys collected by the special deputy  
23 ~~commissioner~~ shall be deposited in one or more central credit unions, and, in case of  
24 the suspension or insolvency of a depository, such deposits shall be preferred before  
25 all other deposits.

**SECTION 4968**

1           **SECTION 4968.** 186.29 (7) of the statutes is amended to read:

2           186.29 (7) LIQUIDATING DIVIDENDS. At any time after the expiration of the date  
3 fixed for the presentation of claims, the special deputy ~~commissioner~~ in charge of the  
4 liquidation of such credit union may, upon a petition approved by the ~~commissioner~~  
5 office of credit unions and an order of the circuit court of the county in which such  
6 credit union is located, out of the funds remaining, after the payment of expenses and  
7 debts, declare one or more dividends, and may declare a final dividend, such dividend  
8 to be paid to such persons, and in such amounts as may be directed by the circuit  
9 court.

10           **SECTION 4969.** 186.29 (8) of the statutes is amended to read:

11           186.29 (8) (title) TITLE PASSES TO ~~COMMISSIONER OFFICE~~. Immediately upon filing  
12 the notice as provided for in sub. (2), the possession of all assets and property of such  
13 credit union of every kind and nature, wheresoever situated shall be deemed to be  
14 transferred from such credit union to, and assumed by the ~~commissioner~~ office of  
15 credit unions; and filing of the notice mentioned herein, shall of itself, and without  
16 the execution or delivery of any instruments of conveyance, assignment, transfer or  
17 indorsement, vest the title to all such assets and property in the ~~commissioner~~ office  
18 of credit unions. Such filing shall also operate as a bar to any attachment,  
19 garnishment, execution or other legal proceedings against such credit union, or its  
20 assets and property, or its liabilities.

21           **SECTION 4970.** 186.29 (9) of the statutes is amended to read:

22           186.29 (9) EFFECT OF POSSESSION. No credit union shall have a lien, or charge  
23 for any payment, advance or clearance made, or liability thereafter incurred, against  
24 any of the assets of the credit union of whose property and business the ~~commissioner~~  
25 office of credit unions shall have taken possession.

**SECTION 4971**

1           **SECTION 4971.** 186.29 (10) of the statutes is amended to read:

2           186.29 (10) APPEAL. Whenever any such credit union, whose property and  
3 business the ~~commissioner~~ office of credit unions has taken possession of, as  
4 aforesaid, deems itself aggrieved thereby, it may, at any time within 10 days after  
5 such taking, appeal to the credit union review board for relief from such possession  
6 by the ~~commissioner~~ office of credit unions. In the event the credit union review  
7 board sustains the ~~commissioner~~ office of credit unions, the said credit union may  
8 then at any time within 10 days after the decision of the credit union review board,  
9 apply to the circuit court of the county in which such credit union is located to enjoin  
10 further proceedings; and said court, after citing the ~~commissioner~~ office of credit  
11 unions to show cause why further proceedings should not be enjoined and hearing  
12 all allegations and proofs of the parties and determining the facts, may, upon the  
13 merits dismiss such application or enjoin the ~~commissioner~~ office of credit unions  
14 from further proceedings, and direct it to surrender such business and property to  
15 such credit union.

16           **SECTION 4972.** 186.29 (11) (intro.) of the statutes is amended to read:

17           186.29 (11) REINSTATEMENT. (intro.) Whenever the ~~commissioner~~ office of credit  
18 unions shall have taken over the possession and control of the business and property  
19 of any credit union the same may resume business when and if:

20           **SECTION 4973.** 186.29 (11) (a) of the statutes is amended to read:

21           186.29 (11) (a) The owners of at least two-thirds of such credit union dollar  
22 value of outstanding shares, execute a petition to such effect, the form of which shall  
23 be prescribed by the ~~commissioner~~ office of credit unions, and

24           **SECTION 4974.** 186.29 (11) (b) of the statutes is amended to read:

1           186.29 (11) (b) There is submitted to the ~~commissioner~~ office of credit unions  
2 by such shareholders or a committee duly selected by them, a plan for the  
3 reorganization and reinstatement of such credit union, and

4           **SECTION 4975.** 186.29 (11) (c) of the statutes is amended to read:

5           186.29 (11) (c) The ~~commissioner~~ office of credit unions recommends that  
6 control of the business and property of such credit union be returned to the  
7 shareholders, and

8           **SECTION 4976.** 186.29 (11) (d) of the statutes is amended to read:

9           186.29 (11) (d) The court in which such liquidation is pending, upon application  
10 of the ~~commissioner~~ office of credit unions, makes an order approving the  
11 ~~commissioner's office's~~ recommendations, which order shall contain a finding that  
12 such credit union will be in a safe and sound condition when control is resumed by  
13 the shareholders.

14           **SECTION 4977.** 186.29 (12) of the statutes is amended to read:

15           186.29 (12) REINSTATEMENT UPON RESTRICTED BASIS. Such credit union may also  
16 resume business upon a restricted basis, and upon such limitations and conditions  
17 as may be prescribed by the ~~commissioner~~ office of credit unions when approved by  
18 the circuit court in and for the county in which such credit union is located, upon  
19 application of the ~~commissioner~~ office of credit unions. Such restrictions and  
20 conditions may include, among others, a prohibition against the selling of new  
21 shares, reasonable restrictions upon withdrawals and the payment of other  
22 liabilities. Such credit union shall thereupon be relieved from the control and  
23 supervision of the ~~commissioner~~ office of credit unions as provided in this section, but  
24 nothing herein shall, in any manner, prohibit the ~~commissioner~~ office from again  
25 proceeding against such credit union as provided herein.

1           **SECTION 4978.** 186.29 (13) (a) of the statutes is amended to read:

2           186.29 (13) (a) The special deputy ~~commissioner~~ shall deposit unclaimed  
3 liquidating dividends and unclaimed funds remaining unpaid in the hands of the  
4 special deputy ~~commissioner~~ for 6 months after the order for final distribution in one  
5 or more central credit unions in the ~~commissioner's~~ office of credit unions' name in  
6 trust for the shareholders and creditors of the liquidated credit union. The  
7 ~~commissioner~~ office of credit unions shall annually report to the governor and the  
8 chief clerk of each house of legislature for distribution to the legislature under s.  
9 13.172 (2) the names of credit unions of which the ~~commissioner~~ office has taken  
10 possession and liquidated, and the sums of unclaimed and unpaid liquidating  
11 dividends and unclaimed funds with respect to each of the credit unions respectively,  
12 including a statement of interest earned upon such funds.

13           **SECTION 4979.** 186.29 (13) (b) of the statutes is amended to read:

14           186.29 (13) (b) The ~~commissioner~~ office of credit unions may pay over the  
15 moneys so held by the ~~commissioner~~ office to the persons respectively entitled  
16 thereto, upon being furnished satisfactory evidence of their right to the same. In case  
17 of doubt or conflicting claims, the ~~commissioner~~ office of credit unions may require  
18 an order of the circuit court authorizing and directing the payment thereof. The  
19 ~~commissioner~~ office of credit unions may apply the interest earned by the moneys so  
20 held by the ~~commissioner~~ office towards defraying the expenses in the payment and  
21 distribution of such unclaimed liquidating dividends and funds to the stockholders  
22 and creditors entitled to receive the same.

23           **SECTION 4980.** 186.29 (13) (c) of the statutes is amended to read:

24           186.29 (13) (c) After one year from the time of the order for final distribution,  
25 the ~~commissioner~~ office of credit unions shall report and deliver to the state treasurer

**SECTION 4980**

1 all unclaimed funds as provided in ch. 177. All claims subsequently arising shall be  
2 presented to the ~~commissioner~~ office of credit unions. If the ~~commissioner~~ office of  
3 credit unions determines that any claim should be allowed, ~~he or she~~ the office shall  
4 certify to the department of administration the name and address of the person  
5 entitled to payment and the amount thereof and shall attach the claim to the  
6 certificate. The ~~department~~ secretary of administration shall certify the claim to the  
7 state treasurer for payment.

8 **SECTION 4981.** 186.30 (1) of the statutes is amended to read:

9 186.30 (1) Whenever from an examination or report, it shall appear to the  
10 ~~commissioner~~ office of credit unions that the capital of any credit union is impaired,  
11 or may in the near future become impaired, the ~~commissioner~~ office of credit unions  
12 may, with the approval of the credit union review board, issue an order to such credit  
13 union, requiring the directors to forthwith appoint, subject to the approval of the  
14 ~~commissioner~~ office of credit unions, 3 competent persons, not members of such  
15 credit union, who shall appraise such property owned by, or upon which such credit  
16 union has a loan or judgment, as the ~~commissioner~~ office shall designate. The  
17 appraisers so appointed and approved shall appraise and fix the current market  
18 value of all such property as aforesaid and report their findings to the ~~commissioner~~  
19 office of credit unions and the directors. The value as found by such appraisers shall  
20 be the value from which all losses shall be determined.

21 **SECTION 4982.** 186.30 (2) of the statutes is amended to read:

22 186.30 (2) Whenever the ~~commissioner~~ office of credit unions finds that the  
23 losses existing, or which it may reasonably be anticipated will be sustained in the  
24 near future, are more than two-thirds of the amount in the regular reserve of the  
25 credit union, the ~~commissioner~~ office of credit unions may, with the approval of the

1 review board, issue an order to such credit union, which order shall provide that no  
2 further dividends be credited or paid and no moneys paid out for retiring shares,  
3 whether noticed for withdrawal, until the ~~commissioner~~ office otherwise orders.

4 **SECTION 4983.** 186.30 (3) of the statutes is amended to read:

5 186.30 (3) After the ~~commissioner~~ office of credit unions shall have determined  
6 the losses existing or which the ~~commissioner~~ office shall determine may reasonably  
7 be sustained in the near future, the ~~commissioner~~ office of credit unions shall issue  
8 an order providing that the book value of each share be depreciated as stated in such  
9 order, the officers shall forthwith proceed to depreciate the book value of all shares  
10 as ordered. A record shall be made on the books showing the amount by which the  
11 book value of the shares was depreciated, and a copy of such record shall be filed with  
12 the ~~commissioner~~ office of credit unions.

13 **SECTION 4984.** 186.30 (5) of the statutes is amended to read:

14 186.30 (5) The directors may, with the approval of the ~~commissioner~~ office of  
15 credit unions, make share loans to members upon such terms and conditions as the  
16 ~~commissioner~~ office may order, but such loans shall be for provident purposes only  
17 and not more than \$100 shall be loaned to any one member in any one month.

18 **SECTION 4985.** 186.30 (7) of the statutes is amended to read:

19 186.30 (7) The directors may, with the approval of the ~~commissioner~~ office of  
20 credit unions, sell, lease, transfer, exchange and convey any of the property of the  
21 credit union, and upon their order the proper officers shall execute and deliver such  
22 deeds, leases, assignments, bills of sale and such other transfers and conveyances as  
23 are necessary to dispose of such property as herein provided.

24 **SECTION 4986.** 186.30 (8) of the statutes is amended to read:

1           186.30 (8) The directors may compromise and settle any claim, demand or  
2 judgment which is a part of the assets of the credit union, but no compromise of any  
3 claim, demand or judgment shall be made except upon express consent of the  
4 ~~commissioner~~ office of credit unions.

5           **SECTION 4987.** 186.30 (9) of the statutes is amended to read:

6           186.30 (9) The ~~commissioner~~ office of credit unions shall prescribe reasonable  
7 rules and regulations not inconsistent with laws for the operation of credit unions  
8 operating as provided in this section.

9           **SECTION 4988.** 186.30 (11) of the statutes is amended to read:

10          186.30 (11) The directors shall make no disbursements or contract to make  
11 disbursements for salaries, compensation, fees or any other item of expense, nor  
12 retire shares, nor pay or declare dividends during the time such credit union is  
13 operating as provided in this section without the approval of the ~~commissioner~~ office  
14 of credit unions.

15          **SECTION 4989.** 186.31 (1) of the statutes is amended to read:

16          186.31 (1) Any credit union, which is in good faith winding up its business for  
17 the purpose of consolidating with some other credit union, may transfer its assets  
18 and liabilities to the credit union with which it is in the process of consolidation; but  
19 no consolidation may be made without the consent of the ~~commissioner~~ office of credit  
20 unions, and not then to defeat or defraud any of its creditors in the collection of debts  
21 against such credit union. No consolidation may be carried out without the consent  
22 of the Wisconsin credit union savings insurance corporation if it protects or  
23 guarantees the accounts of any credit union participating in the consolidation, or the  
24 national board if it insures the shares of any credit union participating in the  
25 consolidation.

**SECTION 4990**

1           **SECTION 4990.** 186.31 (2) of the statutes is amended to read:

2           186.31 (2) With the approval of the ~~commissioner~~ office of credit unions, credit  
3 unions may consolidate. To effect a consolidation, the board of directors of each  
4 consolidating union shall, by resolution, propose a specific plan for consolidation  
5 which shall be agreed to by a majority of the board of each credit union joining in the  
6 consolidation and directing that the proposed plan of consolidation be submitted to  
7 a vote at a meeting of members of the credit unions being absorbed which may be  
8 either an annual or a special meeting. Written notice of the meeting setting forth the  
9 proposed plan of consolidation or a summary shall be given to each member of the  
10 credit unions being absorbed within the time and in the manner provided for the  
11 giving of notice of meetings of members of the credit union. The proposed plan shall  
12 be adopted upon receiving a majority of the votes entitled to be cast by members  
13 present at the meeting.

14           **SECTION 4991.** 186.314 (2) of the statutes is amended to read:

15           186.314 (2) A statement of the results of the vote, verified by the affidavits of  
16 the president or vice president and the secretary, shall be filed with the office of ~~the~~  
17 ~~commissioner~~ credit unions within 10 days after the vote is taken.

18           **SECTION 4992.** 186.314 (3) of the statutes is amended to read:

19           186.314 (3) Promptly after the vote is taken and in no event later than 90 days  
20 thereafter, if the proposition for conversion was approved by such vote, the credit  
21 union shall take such action as may be necessary under the federal law to make it  
22 a federal credit union, and within 10 days after receipt of the federal credit union  
23 charter, there shall be filed with the office of ~~the commissioner~~ credit unions a copy  
24 of the charter thus issued. Upon such filing, the credit union shall cease to be a state  
25 credit union.

1           **SECTION 4993.** 186.314 (4) of the statutes is amended to read:

2           186.314 (4) Upon ceasing to be a state credit union, such credit union shall no  
3 longer be subject to this chapter. The successor federal credit union shall be vested  
4 with all the assets and shall continue to be responsible for all of the obligations of the  
5 state credit union, including annual and special assessments levied under s. 186.35  
6 (5) (d) prior to the date a copy of the federal credit union charter is filed with the  
7 ~~commissioner~~ office of credit unions, to the same extent as though the conversion had  
8 not taken place.

9           **SECTION 4994.** 186.315 of the statutes is amended to read:

10           **186.315 Charter cancellation.** Upon completion of a voluntary liquidation  
11 as provided in s. 186.18, or upon completion of the liquidation in cases under s.  
12 186.29, or after the assets and liabilities of a credit union are transferred to another  
13 credit union for the purpose of consolidation as provided in s. 186.31 (3), the  
14 ~~commissioner~~ office of credit unions shall forthwith cancel the charter of the credit  
15 union or credit unions liquidated or absorbed in consolidation without any other or  
16 further notice to said credit union or to any person. A certified copy of the order or  
17 certificate of the ~~commissioner~~ office of credit unions shall be recorded with the  
18 register of deeds of the county where said credit union is located. The register of  
19 deeds shall note on the margin of the record of the articles of incorporation of said  
20 credit union the volume and page where said order or certificate canceling its charter  
21 is recorded and shall be entitled to a fee of 50 cents therefor. In case of voluntary  
22 liquidation under s. 186.18 or consolidation under s. 186.31, the credit union shall  
23 record the order or certificate of the ~~commissioner~~ office of credit unions and pay the  
24 fee therefor. In case of liquidation under s. 186.29, the ~~commissioner~~ office of credit  
25 unions or special deputy ~~commissioner~~ as therein provided shall record the order or

1 certificate of the ~~commissioner~~ office and pay the fee therefor out of the assets of the  
2 credit union as an expense of liquidation.

3 **SECTION 4995.** 186.33 of the statutes is amended to read:

4 **186.33 Other powers.** Credit unions may engage in the business and  
5 functions provided for in s. 218.05 and ch. 217 for their members upon receiving a  
6 certificate of authority from the ~~commissioner~~ office of credit unions. The certificate  
7 of authority shall be issued by the ~~commissioner~~ office of credit unions upon  
8 application of a credit union whenever the ~~commissioner~~ office finds that the credit  
9 union has adequate clerical facilities and has provided for the keeping of adequate  
10 accounts and for the segregation of funds used in carrying on the business of issuing  
11 their own credit union money orders. The applicants shall meet the same  
12 requirements as other applicants under ch. 217, but no investigation fee may be  
13 charged of credit union applicants. The ~~commissioner~~ office of credit unions may  
14 revoke a certificate of authority following a hearing held upon 10 days' notice to the  
15 credit union for any reason which would have justified the rejection of an application  
16 or on the ground that the continued operation of the business threatens the solvency  
17 of the credit union.

18 **SECTION 4996.** 186.34 (2) (a) of the statutes is amended to read:

19 186.34 (2) (a) Every credit union organized under this chapter prior to July 20,  
20 1985, except a corporate central credit union, shall file a complete application for  
21 federal share insurance from the national board not later than January 18, 1986.  
22 The ~~commissioner~~ office of credit unions shall suspend the business of or liquidate  
23 any credit union that fails to comply with this paragraph under s. 186.29 (1m) (b).

24 **SECTION 4997.** 186.34 (2) (b) of the statutes is amended to read:

1           186.34 (2) (b) Every credit union incorporated under this chapter prior to July  
2           20, 1985, except a corporate central credit union, shall obtain a certificate of  
3           insurance issued by the national board within 54 months after July 20, 1985. The  
4           ~~commissioner~~ office of credit unions may extend for a period not to exceed 12 months  
5           the date by which a credit union must obtain a certificate of insurance upon  
6           satisfactory evidence that the credit union has made or is making a substantial effort  
7           to satisfy the conditions precedent to issuance of the certificate of insurance. Unless  
8           the ~~commissioner~~ office of credit unions approves a consolidation under s. 186.31, the  
9           ~~commissioner~~ office shall liquidate under s. 186.29 any credit union that fails to  
10          comply with this paragraph.

11           **SECTION 4998.** 186.34 (3) (intro.) of the statutes is amended to read:

12           186.34 (3) (intro.) The ~~commissioner~~ office of credit unions shall give the  
13          Wisconsin credit union savings insurance corporation written notice of all of the  
14          following:

15           **SECTION 4999.** 186.34 (4) of the statutes is amended to read:

16           186.34 (4) Every credit union that receives a certificate of insurance from the  
17          national board shall file a copy of the certificate with the ~~commissioner~~ office of credit  
18          unions within 30 days after the credit union receives the certificate. Every credit  
19          union organized under this chapter prior to July 20, 1985, that receives a certificate  
20          of insurance from the national board shall also file a copy of the certificate with the  
21          Wisconsin credit union savings insurance corporation within 30 days after receipt of  
22          the certificate.

23           **SECTION 5000.** 186.35 (1) of the statutes is amended to read:

24           186.35 (1) ORGANIZATION. The Wisconsin credit union savings insurance  
25          corporation, a nonprofit corporation, hereinafter referred to as the "corporation",

1 shall be organized within one year after February 14, 1970, by the authorized  
2 representatives of not less than 9 credit unions chartered and existing under this  
3 chapter. The articles of incorporation shall require the approval of the ~~commissioner~~  
4 office of credit unions, and shall be filed with the ~~commissioner~~ office of credit unions  
5 and recorded with the register of deeds of the county in which the principal office of  
6 the corporation is located. Amendments to the articles, adopted by a vote of  
7 two-thirds of the member credit unions present at an annual meeting or a special  
8 meeting called for that purpose, shall be filed with the ~~commissioner~~ office of credit  
9 unions upon payment of a fee of \$5 and if approved by the ~~commissioner~~ office shall  
10 become effective upon being recorded in the office of the register of deeds in the same  
11 manner as the original articles. This corporation shall be under the exclusive  
12 supervision of the ~~commissioner~~ office of credit unions.

13 **SECTION 5001.** 186.35 (2) (b) of the statutes is amended to read:

14 186.35 (2) (b) Cooperate with its member credit unions and the office of ~~the~~  
15 ~~commissioner~~ credit unions for the purpose of improving the general welfare of credit  
16 unions in this state.

17 **SECTION 5002.** 186.35 (3) (n) of the statutes is amended to read:

18 186.35 (3) (n) As determined by the trustees, declare and pay dividends in cash  
19 or property to its members, except that the corporation may not declare or pay a  
20 dividend unless the ~~commissioner~~ office of credit unions has approved the dividend.

21 **SECTION 5003.** 186.35 (3m) (intro.) of the statutes is amended to read:

22 186.35 (3m) PROHIBITED USE OF FUNDS. (intro.) Notwithstanding subs. (2) and  
23 (3) (d), none of the corporation's funds may be used to assist member credit unions  
24 to meet the eligibility requirements for obtaining a certificate of federal share

1 insurance under s. 186.34, unless the ~~commissioner~~ office of credit unions  
2 determines all of the following:

3 **SECTION 5004.** 186.35 (5) (d) 2. of the statutes is amended to read:

4 186.35 (5) (d) 2. In the event of the potential impairment of the corporation's  
5 capital, special assessments may be levied against all member credit unions by the  
6 trustees with the approval of the ~~commissioner~~ office of credit unions. The trustees  
7 shall determine the total amount of any special assessment, and each member shall  
8 be liable to the corporation for a fraction of the total special assessment. Each  
9 member's fractional share of a special assessment shall be determined under sub.  
10 (12).

11 **SECTION 5005.** 186.35 (5) (f) of the statutes is amended to read:

12 186.35 (5) (f) The trustees may reduce or waive the annual assessment when  
13 the total funds in this corporation equal an amount which is mutually agreed upon  
14 by the trustees and the ~~commissioner~~ office of credit unions.

15 **SECTION 5006.** 186.35 (7) of the statutes is amended to read:

16 186.35 (7) SUPERVISION OF CORPORATION. The corporation shall be subject to  
17 supervision and an annual examination by the office of ~~the commissioner~~ credit  
18 unions. The cost of each examination shall be paid by the corporation.

19 **SECTION 5007.** 186.35 (8) of the statutes is amended to read:

20 186.35 (8) EXAMINATIONS OF CREDIT UNIONS. The office of ~~the commissioner~~  
21 credit unions shall promptly forward to the corporation copies of examination reports  
22 of all members. The cost of these copies shall be paid by the corporation. If the  
23 trustees of the corporation ascertain evidence of carelessness, unsound practices or  
24 mismanagement of any member or if the trustees determine that the activities of any  
25 member may jeopardize any of the corporation's assets, the trustees or their

1 designees may require the member to disclose its operational policies and  
2 procedures, and may recommend appropriate corrective measures to the member.  
3 If the trustees determine that the carelessness, unsound practices or  
4 mismanagement is not promptly corrected or that the threat to the corporation's  
5 assets has not been removed, the trustees may make appropriate recommendations  
6 to the ~~commissioner~~ office of credit unions, including the recommendation that the  
7 member be liquidated or consolidated.

8 **SECTION 5008.** 186.35 (9) of the statutes is amended to read:

9 186.35 (9) BYLAWS. The incorporators shall subscribe and submit to the  
10 ~~commissioner~~ office of credit unions, for approval, the bylaws and any amendments  
11 thereto under which the corporation shall operate. These bylaws may be amended  
12 at any regular or special meeting of the trustees or any annual or special meeting of  
13 the corporation.

14 **SECTION 5009.** 186.35 (11) (a) of the statutes is amended to read:

15 186.35 (11) (a) Within 30 days after receipt of written notice from the  
16 ~~commissioner~~ office of credit unions under s. 186.34 (3), the corporation shall publish  
17 a class 3 notice, under ch. 985, requiring all persons who have claims against the  
18 corporation to file proof of their respective claims at a place and by a date not earlier  
19 than 30 days after the last insertion of the notice. Proof of publication shall be filed  
20 with the clerk of the circuit court. Notwithstanding any other law, any claim for  
21 which no proof of claim is filed by the date fixed in the notice is barred. Within 30  
22 days after the last date for filing claims, the corporation shall give notice by  
23 registered or certified mail to each claimant if the corporation denies all or any part  
24 of the claimant's claims. Any claim for which notice of complete or partial denial is

1 duly mailed is barred unless the claimant commences an action within 90 days after  
2 the date of mailing of the notice.

3 **SECTION 5010.** 186.35 (11) (b) of the statutes is amended to read:

4 186.35 (11) (b) Within 30 days after the termination of the period for  
5 commencing actions under par. (a), the trustees shall determine the amount  
6 reasonably necessary to pay all of the corporation's outstanding, lawful liabilities  
7 and to pay the expenses of winding up the corporation's affairs. Upon receiving the  
8 approval of the ~~commissioner~~ office of credit unions, the corporation shall set aside  
9 the amount approved by the ~~commissioner~~ office and shall immediately distribute  
10 all of the remaining assets of the corporation, subject to par. (c). The corporation may  
11 make other subsequent distributions, subject to par. (c) if any additional surplus is  
12 realized. Any surplus remaining after the corporation has been dissolved shall be  
13 distributed, subject to par. (c).

14 **SECTION 5011.** 186.37 of the statutes is amended to read:

15 **186.37** (title) **Immunity of commissioner office.** The ~~commissioner~~ An  
16 employee of the office of credit unions shall not be subject to any civil liability or  
17 penalty, nor to any criminal prosecution, for any error in judgment or discretion made  
18 in good faith and upon reasonable grounds in any action taken or omitted by the  
19 ~~commissioner~~ office of credit unions in the ~~commissioner's~~ office's official capacity  
20 under this chapter.

21 **SECTION 5012.** 186.38 (2) of the statutes is amended to read:

22 186.38 (2) ORGANIZATION. The corporation may be organized under this section  
23 by the authorized representatives of one or more credit union share or deposit  
24 corporations. The articles of incorporation shall require the approval of the  
25 ~~commissioner~~ office of credit unions and shall be filed with the ~~commissioner~~ office

1 and recorded with the register of deeds of the county in which the principal office of  
2 the corporation is located. Amendments to the articles, adopted by a vote of  
3 two-thirds of the voting shares represented at an annual meeting or at a special  
4 meeting called for that purpose, shall be filed with the ~~commissioner~~ office of credit  
5 unions upon payment of a fee of \$5 and if approved by the ~~commissioner~~ office of  
6 credit unions shall become effective upon being recorded in the office of the register  
7 of deeds in the same manner as the original articles. This corporation shall be under  
8 the exclusive supervision of the ~~commissioner~~ office of credit unions under sub. (9)  
9 and the ~~commissioner~~ office shall, with the approval of the credit union review board,  
10 fix and assess the corporation a fair amount for such supervision and examination  
11 of the corporation.

12 **SECTION 5013.** 186.38 (5) (c) of the statutes is amended to read:

13 186.38 (5) (c) The terms of withdrawal from membership and restrictions on  
14 sale of capital stock shall be as prescribed in the articles of incorporation as approved  
15 by the ~~commissioner~~ office of credit unions, and such terms shall be binding on all  
16 members and shareholders.

17 **SECTION 5014.** 186.38 (7) of the statutes is amended to read:

18 186.38 (7) RESERVES. The corporation shall maintain reserves for its liabilities,  
19 including contingent liabilities, and the ~~commissioner~~ office of credit unions shall  
20 have authority to order a change in reserves if the ~~commissioner~~ office deems them  
21 to be unacceptable.

22 **SECTION 5015.** 186.38 (9) of the statutes is amended to read:

23 186.38 (9) SUPERVISION OF CORPORATION. The corporation shall be subject to  
24 supervision and an annual examination by the office of the ~~commissioner~~, who credit

1 unions. The office of credit unions may invite participation by credit union  
2 supervisory authorities from other states.

3 **SECTION 5016.** 186.38 (10) of the statutes is amended to read:

4 186.38 (10) EXAMINATIONS. The office of ~~the commissioner~~ credit unions shall  
5 promptly forward to the corporation a copy of its examination report of the Wisconsin  
6 credit union savings insurance corporation, if it becomes a member of the  
7 corporation, and shall cooperate with the corporation in obtaining similar  
8 examination reports from other state credit union supervisory authorities where  
9 member state credit union share or deposit corporations are domiciled.

10 **SECTION 5017.** 186.38 (11) of the statutes is amended to read:

11 186.38 (11) BYLAWS. The board of directors shall subscribe and submit to the  
12 ~~commissioner~~ office of credit unions, for filing and approval, the bylaws and any  
13 amendments thereto under which the corporation shall operate. These bylaws may  
14 be amended at any regular or special meeting of the board of directors or at any  
15 annual or special meeting of the shareholders.

16 **SECTION 5018.** 186.41 (2) (b) of the statutes is amended to read:

17 186.41 (2) (b) An in-state credit union proposing any action under par. (a) shall  
18 provide the ~~commissioner~~ office of credit unions a copy of any original application  
19 seeking approval by a federal agency or by an agency of the regional state and of any  
20 supplemental material or amendments filed in connection with any application.

21 **SECTION 5019.** 186.41 (4) (a) of the statutes is amended to read:

22 186.41 (4) (a) The ~~commissioner~~ office of credit unions finds that the statutes  
23 of the regional state in which the regional credit union has its principal office permit  
24 in-state credit unions to both acquire regional credit union assets and merge with  
25 one or more regional credit unions in the regional state.

1           **SECTION 5020.** 186.41 (4) (b) of the statutes is amended to read:

2           186.41 (4) (b) The ~~commissioner~~ office of credit unions has not disapproved the  
3 acquisition of in-state credit union assets or the merger with the in-state credit  
4 union under sub. (5).

5           **SECTION 5021.** 186.41 (4) (c) of the statutes is amended to read:

6           186.41 (4) (c) The ~~commissioner~~ office of credit unions gives a class 3 notice,  
7 under ch. 985, in the official state newspaper, of the application to take an action  
8 under sub. (3) and of the opportunity for a hearing and, if at least 25 residents of this  
9 state petition for a hearing within 30 days of the final notice or if the ~~commissioner~~  
10 office of credit unions on ~~his or her~~ its own motion calls for a hearing within 30 days  
11 of the final notice, the ~~commissioner~~ office of credit unions holds a public hearing on  
12 the application, except that a hearing is not required if the ~~commissioner~~ office of  
13 credit unions finds that an emergency exists and that the proposed action under sub.  
14 (3) is necessary and appropriate to prevent the probable failure of an in-state credit  
15 union that is closed or in danger of closing.

16           **SECTION 5022.** 186.41 (4) (d) of the statutes is amended to read:

17           186.41 (4) (d) The ~~commissioner~~ office of credit unions is provided a copy of any  
18 original application seeking approval by a federal agency of the acquisition of  
19 in-state credit union assets or of the merger with an in-state credit union and of any  
20 supplemental material or amendments filed with the application.

21           **SECTION 5023.** 186.41 (4) (e) of the statutes is amended to read:

22           186.41 (4) (e) The applicant has paid the ~~commissioner~~ office of credit unions  
23 a fee of \$1,000 together with the actual costs incurred by the ~~commissioner~~ office in  
24 holding any hearing on the application.

25           **SECTION 5024.** 186.41 (5) (intro.) of the statutes is amended to read:

1           186.41 (5) STANDARDS FOR DISAPPROVAL. (intro.) The ~~commissioner~~ office of  
2 credit unions may disapprove of any action under sub. (3) if the ~~commissioner~~ office  
3 finds any of the following:

4           **SECTION 5025.** 186.41 (5) (ct) of the statutes is amended to read:

5           186.41 (5) (ct) The applicant has failed to enter into an agreement prepared by  
6 the ~~commissioner~~ office of credit unions to comply with laws and rules of this state  
7 regulating consumer credit finance charges and other charges and related disclosure  
8 requirements, except to the extent preempted by federal law or regulation.

9           **SECTION 5026.** 186.41 (5) (e) of the statutes is amended to read:

10          186.41 (5) (e) The applicant fails to meet any other standards established by  
11 rule of the ~~commissioner~~ office of credit unions.

12          **SECTION 5027.** 186.41 (6) (a) of the statutes is amended to read:

13          186.41 (6) (a) Subsections (1) to (5) do not apply prior to January 1, 1987, except  
14 that the ~~commissioner~~ office of credit unions may promulgate rules under sub. (5) (e)  
15 to be applicable no earlier than the date that subs. (1) to (5) apply.

16          **SECTION 5028.** 186.41 (8) of the statutes is amended to read:

17          186.41 (8) DIVESTITURE. Any credit union that has acquired assets of or merged  
18 with an in-state credit union under sub. (2) or (3) and that ceases to be an in-state  
19 credit union or regional credit union shall immediately notify the ~~commissioner~~  
20 office of credit unions of the change in its status and shall, as soon as practical and,  
21 in any case, within 2 years after the event causing it to no longer be one of these  
22 entities, divest itself of control of any interest in the assets or operations of any  
23 in-state credit union. A credit union that fails to immediately notify the  
24 ~~commissioner~~ office of credit unions is liable for a forfeiture of \$500 for each day

1 beginning with the day its status changes and ending with the day notification is  
2 received by the ~~commissioner~~ office of credit unions.

3 **SECTION 5029b.** 187.05 (1) of the statutes is amended to read:

4 187.05 (1) TRUSTEES; TERMS; PURPOSES. Any diocesan council or convention,  
5 conference, synod or other body of authorized representatives of any church or  
6 religious denomination or association or congregation thereof may elect any number  
7 of trustees, not less than three, to be incorporated; and when a certificate shall have  
8 been made and signed by the presiding officer and countersigned by the secretary of  
9 the body by which they were elected, stating that such persons, naming them, were  
10 elected trustees, the name of the body by whom elected, the corporate name by which  
11 such trustees are to be known, the term for which they are to hold their offices, and  
12 the purposes for which it is desired to incorporate them, and ~~filed in the office of the~~  
13 ~~secretary of state~~ with the department of financial institutions, the persons named  
14 in such certificate as trustees and their successors in office shall be a body corporate  
15 for the purposes mentioned in such certificate and for such purposes, and no other,  
16 shall have the usual powers of a corporation; and the members of such corporation  
17 shall hold their positions for such term as the body electing them shall determine and  
18 until their successors are duly elected. Upon the receipt of such certificate, the  
19 ~~secretary of state~~ department of financial institutions shall issue a certificate of  
20 incorporation. But any diocesan council or convention, conference, synod or other  
21 body composed of or divided into district synods or other units may provide in its  
22 constitution for the election of one or more of its trustees by one or more of such  
23 district synods or other units or that one or more of its trustees shall be elected by  
24 said diocesan council or convention, conference, synod or other body from one or more  
25 of such district synods or other units.

**SECTION 5030b**

1           **SECTION 5030b.** 187.05 (3) (a) (intro.) of the statutes is amended to read:

2           187.05 (3) (a) (intro.) Any denominational body mentioned in sub. (1) having  
3 a constitution (or other instrument of organization), in writing, at any stated  
4 meeting may vote to become a corporation and designate any of its members of adult  
5 age, not less than 10 in number, to make, acknowledge and file with the ~~secretary of~~  
6 state department of financial institutions a certificate substantially in the following  
7 form:

8           **SECTION 5031b.** 187.05 (3) (a) (form) 4. of the statutes is amended to read:

9           187.05 (3) (a) (form) 4. The corporation may amend its constitution (or other  
10 written instrument of organization) as therein provided, and file with the ~~secretary~~  
11 of state department of financial institutions a certificate thereof duly acknowledged.

12           **SECTION 5032b.** 187.16 (1) of the statutes is amended to read:

13           187.16 (1) INCORPORATION. Any corps of the Salvation Army in the state of  
14 Wisconsin may become incorporated as a charitable, educational, missionary,  
15 philanthropic, beneficial and religious organization, by the commander in chief of  
16 the Salvation Army in the United States of America and the territorial commander  
17 of the central territory of the Salvation Army in the United States of America,  
18 together with three other officers or laypersons, members of the said local Salvation  
19 Army corps, executing, acknowledging and filing a certificate of incorporation ~~in the~~  
20 office of the secretary of state with the department of financial institutions, giving  
21 its corporate name, the location of the headquarters of said corps in Wisconsin, the  
22 names of the incorporators, its general objects and purposes. Said certificate shall  
23 be recorded ~~in the office of the secretary of state~~ with the department of financial  
24 institutions and a verified copy thereof in the office of the register of deeds in the  
25 county wherein the main office of said corps of the Salvation Army is located. When

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1 such record is made the corporation shall come into existence and possess the powers  
2 and privileges granted to corporations by ch. 181 so far as the same are applicable  
3 or necessary to accomplish its purpose, and also such powers as are conferred by this  
4 section.

5 **SECTION 5033b.** 187.16 (5) of the statutes is amended to read:

6 187.16 (5) AMENDMENT OF ARTICLES. The articles of incorporation of such  
7 corporation may be altered or amended by a two-thirds vote of the trustees of such  
8 corporation. When adopted, a copy of such amendment accompanied by certificates  
9 signed by the president and secretary of the corporation shall be filed with the  
10 ~~secretary of state~~ department of financial institutions and the original documents  
11 shall be recorded with the register of deeds of the county where such corporation  
12 shall have its principal office.

13 **SECTION 5034b.** 187.19 (7) of the statutes is amended to read:

14 187.19 (7) ARTICLES TO BE RECORDED IN OFFICE OF REGISTER OF DEEDS. Whenever  
15 any of said congregations have complied with the foregoing provisions, the articles  
16 of incorporation thereof shall be made out accordingly, be signed by the president and  
17 secretary in the presence of two witnesses, who shall sign their names thereto, and  
18 acknowledged before some notary public or other person authorized by law thereto  
19 and filed ~~in the office of the secretary of state~~ with the department of financial  
20 institutions, and recorded in the office of the register of deeds in the county or  
21 counties where such corporation may own real estate.

22 **SECTION 5035b.** 187.19 (9) of the statutes is amended to read:

23 187.19 (9) AMENDMENT OF ARTICLES. The articles of incorporation of any such  
24 congregations may be altered or amended by the unanimous vote of the directors of  
25 such corporation. When adopted, duplicate copies of such amendment, each with a

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1 certificate thereto affixed, signed by the president and secretary and the other  
2 directors, and sealed with the corporate seal, if there be any, stating the fact and date  
3 of the adoption of such amendment and that the same was adopted by unanimous  
4 vote of the directors of the corporation and that such copy is a true copy of the original,  
5 shall be made, and one of such duplicate copies shall be filed ~~in the office of the~~  
6 ~~secretary of state~~ with the department of financial institutions and the other shall  
7 be recorded in the office of the register of deeds of the county where such corporation  
8 is located and in the office of the register of deeds of any other county or counties  
9 where the corporation may own real estate.

10 **SECTION 5036b.** 187.19 (10) of the statutes is amended to read:

11 187.19 (10) DISSOLUTION OF CORPORATION. Any corporation organized under this  
12 section may dissolve by adopting a resolution to that effect by unanimous vote of the  
13 directors of such corporation. When adopted, duplicate copies of such resolution of  
14 dissolution, each with a certificate thereto affixed, signed by the president and  
15 secretary and the other directors, and sealed with the corporate seal, if there be any,  
16 stating the fact and date of adoption of such resolution and that the same was  
17 adopted by unanimous vote of the directors of the corporation and that such copy is  
18 a true copy of the original, shall be made, and one of such duplicate copies shall be  
19 filed ~~in the office of the secretary of state~~ with the department of financial  
20 institutions and the other shall be recorded in the office of the register of deeds of the  
21 county where such corporation is located and in the office of the register of deeds of  
22 any other county or counties where the corporation may own real estate.

23 **SECTION 5037b.** 188.06 of the statutes is amended to read:

24 **188.06 Powers of trustees.** The powers conferred by this chapter upon the  
25 trustees of a subordinate grange or council of granges of the Patrons of Husbandry

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1 shall not be exercised until the chief officers of such grange or council of granges shall  
2 make and sign a certificate setting forth the name, number and date of organization  
3 of such grange or council and the number and names of its trustees first elected, and  
4 record the same in the office of the register of deeds in the county in which such  
5 grange or council is located; nor, in case of the state grange, until the like officers  
6 thereof shall have made, signed and filed a like certificate ~~in the office of the~~  
7 ~~secretary of state~~ with the department of financial institutions.

8 **SECTION 5038b.** 188.08 (1) of the statutes is amended to read:

9 188.08 (1) Any post, county or district council or department of the American  
10 Legion organized in this state pursuant to the acts of congress passed September 16,  
11 1919, and the acts amendatory thereto, and any unit, county or district council, or  
12 department of the auxiliary of the American Legion organized in this state, shall  
13 have full corporate power to transact business in this state and to take over the assets  
14 and liabilities of the existing posts, units, county or district councils, or departments  
15 upon filing with the ~~secretary of state~~ department of financial institutions a  
16 statement of its intent so to do and a full and complete list of its duly elected officers,  
17 and shall by so doing become a body corporate. No filing fee shall be charged by the  
18 ~~secretary of state~~ department of financial institutions for so doing.

19 **SECTION 5039b.** 188.085 of the statutes is amended to read:

20 **188.085 Changing names and dissolving units of the American Legion.**

21 Any post, county, district council, department or other unit of the American Legion  
22 or of the auxiliary of the American Legion which has become a body corporate under  
23 the provisions of s. 188.08 may change its name or dissolve by the adoption of a  
24 written resolution to that effect, by a vote of a majority of its members present at a  
25 meeting called for that purpose and by filing the same as herein provided. Such

1 resolution, with a certificate thereto affixed, signed by the commander and adjutant,  
2 or like or similar officers, stating the facts, including the date of the adoption of such  
3 resolution, the number of members present at such meeting, and the number of  
4 members who voted for the adoption of the resolution, shall be forwarded to and filed  
5 with the ~~secretary of state~~ department of financial institutions, and thereupon the  
6 name of such corporation shall be changed or the corporation shall cease to exist, as  
7 the case may be. In lieu of the foregoing method of dissolution, any corporation  
8 formed under s. 188.08 may be dissolved by the filing of a certificate ~~in the office of~~  
9 ~~the secretary of state~~ with the department of financial institutions reciting that such  
10 corporation has ceased to be a unit of the American Legion or its auxiliary. Such  
11 certificate shall be signed by the national commander and national adjutant of the  
12 American Legion or by the state commander and state adjutant of the American  
13 Legion, department of Wisconsin. In the case of units of the auxiliary the certificates  
14 shall be signed by the national president and national secretary or the department  
15 president and department secretary. Corporations dissolved under this section shall  
16 continue to have corporate existence for the time and purposes specified in s. 181.65.  
17 No fee shall be charged by the ~~secretary of state~~ department of financial institutions  
18 for such filing.

19 **SECTION 5040b.** 188.09 (1) of the statutes is amended to read:

20 188.09 (1) Any chapter, county or district council, or department of the  
21 Disabled American Veterans, organized in this state pursuant to an act of congress  
22 of the United States, known as Public No. 186, seventy-second congress (H.R. 4738),  
23 and the acts amendatory thereto, any unit or department of the auxiliary of the  
24 Disabled American Veterans in this state and any dugout or state department of the  
25 National Order of Trench Rats, their auxiliaries and affiliated organizations, or any

1 department thereof, organized in this state, shall have full corporate power to  
2 transact business in this state and to take over the assets and liabilities of the  
3 existing chapters, county or district councils, department of Wisconsin, their  
4 auxiliaries and affiliated organizations, or any department thereof, upon filing with  
5 the ~~secretary of state~~ department of financial institutions a statement of its intent  
6 so to do, and a full and complete list of its duly elected officers, and shall by so doing  
7 become a body corporate. No filing fee shall be charged by the ~~secretary of state~~  
8 department of financial institutions for so doing.

9 **SECTION 5041b.** 188.095 of the statutes is amended to read:

10 **188.095 Changing names and dissolving units of the Disabled**  
11 **American Veterans.** Any chapter, county or district council, or department of the  
12 Disabled American Veterans, or other unit of the Disabled American Veterans, or of  
13 the auxiliaries of the Disabled American Veterans, which has become a body  
14 corporate under s. 188.09, may, whenever its articles do not provide the manner in  
15 which its name shall be changed or of its dissolution, change its name or dissolve by  
16 the adoption of a written resolution to that effect, by a vote of the majority of its  
17 members present at a meeting called for that purpose, and by filing the same as  
18 herein provided. A certificate thereto affixed, signed by the commander and  
19 adjutant, or like or similar officers, stating the facts, including the date of adoption  
20 of such resolution, the number of members present at such meeting, and the number  
21 of members who voted for the adoption of the resolution, shall be forwarded to and  
22 filed with the ~~secretary of state~~ department of financial institutions, and thereupon,  
23 the name of such corporation shall be changed or the corporation shall cease to exist  
24 as the case may be, except that in case of dissolution, it shall continue to exist for the

1 purpose of winding up its affairs. No fee shall be charged by the ~~secretary of state~~  
2 department of financial institutions for such filing.

3 **SECTION 5042b.** 188.10 of the statutes is amended to read:

4 **188.10 Corporate powers of the Wisconsin Veterans Council.** The  
5 Wisconsin Veterans Council shall have full corporate power to transact business in  
6 this state upon filing with the ~~secretary of state~~ department of financial institutions  
7 a full and complete list of its duly elected officers. The Wisconsin Veterans Council  
8 shall during each succeeding year of its existence file with the ~~secretary of state~~  
9 department of financial institutions on or before the first day of January of each  
10 succeeding year thereafter a like list of its duly elected officers. No filing fees shall  
11 be charged by the ~~secretary of state~~ department of financial institutions for so doing.

12 **SECTION 5043b.** 188.11 (1) of the statutes is amended to read:

13 188.11 (1) Any post, county or district council, or department of the Veterans  
14 of Foreign Wars of the United States, organized in this state pursuant to an act of  
15 the seventy-fourth Congress of the United States, and the acts amendatory thereto,  
16 any unit or department of the Auxiliary of the Veterans of Foreign Wars of the United  
17 States in this state and any Pup-Tent or Grand Pup-Tent of the Military Order of  
18 the Cooties, their auxiliaries and affiliated organizations, or any department  
19 thereof, organized in this state, shall have full corporate power to transact business  
20 in this state and to take over the assets and liabilities of the existing posts, county  
21 or district councils, department of Wisconsin, their auxiliaries and affiliated  
22 organizations, or any department thereof, upon filing with the ~~secretary of state~~  
23 department of financial institutions a statement of its intent, signed by commander  
24 and adjutant so to do, and a full and complete list of its duly elected officers, and shall  
25 by so doing become a body corporate. Provided, a duplicate of such statement and

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1 certificate of the ~~secretary of state~~ department of financial institutions, showing the  
2 date when such statement was filed by ~~him~~ the department of financial institutions,  
3 shall within 30 days of such filing be recorded by the register of deeds of the county  
4 in which such organization or its principal office is located, and until such recording  
5 no such organization shall have legal corporate existence. Notwithstanding such  
6 recording requirement any organization having acquired corporate existence prior  
7 to July 4, 1945, shall continue to have such corporate existence if it shall within 90  
8 days after said date cause a duplicate or certified copy of its statement of intent and  
9 such certificate of the ~~secretary of state~~ department of financial institutions to be  
10 recorded with the register of deeds of the county where it or its principal office is  
11 located. No filing fee shall be charged by the ~~secretary of state~~ department of  
12 financial institutions for so doing.

13 **SECTION 5044b.** 188.115 of the statutes is amended to read:

14 **188.115 Changing names and dissolving units of the Veterans of**  
15 **Foreign Wars of the United States and affiliates.** Any post, county or district  
16 council, department or other unit of the Veterans of Foreign Wars of the United  
17 States, or of the auxiliaries of the Veterans of Foreign Wars of the United States, or  
18 any Pup-Tent or Grand Pup-Tent of the Military Order of the Cooties or of the  
19 auxiliaries of the Military Order of the Cooties, which has become a body corporate  
20 under s. 188.11, may, whenever its articles do not provide the manner in which its  
21 name shall be changed or of its dissolution, change its name or dissolve by the  
22 adoption of a written resolution to that effect, by a vote of the majority of its members  
23 present at a meeting called for that purpose and by filing the same as herein  
24 provided. Such resolution, with a certificate thereto affixed, signed by the  
25 commander and adjutant, or like or similar officers, stating the facts, including the

1 date of adoption of such resolution, the number of members present at such meeting,  
2 and the number of members who voted for the adoption of the resolution, shall be  
3 forwarded to and filed with the ~~secretary of state~~ department of financial  
4 institutions, and thereupon, the name of such corporation shall be changed or the  
5 corporation shall cease to exist as the case may be, except that in case of dissolution,  
6 it shall continue to exist for the purpose of winding up its affairs. No fee shall be  
7 charged by the ~~secretary of state~~ department of financial institutions for such filing.

8 **SECTION 5045b.** 188.12 (1) of the statutes is amended to read:

9 188.12 (1) Any Grand Voiture or Voiture Locale of the La Societe des 40  
10 Hommes et 8 Chevaux organized in this state pursuant to authority granted by La  
11 Societe Nationale des 40 Hommes et 8 Chevaux shall have full corporate power to  
12 transact business in this state and take over the assets and liabilities of the existing  
13 Voitures Locale and Grand Voiture of the state of Wisconsin, upon filing with the  
14 ~~secretary of state~~ department of financial institutions a statement of its intent so to  
15 do and a full and complete list of its duly elected officers. No filing fees shall be  
16 charged by the ~~secretary of state~~ department of financial institutions for so doing.

17 **SECTION 5046b.** 188.13 (1) of the statutes is amended to read:

18 188.13 (1) Any Red Arrow Club, composed exclusively of persons who were  
19 members of the 32nd Division at any time during World War I, members who served  
20 in the 32nd Division of the United States Army at any time in the period from October  
21 10, 1940, to the termination of World War II as proclaimed by the President or the  
22 Congress, or members who served in the 32nd Division in Federal Service at any time  
23 in the period from October 15, 1961, to August 10, 1962, during the Berlin Crisis,  
24 organized in this state, shall have full corporate power to transact business in this  
25 state and to take over the assets and liabilities of the existing clubs in this state, upon

1 filing with the ~~secretary of state~~ department of financial institutions a statement of  
2 its intent so to do, and a full and complete list of its duly elected officers, and shall  
3 by so doing become a body corporate. No filing fee shall be charged by the ~~secretary~~  
4 ~~of state~~ department of financial institutions for so doing.

5 **SECTION 5047b.** 188.14 of the statutes is amended to read:

6 **188.14 Corporate powers of the Military Order of the World Wars.** Any  
7 chapter of the Military Order of the World Wars in this state shall have full corporate  
8 power to transact business in this state upon filing with the ~~secretary of state~~  
9 department of financial institutions a full and complete list of its duly elected  
10 officers, and shall by so doing become a body corporate. No filing fees shall be charged  
11 by the ~~secretary of state~~ department of financial institutions for so doing.

12 **SECTION 5048b.** 188.15 (1) of the statutes is amended to read:

13 188.15 (1) Any detachment or state department of the Marine Corps League,  
14 organized and existing in this state pursuant to the acts of congress passed August  
15 4, 1937, and the acts amendatory thereto, and any unit of the auxiliary of the Marine  
16 Corps League organized in this state and recognized by the local detachment, shall  
17 have full corporate power to transact business in this state, to take over the assets  
18 and liabilities of the existing detachments, units or departments, upon filing with the  
19 ~~secretary of state~~ department of financial institutions a statement of its intent so to  
20 do and a full and complete list of its duly elected officers, and shall by so doing become  
21 a body corporate. No filing fee shall be charged by the ~~secretary of state~~ department  
22 of financial institutions for so doing.

23 **SECTION 5049b.** 188.16 (1) of the statutes is amended to read:

24 188.16 (1) Any chapter, county or district council or department composed  
25 exclusively of persons who were awarded the medal known as the Purple Heart

1 organized in this state pursuant to the constitution and bylaws of the national  
2 organization of the Military Order of the Purple Heart and any unit, county or  
3 district council or department of the auxiliary of the Military Order of the Purple  
4 Heart organized in this state shall have full corporate power to transact business in  
5 this state and to take over the assets and liabilities of the existing chapters, units,  
6 county or district councils, or departments upon filing with the ~~secretary of state~~  
7 department of financial institutions a statement of its intent so to do and a full and  
8 complete list of its duly elected officers and thereupon it shall become a body  
9 corporate. No filing fee shall be charged by the ~~secretary of state~~ department of  
10 financial institutions for so doing.

11 **SECTION 5050b.** 188.16 (4) of the statutes is amended to read:

12 188.16 (4) Any chapter, county, district council, department or other unit of the  
13 Military Order of the Purple Heart or of the auxiliary of the Military Order of the  
14 Purple Heart which has become a body corporate under the provisions of this section  
15 may change its name or dissolve by the adoption of a written resolution to that effect,  
16 by a vote of a majority of its members present at a meeting called for that purpose  
17 and by filing the same as herein provided. Such resolution, with a certificate thereto  
18 affixed, signed by the commander and adjutant, or like or similar officers, stating the  
19 facts, including the date of the adoption of such resolution, the number of members  
20 present at such meeting, and the number of members who voted for the adoption of  
21 the resolution, shall be forwarded to and filed with the ~~secretary of state~~ department  
22 of financial institutions, and thereupon the name of such corporation shall be  
23 changed or the corporation shall cease to exist, as the case may be, except that in case  
24 of dissolution it shall continue to exist for the purpose of winding up its affairs. No

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1 fee shall be charged by the ~~secretary of state~~ department of financial institutions for  
2 such filing.

3 **SECTION 5051b.** 188.17 (1) of the statutes is amended to read:

4 188.17 (1) Any unit, department or auxiliary of the Navy Club of the United  
5 States of America organized in this state under 36 USC 140 to 140c shall have full  
6 corporate power to transact business in this state and to take over the assets and  
7 liabilities of existing navy clubs and navy club auxiliaries upon filing with the  
8 ~~secretary of state~~ department of financial institutions a statement of its intent so to  
9 do and a full and complete list of its duly elected officers and shall by so doing become  
10 a body corporate. No filing fee shall be charged by the ~~secretary of state~~ department  
11 of financial institutions for so doing.

12 **SECTION 5052b.** 188.18 (1) of the statutes is amended to read:

13 188.18 (1) The department of Wisconsin and any chapter or unit of the Reserve  
14 Officers Association of the United States, organized in this state pursuant to the  
15 constitution, bylaws and rules and regulations of such association or such  
16 department, shall have full corporate power to transact business in this state and to  
17 take over the assets and liabilities of the existing department, chapters or other units  
18 upon filing with the ~~secretary of state~~ department of financial institutions, a  
19 statement of its intention so to do, its name, location and a full and complete list of  
20 its duly elected officers, and by so doing shall become a body corporate. No filing fees  
21 shall be charged by the ~~secretary of state~~ department of financial institutions for so  
22 doing.

23 **SECTION 5053b.** 188.18 (3) of the statutes is amended to read:

24 188.18 (3) Any department, chapter or other unit which has become a body  
25 corporate under the provisions of this section, whenever its constitution or bylaws

1 do not provide the manner in which its name shall be changed or the dissolution  
2 effected, may change its name or dissolve by a majority vote of its members at a  
3 meeting called for that purpose. A certificate signed by the president and secretary  
4 stating the facts shall be filed with the ~~secretary of state~~ department of financial  
5 institutions, and thereupon the name shall be changed or the corporation shall cease  
6 to exist except for the purpose of winding up its affairs. No filing fee shall be charged  
7 for such filing.

8 **SECTION 5054b.** 188.19 (1) of the statutes is amended to read:

9 188.19 (1) Any post, county, district council, and department of the American  
10 Veterans of World War II (AMVETS) organized in this state pursuant to the acts of  
11 congress passed July 23, 1947 and the acts amendatory thereto, and any unit, county  
12 or district council, and department of the auxiliary of the American Veterans of World  
13 War II (AMVETS) organized in this state, shall have full corporate power to transact  
14 business in this state and to take over the assets and liabilities of the existing posts,  
15 units, county or district councils, or departments upon filing with the ~~secretary of~~  
16 ~~state~~ department of financial institutions a statement of its intent so to do, and a full  
17 and complete list of its duly elected officers, and shall by so doing become a body  
18 corporate. No filing fee shall be charged by the ~~secretary of state~~ department of  
19 financial institutions.

20 **SECTION 5055b.** 188.20 of the statutes is amended to read:

21 **188.20 Changing names and dissolving units.** Any post, county, district  
22 council, department or other unit of the American Veterans of World War II  
23 (AMVETS) or of the auxiliary of the American Veterans of World War II (AMVETS)  
24 which has become a body corporate under the provisions of s. 188.19 may change its  
25 name or dissolve by the adoption of a written resolution to that effect by a vote of a

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1 majority of its members present at a meeting called for that purpose and by filing the  
2 same as herein provided. Such resolution, with a certificate thereto affixed, signed  
3 by the commander and adjutant, or like or similar officers, stating the fact, including  
4 the date of the adoption of such resolution, the number of members present at such  
5 meeting, and the number of members who voted for the adoption of the resolution,  
6 shall be forwarded to and filed with the ~~secretary of state~~ department of financial  
7 institutions, and thereupon the name of such corporation shall be changed or the  
8 corporation shall cease to exist, as the case may be. Or any corporation formed under  
9 s. 188.19 may be dissolved by the filing of a certificate in the office of the ~~secretary~~  
10 ~~of state~~ department of financial institutions reciting that such corporation has  
11 ceased to be a unit of the American Veterans of World War II (AMVETS) auxiliary.  
12 Such certificate shall be signed by the national commander and national adjutant  
13 of the American Veterans of World War II (AMVETS) or by the state commander and  
14 state adjutant of the American Veterans of World War II (AMVETS) department of  
15 Wisconsin. In the case of units of the auxiliary the certificates shall be signed by the  
16 national president and national secretary or the department president and  
17 department secretary. Corporations dissolved under this section shall continue to  
18 have corporate existence for the time and purposes specified in s. 181.65. No fee shall  
19 be charged by the ~~secretary of state~~ department of financial institutions for such  
20 filing.

21 **SECTION 5056b.** 188.21 (1) of the statutes is amended to read:

22 188.21 (1) The department of Wisconsin and any post, unit, barracks,  
23 department or auxiliary of the American Veterans of World War I of the U.S.A., Inc.  
24 organized in this state pursuant to the acts of congress passed July 18, 1958 (P.L.  
25 85-530) (72 Stats. at Large pp. 370-375) and the acts amendatory thereto, shall have

1 full corporate power to transact business in this state and to take over the assets and  
2 liabilities of the existing department of Wisconsin, posts, barracks, units,  
3 departments or auxiliaries of the Veterans of World War I of the U.S.A., Inc. upon  
4 filing with the ~~secretary of state~~ department of financial institutions a statement of  
5 its intent so to do, and a full and complete list of its duly elected officers, and shall  
6 by so doing become a body corporate. No filing fee shall be charged by the ~~secretary~~  
7 ~~of state~~ department of financial institutions.

8 **SECTION 5057b.** 188.22 (1) of the statutes is amended to read:

9 188.22 (1) Any post, county or district council or department of the Jewish War  
10 Veterans organized in this state pursuant to the constitution, bylaws and rules and  
11 regulations of said organization shall have full corporate powers to transact business  
12 in this state and to take over the assets and liabilities of the existing posts, units,  
13 county or district councils or departments upon filing with the ~~secretary of state~~  
14 department of financial institutions a statement of its intent to do so and a full and  
15 complete list of its duly elected officers. By so doing such organization shall become  
16 a body corporate. No filing fee shall be charged by the ~~secretary of state~~ department  
17 of financial institutions.

18 **SECTION 5058b.** 188.23 (1) of the statutes is amended to read:

19 188.23 (1) Any post, county or district council or department of the Polish  
20 Legion of American Veterans (P.L.A.V.) organized in this state pursuant to the  
21 constitution, bylaws and rules and regulations of said organization, and any unit,  
22 county or district council or department of the auxiliary of the Polish Legion of  
23 American Veterans, shall have full corporate powers to transact business in this  
24 state and to take over the assets and liabilities of the existing posts, units, county or  
25 district councils or departments upon filing with the ~~secretary of state~~ department

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1 of financial institutions a statement of its intent to do so and a full and complete list  
2 of its duly elected officers. By so doing such organization shall become a body  
3 corporate. No filing fee shall be charged by the ~~secretary of state~~ department of  
4 financial institutions.

5 **SECTION 5059b.** 188.235 (1) of the statutes is amended to read:

6 188.235 (1) Any post, county or district council or department of the Army and  
7 Navy Union of the U.S.A. organized in this state pursuant to the constitution, bylaws  
8 and rules and regulations of said organization shall have full corporate powers to  
9 transact business in this state and to take over the assets and liabilities of the  
10 existing posts, units, county or district councils or departments upon filing with the  
11 ~~secretary of state~~ department of financial institutions a statement of its intent to do  
12 so and a full and complete list of its duly elected officers. By so doing such  
13 organization shall become a body corporate. No filing fee shall be charged by the  
14 ~~secretary of state~~ department of financial institutions.

15 **SECTION 5060b.** 188.24 (1) of the statutes is amended to read:

16 188.24 (1) Any post, county or district council or department of the Catholic  
17 War Veterans organized in this state pursuant to the constitution, bylaws and rules  
18 and regulations of said organization shall have full corporate powers to transact  
19 business in this state and to take over the assets and liabilities of the existing posts,  
20 units, county or district councils or departments upon filing with the ~~secretary of~~  
21 ~~state~~ department of financial institutions a statement of its intent to do so and a full  
22 and complete list of its duly elected officers. By so doing such organization shall  
23 become a body corporate. No filing fee shall be charged by the ~~secretary of state~~  
24 department of financial institutions.

25 **SECTION 5061b.** 188.25 of the statutes is amended to read:

1           **188.25 Annual reports of veterans' organizations.** The state organization  
2 of any veterans' society or society affiliate which has a unit incorporated under this  
3 chapter shall file with the ~~secretary of state~~ department of financial institutions on  
4 or before January 1 an annual report showing the elected officers of the state  
5 organization. No filing fee shall be charged. The secretary of any such state  
6 organization shall on request furnish the ~~secretary of state~~ department of financial  
7 institutions information about subordinate units. If any veterans' society or society  
8 affiliate has no state organization each unit incorporated under this chapter shall file  
9 an annual report of the elected officers with the ~~secretary of state~~ department of  
10 financial institutions on or before January 1.

11           **SECTION 5062b.** 188.26 of the statutes is amended to read:

12           **188.26 Veterans; corporations.** Whenever any corporation is formed under  
13 ch. 180 or 181 or this chapter for the purpose of assisting any veteran, as defined in  
14 s. 45.37 (1a), or operating social clubs in which the name "veteran" appears, the  
15 ~~secretary of state~~ department of financial institutions shall investigate the same to  
16 ascertain the character thereof, and whether or not the same has been procured by  
17 fraudulent representation or concealment of any material fact relating to such  
18 veteran's name, purpose, membership, organization, management or control or  
19 other material fact. If the ~~secretary of state~~ department of financial institutions so  
20 finds, such findings, misrepresentation or concealment shall be reported to the  
21 attorney general, and the attorney general thereupon shall as provided in s. 776.35  
22 bring an action to vacate or annul the corporate charter.

23           **SECTION 5066.** 190.01 (2) of the statutes is amended to read:

24           190.01 (2) The articles of incorporation and amendments thereto shall be filed  
25 with the ~~secretary of state~~ department of revenue; in the case of articles, the

1 ~~secretary of state~~ department of revenue shall thereupon issue a certificate of  
2 incorporation and the corporation then has legal existence. The articles of  
3 incorporation or special charter of any railroad company may be amended by a  
4 majority vote of all the stock in the respects and for the purposes provided in s.  
5 180.1001. The fees for filing articles and amendments thereto are as provided in s.  
6 180.0122 (1) (a) and (m) except that the fees for filing an amendment which  
7 authorizes the issuance of redeemable preference shares for sale to the U.S.  
8 secretary of transportation under sections 505 and 506 of P.L. 94-210 is \$15 for the  
9 amendment and an additional sum equal to \$1 for each \$100,000 or fraction thereof  
10 of par value redeemable preference shares authorized by the amendment.

11 **SECTION 5067b.** 190.01 (4) of the statutes is amended to read:

12 190.01 (4) A railroad that is incorporated in another state is not required to  
13 form a corporation in this state, but any railroad first transacting business in this  
14 state after January 1, 1994, is required to obtain a certificate of authority from the  
15 ~~secretary of state~~ department of financial institutions in the manner required of  
16 foreign corporations before the railroad transacts business in this state.

17 **SECTION 5069b.** 190.02 (9) (c) of the statutes is amended to read:

18 190.02 (9) (c) Any railroad corporation organized to and which shall acquire,  
19 directly or by mesne conveyances, the property of another railroad corporation sold  
20 in judicial proceedings, or any railroad corporation reorganized under the federal  
21 bankruptcy act which corporation under a plan of reorganization as confirmed by the  
22 act, shall have been authorized to put into effect and carry out said plan, or any new  
23 railroad corporation which shall be organized for the like purpose, shall have all  
24 powers by law conferred upon railroad corporations, and may, at such times, in such  
25 amounts, for such considerations and upon such terms and conditions as the board

1 of directors of said corporation shall determine, and as shall be authorized by the  
2 office, or in the case of a railroad corporation organized for the purpose of acquiring  
3 a railroad engaged in interstate commerce, or any existing railroad corporation  
4 reorganized under the act and acquiring railroad property used in interstate  
5 commerce, by the interstate commerce commission, as the case may be, issue, sell,  
6 pledge or otherwise dispose of its evidences of debt, which may be convertible, at the  
7 option of the holder, into stock, and shares of stock, which shares may have such  
8 nominal or par value or if the same be common stock, be without nominal or par  
9 value, and may be of such classes, with such rights and voting powers as may be  
10 expressed in its articles or any amendment thereto. In the case of a railroad  
11 corporation reorganized as aforesaid, the filing with the ~~secretary of state~~  
12 department of financial institutions of a certified copy of the plan of reorganization  
13 as confirmed by the federal bankruptcy act, if it shall so elect, shall accomplish and  
14 evidence the amendment of its charter or articles of incorporation without the  
15 necessity for any other or further action, corporate or otherwise, with respect thereto.  
16 Such reorganized railroad corporation shall thereupon have all powers necessary to  
17 put into effect and carry out such plan of reorganization in all respects but such filing  
18 of the plan of reorganization shall not preclude such existing corporation from  
19 amending its charter or articles in the manner now provided by law. The fees for  
20 filing such copy of plan of reorganization shall be the same as prescribed in s. 190.01  
21 (3).

22 **SECTION 5071b.** 190.051 (1) of the statutes is amended to read:

23 190.051 (1) Any railroad corporation may extend its road from any point named  
24 in its charter or articles of organization, or may build branch roads from any point  
25 on its line or from any point on the line of any other road connected or to be connected

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1 with its road, the use of which other road between such points and the connection  
2 with its own road such corporation shall have secured for a term of not less than ten  
3 years. Before making such extension or building any such branch road such  
4 corporation shall, by resolution of its directors, to be entered in the record of its  
5 proceedings, designate the route of such proposed extension or branch, and file, for  
6 record, a copy of such record, certified by the president and secretary, ~~in the office of~~  
7 ~~the secretary of state~~ with the department of financial institutions. Thereupon such  
8 corporation shall have all the rights and privileges to make such extension or build  
9 such branch and receive aid thereto which it would have had if it had been authorized  
10 in its charter or articles of organization.

11 **SECTION 5072b.** 190.06 (1) of the statutes is amended to read:

12 190.06 (1) Any railroad corporation existing under the laws of this state, or by  
13 consolidation under said laws and the laws of other states, may consolidate with any  
14 other railroad corporation, and possess all of the powers, franchises and immunities,  
15 and be subject to all the liabilities and restrictions of railroad corporations generally,  
16 and such, in addition, as the combining corporations peculiarly possessed or were  
17 subject to at the time of consolidation. Articles of consolidation shall be approved by  
18 each corporation, by a vote of a majority of the stock at an annual meeting or at a  
19 special meeting called for that purpose or by the consent in writing of the holders of  
20 a majority of the stock annexed to such articles; and such articles, with a copy of the  
21 records of such approval or such consent and accompanied by lists of the stockholders  
22 and the number of shares held by each, duly certified by their respective presidents  
23 and secretaries, shall be filed for record ~~in the office of the secretary of state~~ with the  
24 department of financial institutions before any such consolidation shall have  
25 validity or effect.

1           **SECTION 5073b.** 190.11 (1) of the statutes is amended to read:

2           190.11 (1) Every conveyance or lease, deed of trust, mortgage or satisfaction  
3 thereof made by any railroad corporation shall be executed and acknowledged in the  
4 manner in which conveyances of real estate by corporations are required to be to  
5 entitle the same to be recorded, and shall be filed ~~in the office of the secretary of state,~~  
6 ~~who~~ with the department of financial institutions, which shall endorse thereon  
7 “filed” and the date of filing.

8           **SECTION 5074b.** 190.11 (3) of the statutes is amended to read:

9           190.11 (3) The ~~secretary of state~~ department of financial institutions shall  
10 collect a fee of \$1 per page filed under sub. (1).

11           **SECTION 5075b.** 190.11 (4) of the statutes is amended to read:

12           190.11 (4) The ~~secretary of state~~ department of financial institutions shall  
13 collect a fee at the rate under s. 77.22 and, on or before the 15th day of the month after  
14 the fee is collected, shall remit that fee to the department of administration for  
15 deposit in the general fund and ~~transmit a copy of the return associated with that~~  
16 ~~return to the department of revenue.~~ Sections 77.21, 77.22 and 77.25 to 77.27 apply  
17 to the fee under this subsection.

18           **SECTION 5076b.** 190.13 of the statutes is amended to read:

19           **190.13 Report to stockholders.** Every railroad corporation shall make an  
20 annual report to its stockholders of its operations for the preceding calendar year, or  
21 for its fiscal year, as the case may be, which report shall contain a balance sheet  
22 showing its assets and liabilities, its capital stock, and funded debt, and an income  
23 account showing its operating revenues, operating expenses, gross and net income,  
24 as the result of its traffic or business operations, and such other information in  
25 respect of its affairs as the board of directors shall deem advisable. A copy of each

1 such report shall be kept on file in its principal office in this state, shall be mailed  
2 to each stockholder whose post-office address is known and shall be filed with the  
3 ~~office of the commissioner of railroads~~ department of financial institutions.

4 **SECTION 5088b.** 191.10 (1) of the statutes is amended to read:

5 191.10 (1) ISSUANCE, FILING, RECORDING, CONDEMNATION. If the office of the  
6 commissioner of railroads finds that the proposed railroad would be a public  
7 convenience and that a necessity requires its construction, the office of the  
8 commissioner of railroads shall enter an order to that effect and issue to the applicant  
9 a certificate that public convenience and a necessity require the construction of the  
10 railroad as proposed. The certificate shall be filed in the office of the ~~secretary of state~~  
11 department of financial institutions and the ~~office of the secretary of state~~  
12 department of financial institutions shall approve the map showing the route of the  
13 railroad. The applicant shall record the map certified by the office of the  
14 commissioner of railroads in the office of the register of deeds in each county in which  
15 the railroad shall be located. The filing of the certificate with the ~~secretary of state~~  
16 department of financial institutions and the recording of the map, as above provided,  
17 are conditions precedent to the right of the applicant to institute condemnation  
18 proceedings.

19 **SECTION 5134b.** 192.71 of the statutes is amended to read:

20 **192.71 Lands may be sold; proceedings if terms of grant not complied**  
21 **with.** Any railroad corporation upon which any lands granted to this state shall have  
22 been conferred to aid in the construction of any railroad may sell, assign and transfer  
23 the lands so conferred upon it or any portion thereof to any other railroad corporation  
24 which shall by law have the right to construct a railroad along and upon the line or  
25 any portion of the line upon which such lands are applicable under the grant of this

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1 state upon such terms and conditions as it shall fix; provided, that the corporation  
2 receiving such lands shall be bound to construct the part of the line of railroad to aid  
3 in the construction of which the lands were granted to this state, to which the  
4 assigned lands are applicable according to the terms of the grant by congress, and  
5 to comply fully with all conditions and requirements contained in the act in and by  
6 which the state conferred said lands upon said corporation. The terms and  
7 conditions of every such transfer shall be embodied in an agreement in writing,  
8 which shall be recorded ~~in the office of the secretary of state~~ with the department of  
9 financial institutions; and provided further, that no such transfer or assignment  
10 shall be of any force or effect until two-thirds of the full-paid stockholders of the  
11 corporation making the same shall have assented in writing thereto and until such  
12 assent shall have been filed with the ~~secretary of state~~ department of financial  
13 institutions. Whenever any grant of lands shall have been or shall hereafter be made  
14 to any corporation to aid in the construction of a railroad upon condition that such  
15 road or any portion thereof shall be completed within the period of time or times fixed  
16 or limited by the act or acts making such grant or grants or by any act or acts  
17 amendatory thereof, and such corporation shall have failed or shall hereafter fail to  
18 complete such railroad or any part or portions thereof within the time or times fixed  
19 or limited by such act or acts, it shall be the duty of the attorney general of the state  
20 to immediately institute, if the legislature shall not have revoked said grant,  
21 proceedings against such corporation in the supreme court of the state to ascertain  
22 judicially the facts in the premises, and if it shall appear that such corporation has  
23 failed to complete its railway or any portion thereof within the time limited by said  
24 act or acts, or has otherwise committed a breach of the condition or conditions upon  
25 which said grant was conferred upon it, or of the requirements of said act, judgment

1 shall be entered in behalf of the state forfeiting, vacating and setting aside such grant  
2 or grants and annulling all rights and interest of such corporation in and to all lands  
3 granted to it and not fully earned and restoring such lands to the state, and such  
4 corporation shall thereafter be barred and foreclosed of all rights and interests in or  
5 to the lands so adjudged to be forfeited and restored to the state, and of all right to  
6 in any manner thereafter acquire the same.

7 **SECTION 5224m.** 195.60 (2) of the statutes is amended to read:

8 195.60 (2) The office shall annually, within 90 days after the close of each fiscal  
9 year, ascertain the total of its expenditures during such year which are reasonably  
10 attributable to the performance of its duties relating to railroads. For purposes of  
11 such calculation, 90% of the expenditures so determined shall be expenditures of the  
12 office and 10% of the expenditures so determined shall be expenditures for state  
13 government operations. The office shall deduct therefrom all amounts chargeable  
14 to railroads under sub. (1) and s. 184.10 (3). A sum equal to the remainder plus 10%  
15 of the remainder shall be assessed by the office to the several railroads in proportion  
16 to their respective gross operating revenues during the last calendar year, derived  
17 from intrastate operations. Such assessment shall be paid within 30 days after the  
18 bill has been mailed to the several railroads, which bill shall constitute notice of  
19 assessment and demand of payment thereof. The total amount which may be  
20 assessed to the railroads under authority of this subsection shall not exceed one  
21 percent 1.75% of the total gross operating revenues of such railroads, during such  
22 calendar year, derived from intrastate operations. Ninety percent of the payment  
23 shall be credited to the appropriation account under s. 20.155 (2) (g). The railroads  
24 shall furnish such financial information as the office requires.

25 **SECTION 5235m.** 196.03 (3) (b) of the statutes is repealed and recreated to read:

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1           196.03 **(3)** (b) Unless the governing body of a city, village or town adopts a  
2 resolution providing that the city, village or town will pay the retail charges for the  
3 production, storage, transmission, sale and delivery or furnishing of water for public  
4 fire protection purposes that are not included in general service charges:

5           1. A public utility shall include the charges in the water utility bill of each  
6 customer of the public utility in the city, village or town.

7           2. A municipal utility may, in addition to including the charges in water utility  
8 bills under subd. 1., bill the charges to any person who meets all of the following  
9 conditions:

10           a. The person is not a customer of the municipal utility.

11           b. The person owns land that is located in the city, village or town and in an area  
12 in which the municipal utility has an obligation to provide water for public fire  
13 protection.

14           **SECTION 5235s.** 196.04 (1) (b) 1. of the statutes is amended to read:

15           196.04 **(1)** (b) 1. Any person who owns transmission equipment and property  
16 shall permit, for reasonable compensation, the use of the transmission equipment  
17 and property by any public utility or telecommunications provider if public  
18 convenience and necessity require such use and if the use will not result in  
19 irreparable injury to any owner or user of the transmission equipment and property  
20 or in any substantial detriment to the service to be rendered by the owner or user.

21           **SECTION 5236.** 196.175 of the statutes is amended to read:

22           **196.175 Construction and occupancy standards.** The commission may  
23 not establish or enforce construction or occupancy standards applicable to any public  
24 building, as defined in s. 101.01 ~~(2)~~ ~~(g)~~ (12), dwelling, as defined in s. 101.71 (2) or

1 any occupancy standard applicable to any place of employment as defined in s. 101.01  
2 ~~(2) (f) (11)~~.

3 **SECTION 5237.** 196.20 (5) (d) of the statutes is amended to read:

4 196.20 (5) (d) If the commission does not conduct a hearing under this  
5 subsection, a proposed rate increase or change in a rate schedule becomes effective  
6 as proposed and any rates, tolls or charges under review under s. 196.215 (6) or (7)  
7 may not be altered unless the commission issues a final order no later than 150 days  
8 after the commission receives the application or receives the information under par.  
9 (b) 1g. and 1r. If the commission conducts a hearing, a proposed rate increase or  
10 change in a rate schedule becomes effective as proposed and any rates, tolls or  
11 charges under review under s. 196.215 (6) or (7) may not be altered unless the  
12 commission issues the final order no later than 180 days after the commission  
13 receives the application or receives the information under par. (b) 1g. and 1r. If the  
14 commission conducts a hearing, the hearing examiner may extend the time for  
15 issuing a final order up to 30 additional days. The commission and the small  
16 telecommunications utility may agree in writing to extend the time for issuing a final  
17 order. Notwithstanding s. ss. 196.34 and 196.36 (2), the commission may require the  
18 small telecommunications utility to bear the expense of ~~a stenographer to record~~  
19 producing a transcript of a hearing conducted under this section.

20 **SECTION 5238.** 196.20 (6) of the statutes is amended to read:

21 196.20 (6) If a telecommunications utility that is not a small  
22 telecommunications utility and that has 150,000 or less access lines in use in this  
23 state files with the commission an application for a rate change that constitutes an  
24 increase in rates, the rate change becomes effective as proposed unless the  
25 commission issues the final order on the application no later than 180 days after the

1 commission receives the application. The hearing examiner may extend the time for  
2 issuing a final order up to 30 additional days. The commission and the  
3 telecommunications utility may agree in writing to extend the time for issuing a final  
4 order. Notwithstanding s. ss. 196.34 and 196.36 (2), the commission may require the  
5 telecommunications utility to bear the expense of ~~a stenographer to record~~ producing  
6 a transcript of a hearing conducted under this subsection.

7 **SECTION 5239.** 196.209 (5) (a) of the statutes is amended to read:

8 196.209 (5) (a) ~~The~~ At the commencement of each gubernatorial term of office,  
9 the commission shall appoint a telecommunications privacy council under s. 15.04  
10 (1) (c) consisting of representatives of telecommunications providers and of  
11 consumers of telecommunications services, including this state. ~~The privacy~~  
12 ~~advocate designated under s. 19.625 (1) shall be a member of the telecommunications~~  
13 ~~privacy council.~~

14 **SECTION 5239m.** 196.218 (6) (a) of the statutes is amended to read:

15 196.218 (6) (a) ~~The~~ At the commencement of each gubernatorial term of office,  
16 the commission shall appoint a universal service fund council under s. 15.04 (1) (c)  
17 consisting of representatives of telecommunications providers and consumers of  
18 telecommunications services, including this state. The majority of the members of  
19 the council shall be representatives of consumers of telecommunications services.

20 **SECTION 5240.** 196.34 of the statutes is amended to read:

21 **196.34 (title) Stenographic Commission records.** The commission shall  
22 keep a complete record of its proceedings before the commission or its agent ~~on~~ in any  
23 formal investigation or hearing ~~held and shall appoint a stenographer to record all~~  
24 ~~testimony presented at such proceedings.~~

25 **SECTION 5241.** 196.36 (title) of the statutes is amended to read:

1           **196.36** (title) ~~Transcripts as evidence; free to parties and tapes.~~

2           **SECTION 5242.** 196.36 (1) of the statutes is amended to read:

3           196.36 (1) (title) TRANSCRIPTS. The commission shall receive into evidence a  
4 transcribed copy of the evidence and proceedings, or any specific part of the evidence  
5 and proceedings, on any investigation or hearing taken by ~~the~~ a stenographer  
6 appointed by the commission if the stenographer certifies that the copy is a true and  
7 correct transcript of all the testimony or of the testimony of a particular witness, or  
8 of any other specific part of the investigation or hearing, that the transcript was  
9 carefully compared by the stenographer with his or her original notes, and that the  
10 copy is a correct statement of the evidence presented and proceedings held in the  
11 investigation or hearing. The certified copy shall have the same effect as if the  
12 stenographer were present and testified to the correctness of the copy.

13           **SECTION 5243.** 196.36 (1m) of the statutes is created to read:

14           196.36 (1m) TRANSCRIPTS FROM TAPES. The commission shall receive into  
15 evidence a transcribed copy of an audiotape or videotape of the evidence and  
16 proceedings, or any specific part of the evidence and proceedings, of any investigation  
17 or hearing that is recorded if the transcriber certifies that the copy is a true and  
18 correct transcription from the audiotape or videotape of all the testimony or of the  
19 testimony of a particular witness, or of any other specific part of the investigation or  
20 hearing and that the copy is a correct statement of the evidence presented and  
21 proceedings held in the investigation or hearing. The certified copy shall have the  
22 same effect as if the transcriber were present and testified to the correctness of the  
23 copy.

24           **SECTION 5244.** 196.36 (2) of the statutes is amended to read:

1           196.36 (2) (title) COPIES. A copy of a transcript under this section shall be  
2 furnished on demand free of cost to any party to the investigation or hearing from  
3 which the transcript is taken. Upon request, the commission shall furnish a copy of  
4 an audiotape or videotape to any party to the investigation or hearing from which the  
5 audiotape or videotape is taken. The commission may charge a reasonable price for  
6 the tape.

7           **SECTION 5245.** 196.491 (2) (g) of the statutes is amended to read:

8           196.491 (2) (g) Within 180 days after the plan is filed, the commission shall hold  
9 a hearing thereon. The hearing shall be held in an administrative district,  
10 established by executive order 22, issued August 24, 1970, which the commission  
11 determines will be significantly affected by facilities proposed in the plan to be  
12 constructed in the following 3 years. The commission may thereafter adjourn the  
13 hearing to other locations or may conduct the hearing by interactive video conference  
14 or other electronic method. Notice of such hearing shall be given by class 1 notice,  
15 under ch. 985, published in the official state newspaper and such other regional  
16 papers of general circulation as may be designated by the commission. At such  
17 hearing the commission shall briefly describe the plan and give all interested persons  
18 an opportunity, subject to reasonable limitations on the presentation of repetitious  
19 material, to express their views on any aspect of the plan. The presentation of such  
20 views need not be under oath nor subject to cross-examination. The commission  
21 shall advise all persons present of their right to express their views orally or in  
22 writing, under oath or otherwise, and of the legal effect of each such form of  
23 testimony. A written record of unsworn testimony shall be made and considered by  
24 the commission as comments on the plan under par. (e). Persons presenting such  
25 views shall not be parties. The utility, any state agency, county, municipality, town,

1 or any person whose substantial rights may be adversely affected by the testing for  
2 or construction of facilities described in an advance plan, shall, upon filing written  
3 notice setting forth its interest at least 10 days in advance, be afforded all the rights  
4 of a party in a contested case.

5 **SECTION 5246.** 196.856 (1) and (2) of the statutes are amended to read:

6 196.856 (1) The commission shall annually assess against the major utilities,  
7 as defined under s. 144.386 (1) (f), the total, not to exceed \$400,000, of the amounts  
8 amount appropriated under ~~ss. s. 20.370 (2) (cj) and 20.505 (1) (jm)~~ for acid deposition  
9 studies, ~~including the nitrogen oxide study under s. 144.389 (3),~~ and evaluation and  
10 monitoring activities conducted by the department of natural resources ~~and the~~  
11 ~~department of administration.~~

12 (2) The commission shall, with the cooperation of the department of natural  
13 resources ~~and the department of administration,~~ promulgate rules establishing a  
14 method for assessing each major utility an amount that is proportionate to its  
15 fraction of the total amount of sulfur dioxide emissions from major utilities in this  
16 state.

17 **SECTION 5247.** 196.857 (title) of the statutes is amended to read:

18 **196.857 (title) Assessment for stray Stray voltage program.**

19 **SECTION 5248.** 196.857 (1) (intro.), (a) and (b) of the statutes are renumbered  
20 196.857 (1m) (intro.), (a) and (b), and 196.857 (1m) (intro.) and (a), as renumbered,  
21 are amended to read:

22 196.857 (1m) (title) ASSESSMENTS. (intro.) ~~The commission shall establish and~~  
23 ~~administer a program to provide to farmers on-site technical assistance related to~~  
24 ~~stray voltage. In cooperation with the department of agriculture, trade and~~  
25 ~~consumer protection, the commission shall investigate the causes of stray voltage on~~

1 ~~individual farms, recommend to farmers solutions to stray voltage problems and~~  
2 ~~evaluate the effectiveness of on-site technical assistance.~~ The commission shall  
3 assess annually all of the following amounts to public utilities which produce  
4 electricity and which have annual gross operating revenues related to electricity in  
5 excess of \$100,000,000 in proportion to their respective electric gross operating  
6 revenues during the last calendar year, derived from intrastate operations:

7 (a) The amount appropriated under s. 20.155 (1) (L), less any amount received  
8 under s. 20.155 (1) (Lb) and less any fees received under sub. (2k) and credited to the  
9 appropriation under s. 20.155 (1) (L). The amounts received under this paragraph  
10 shall be credited to the appropriation made in s. 20.155 (1) (L).

11 **SECTION 5249.** 196.857 (1) (c) of the statutes is repealed.

12 **SECTION 5250.** 196.857 (1g) of the statutes is created to read:

13 196.857 (1g) PROGRAM ELEMENTS. (a) The commission shall establish and  
14 administer a stray voltage program. The program shall focus on regulation,  
15 education, inspection and investigation relating to stray voltage.

16 (b) The commission shall identify standardized test procedures check lists and  
17 equipment to be used by public utilities to investigate stray voltage. The commission  
18 may audit the results of investigations.

19 (c) The commission shall conduct classroom and on-farm stray voltage training  
20 sessions for public utilities, cooperatives, electricians or other interested parties.

21 (d) The commission shall conduct unannounced spot checks of on-farm stray  
22 voltage testing done by public utilities if the farmer gives permission for the check  
23 at the time the farm is visited. The commission may inspect the operation of public  
24 utility stray voltage programs to ensure that proper equipment and procedures are  
25 being used and to ensure that investigators are properly trained.

1 (e) In cooperation with the department of agriculture, trade and consumer  
2 protection, the commission shall investigate the causes of stray voltage on individual  
3 farms, recommend to farmers solutions to stray voltage problems and evaluate the  
4 effectiveness of on-site technical assistance.

5 **SECTION 5251.** 196.857 (2) of the statutes is amended to read:

6 196.857 (2) (title) DUE DATE. A public utility shall pay the total amount that  
7 it is assessed under sub. (1) (1m) within 30 days after it receives a bill for that amount  
8 from the commission. The bill constitutes notice of the assessment and demand of  
9 payment.

10 **SECTION 5252.** 196.857 (2g) of the statutes is amended to read:

11 196.857 (2g) (title) FARM SERVICES FEES. The commission shall assess fees not  
12 to exceed \$100 may charge reasonable fees not to exceed \$300 per farm for the  
13 services provided to farmers under this section. The fees shall be in accordance with  
14 a standardized schedule of fees established by the commission by rule. The fees  
15 collected under this subsection shall be credited to the appropriation account under  
16 s. 20.115 (8) (j) in each fiscal year.

17 **SECTION 5253.** 196.857 (2k) of the statutes is created to read:

18 196.857 (2k) **OTHER SERVICES FEES.** The commission may charge a reasonable  
19 fee for services, other than on-farm site-related services, provided under this  
20 section. The fee may not exceed the actual costs of the services. The fees collected  
21 under this subsection shall be credited to the appropriation account under s. 20.155  
22 (1) (L) in each fiscal year.

23 **SECTION 5254.** 196.857 (2m) of the statutes is amended to read:

24 196.857 (2m) (title) ADDITIONAL INVESTIGATIONS. If the commission, at the  
25 request of an electric cooperative organized under ch. 185 or any public utility which

1 is not assessed under sub. ~~(1)~~ (1m), conducts an investigation of the causes of stray  
2 voltage on any farm receiving electrical service from that electric cooperative or  
3 public utility, that electric cooperative or public utility shall pay a reasonable fee, not  
4 exceeding \$500 per investigation, which reasonable fees assessed by the commission  
5 shall ~~establish separately for each request~~ in accordance with a standardized  
6 schedule of fees established by the commission by rule. The amounts received under  
7 this subsection shall be credited to the appropriation made in account under s. 20.155  
8 (1) (L).

9 **SECTION 5255.** 196.857 (3) of the statutes is repealed.

10 **SECTION 5257g.** 214.01 (1) (f) of the statutes is repealed.

11 **SECTION 5257r.** 214.01 (1) (im) of the statutes is created to read:

12 214.01 (1) (im) "Division" means the division of savings and loan.

13 **SECTION 5258.** 214.01 (1) (pm) of the statutes is amended to read:

14 214.01 (1) (pm) "Investment" includes consumer, residential, agricultural and  
15 commercial loans, purchases of corporate debentures, securities, bonds and joint  
16 venture shares, and purchases of mutual fund shares subject to the rules of the  
17 commissioner division.

18 **SECTION 5259.** 214.01 (1) (r) of the statutes is amended to read:

19 214.01 (1) (r) "Net profit" means the remainder of all earnings from current  
20 operations plus actual recoveries on loans, investments and other assets after  
21 deducting all current expenses, including interest on deposit accounts, additions to  
22 reserves that are required by the ~~commissioner~~ division, actual losses, accrued  
23 dividends on preferred stock and all state and federal taxes.

24 **SECTION 5260.** 214.015 of the statutes is amended to read:

1           **214.015 Administration.** This chapter shall be administered by the  
2 commissioner division.

3           **SECTION 5261.** 214.025 of the statutes is amended to read:

4           **214.025 Insurance of accounts.** A savings bank shall secure insurance of  
5 its deposit accounts by a deposit insurance corporation before commencing business  
6 and may, subject to rules of the ~~commissioner~~ division, obtain insurance of deposits  
7 in excess of the amount eligible for insurance by a deposit insurance corporation.

8           **SECTION 5262.** 214.03 (1) of the statutes is amended to read:

9           **214.03 (1)** Subject to the regulation of the ~~commissioner~~ division and in  
10 addition to the powers granted by this chapter, a savings bank may, directly or  
11 through a subsidiary, undertake any activity, exercise any power or offer any  
12 financially related product or service in this state that any other provider of financial  
13 products or services may undertake, exercise or provide or that the ~~commissioner~~  
14 division finds to be financially related.

15           **SECTION 5263.** 214.03 (2) of the statutes is amended to read:

16           **214.03 (2)** The activities, powers, products and services that may be  
17 undertaken, exercised or offered by a savings bank under sub. (1) are limited to those  
18 specified by rule of the ~~commissioner~~ division. The ~~commissioner~~ division may direct  
19 a savings bank to cease any activity, the exercise of any power or the offering of any  
20 product or service authorized by rule under this subsection. Among the factors that  
21 the ~~commissioner~~ division may consider in so directing a savings bank are the  
22 savings bank's net worth, assets, management rating, liquidity ratio and ratio of net  
23 worth to assets.

24           **SECTION 5264.** 214.035 (1) of the statutes is amended to read:

1           214.035 (1) An institution organized under this chapter shall be known as a  
2 state savings bank and shall adopt a name that identifies it as such and that includes  
3 the term “savings”. The ~~commissioner~~ division shall approve the name of a savings  
4 bank.

5           **SECTION 5265.** 214.035 (2) of the statutes is amended to read:

6           214.035 (2) Notwithstanding sub. (1), an association, as defined in s. 215.01 (1),  
7 that converts to a savings bank may use a name that does not include the term  
8 “savings” in its name if that name was approved for use by the association by the  
9 ~~commissioner~~ division under ch. 215 before February 12, 1992, and that name is  
10 approved by the ~~commissioner~~ division under this subsection as appropriate to  
11 identify the converted association as a savings bank.

12           **SECTION 5268.** 214.04 (4) of the statutes is amended to read:

13           214.04 (4) With the approval of the ~~commissioner~~ division, to become a member  
14 of, purchase stock or securities in, deposit money with, or comply with any other  
15 conditions of membership or credit for any corporation or agency of the United States  
16 or of this state, to the extent that such agency assists in furthering or facilitating the  
17 purposes or powers of the savings bank.

18           **SECTION 5269.** 214.04 (8) of the statutes is amended to read:

19           214.04 (8) To purchase stock in service corporations and to invest in any form  
20 of indebtedness of any service corporation, subject to rules of the ~~commissioner~~  
21 division.

22           **SECTION 5270.** 214.04 (9) of the statutes is amended to read:

23           214.04 (9) With the approval of the ~~commissioner~~ division, to purchase stock  
24 of a corporation whose principal purpose is to operate a safe deposit or escrow service  
25 business, if the purchase is necessary to utilize the services of that business.

**SECTION 5271**

1           **SECTION 5271.** 214.04 (12) (intro.) of the statutes is amended to read:

2           214.04 (12) (intro.) Subject to rules of the ~~commissioner~~ division, to make  
3 contracts, incur obligations, make investments, pledge assets or take other action  
4 necessary to do any of the following:

5           **SECTION 5272.** 214.04 (14) of the statutes is amended to read:

6           214.04 (14) Subject to rules of the ~~commissioner~~ division, to own and lease  
7 personal property acquired by the savings bank at the request of a prospective lessee  
8 and, upon the agreement of that person, to lease the personal property.

9           **SECTION 5273.** 214.04 (17) of the statutes is amended to read:

10          214.04 (17) With prior written approval of the ~~commissioner~~ division, to  
11 acquire all or any part of the assets of a financial institution or to sell all or any part  
12 of its assets to another financial institution.

13          **SECTION 5274.** 214.04 (18) of the statutes is amended to read:

14          214.04 (18) To borrow money and issue its obligations for the borrowed money,  
15 including but not limited to obligations, bonds, notes or other debt securities. Except  
16 as otherwise provided by this chapter or by rules of the ~~commissioner~~ division, the  
17 aggregate amount borrowed may not exceed 50% of the savings bank's total assets,  
18 except with the prior written approval of the ~~commissioner~~ division. An obligation,  
19 bond, note or other debt security may include a written provision subordinating the  
20 debt to claims of other creditors or of depositors.

21          **SECTION 5275.** 214.04 (20) of the statutes is amended to read:

22          214.04 (20) Upon receiving approval from the ~~commissioner~~ division, to act as  
23 an authorized agent for its customers in the business and functions under ch. 217.  
24 A savings bank that applies to function as a seller of checks shall meet the application  
25 requirements under ch. 217. The ~~commissioner~~ division may not charge a license or

1 investigation fee for an application under this subsection. The seller of checks  
2 function of a savings bank shall be under the jurisdiction and supervision of the  
3 ~~commissioner~~ division. The ~~commissioner~~ division shall enforce ch. 217 as it applies  
4 to savings banks. The ~~commissioner~~ division shall determine what records shall be  
5 maintained and shall require the segregation of funds that are necessary for a  
6 savings bank to operate as a seller of checks under this subsection and ch. 217.

7 **SECTION 5276.** 214.04 (21) (a) of the statutes is amended to read:

8 214.04 (21) (a) Directly or indirectly, to acquire, place and operate, or  
9 participate in the acquisition, placement and operation of, at locations other than its  
10 home office and branch offices, remote service units, in accordance with rules  
11 established by the ~~commissioner~~ division.

12 **SECTION 5277.** 214.04 (21) (b) of the statutes is amended to read:

13 214.04 (21) (b) The rules of the ~~commissioner~~ division shall provide that any  
14 remote service unit shall be available for use, on a nondiscriminatory basis, by any  
15 state or federal savings bank which has its principal place of business in this state,  
16 by any other state or federal savings bank obtaining the consent of a state or federal  
17 savings bank that has its principal place of business in this state and is using the  
18 terminal and by all customers designated by a savings bank using the unit. This  
19 paragraph does not authorize a savings bank which has its principal place of  
20 business outside this state to conduct business as a savings bank in this state. A  
21 remote service unit shall be available for use, on a nondiscriminatory basis, by any  
22 credit union, state or national bank or state or federal savings and loan association,  
23 whose home office is located in this state, if the credit union, bank or savings and loan  
24 association requests to share its use, subject to joint rules established by the  
25 ~~commissioner~~ division of banking, the ~~commissioner~~ office of credit unions and the

1 ~~commissioner~~ division. The rules of the ~~commissioner~~ division and the joint rules  
2 shall each prohibit any advertising with regard to a shared remote service unit which  
3 suggests or implies exclusive ownership or control of the shared unit by any savings  
4 bank or group of savings banks operating or participating in the operation of the unit.  
5 The ~~commissioner~~ division by order may authorize the installation and operation of  
6 a remote service unit in a mobile facility, after notice and hearing upon the proposed  
7 service stops of the mobile facility.

8 **SECTION 5278.** 214.04 (21) (c) of the statutes is amended to read:

9 214.04 (21) (c) If any person primarily engaged in the retail sale of goods or  
10 services owns or operates a remote service unit on such person's premises and allows  
11 access to the unit by any financial institution, group of financial institutions or their  
12 customers, nothing in this paragraph or in rules established by the ~~commissioner~~  
13 division shall require such person to accept any connection to or use of the unit on  
14 its premises for any other purpose or function or to accept any connection to the unit  
15 on its premises by any other financial institution.

16 **SECTION 5279.** 214.04 (21) (d) of the statutes is amended to read:

17 214.04 (21) (d) If a person primarily engaged in the retail sale of goods or  
18 services owns or operates a remote service unit on such person's premises and allows  
19 access to the unit by any financial institution, group of financial institutions or their  
20 customers for any purpose or function, laws governing such institutions or rules  
21 established by the ~~commissioner~~ division shall not apply to such person other than  
22 those laws or rules directly related to the particular function performed by the unit  
23 on such person's premises for a financial institution.

24 **SECTION 5280.** 214.04 (25) of the statutes is amended to read:

1           214.04 (25) Subject to rules of the ~~commissioner~~ division, to issue credit cards,  
2 extend open-end credit and otherwise engage in or participate in credit card  
3 operations.

4           **SECTION 5281.** 214.04 (26) of the statutes is amended to read:

5           214.04 (26) With the prior approval of the ~~commissioner~~ division, establish a  
6 limited office.

7           **SECTION 5282.** 214.04 (27) of the statutes is amended to read:

8           214.04 (27) After giving notice to the ~~commissioner~~ division, establish an  
9 extended office.

10          **SECTION 5283.** 214.045 of the statutes is amended to read:

11          **214.045 Status as internal revenue service qualified thrift lender.** A  
12 savings bank shall qualify for and maintain either the 60% asset test of section 7701  
13 (a) (19) of the internal revenue code, or an asset test prescribed by rule of the  
14 ~~commissioner~~ division that is not less than the percentage prescribed by section 7701  
15 (a) (19) of the internal revenue code.

16          **SECTION 5284.** 214.06 (1) (intro.) of the statutes is amended to read:

17          214.06 (1) (intro.) With the prior written approval of the ~~commissioner~~ division,  
18 a savings bank may establish one or more branch offices. A branch office may be  
19 located in any of the following:

20          **SECTION 5285.** 214.07 of the statutes is amended to read:

21          **214.07 Authorized activities.** A savings bank holding company may engage  
22 in activities that are authorized by the ~~commissioner~~ division.

23          **SECTION 5286.** 214.08 of the statutes is amended to read:

24          **214.08 Registration.** A savings bank holding company and each subsidiary  
25 of a savings bank holding company shall register with the ~~commissioner~~ division

1 within 180 days after May 7, 1992, or within 90 days after becoming a savings bank  
2 holding company or subsidiary, whichever is later. A savings bank holding company  
3 and each subsidiary of a savings bank holding company shall register on forms  
4 prescribed by the ~~commissioner~~ division. A registration form shall include  
5 information with respect to the financial condition, ownership, management, and  
6 intercompany relations of the holding company and its subsidiaries and such related  
7 matters as the ~~commissioner~~ division considers necessary.

8 **SECTION 5287.** 214.085 (1) (a) of the statutes is amended to read:

9 214.085 (1) (a) File with the ~~commissioner~~ division reports as required by the  
10 ~~commissioner~~ division. A report shall be on a form prescribed by the ~~commissioner~~  
11 division and may require whatever information the ~~commissioner~~ division considers  
12 to be necessary concerning the operations of each savings bank holding company and  
13 subsidiary.

14 **SECTION 5288.** 214.085 (1) (b) of the statutes is amended to read:

15 214.085 (1) (b) Maintain such books and records as may be prescribed by the  
16 ~~commissioner~~ division.

17 **SECTION 5289.** 214.085 (1) (c) of the statutes is amended to read:

18 214.085 (1) (c) Be subject to examination by the ~~commissioner~~ division.

19 **SECTION 5290.** 214.085 (2) of the statutes is amended to read:

20 214.085 (2) The ~~commissioner~~ division shall assess a savings bank holding  
21 company fees and charges as necessary to cover the cost of the ~~commissioner's~~  
22 division's examination and supervision under this chapter. The ~~commissioner~~  
23 division may promulgate rules to establish fees and payment schedules to support  
24 registration, examination and supervision under this chapter.

25 **SECTION 5291.** 214.09 of the statutes is amended to read:

1           **214.09 Acquisitions.** Subject to rules of the ~~commissioner~~ division, a savings  
2 bank holding company may acquire control of a savings bank or of a savings bank  
3 holding company upon application to and with the prior written approval of the  
4 ~~commissioner~~ division. The application shall be in a form prescribed by the  
5 ~~commissioner~~ division. The ~~commissioner~~ division shall approve the application if  
6 the ~~commissioner~~ division determines that the acquisition is consistent with the  
7 interest of maintaining a sound financial system and that the proposed acquisition  
8 does not afford a basis for supervisory objection.

9           **SECTION 5292.** 214.095 (3) of the statutes is amended to read:

10           214.095 (3) The ~~commissioner~~ division shall promulgate rules to regulate the  
11 formation of and the ongoing business of the subsidiaries and the savings bank  
12 holding company, including the rights of members or stockholders, levels of  
13 investment in holding company subsidiaries, and stock sales.

14           **SECTION 5293.** 214.155 (2) of the statutes is amended to read:

15           214.155 (2) A savings bank proposing any action under sub. (1) shall file an  
16 application with the ~~commissioner~~ division for approval of the transaction and shall  
17 provide the ~~commissioner~~ division with copies of all applications and materials filed  
18 with a federal agency or agency of another state in seeking approval of the  
19 transaction.

20           **SECTION 5294.** 214.16 (2) of the statutes is amended to read:

21           214.16 (2) An in-state savings bank holding company proposing any action  
22 under sub. (1) shall file an application with the ~~commissioner~~ division for approval  
23 of the transaction and shall provide the ~~commissioner~~ division with copies of all  
24 applications and materials filed with a federal agency or agency of another state in  
25 seeking approval of the transaction.

1           **SECTION 5295.** 214.17 (1) (intro.) of the statutes is amended to read:

2           214.17 (1) (intro.) The ~~commissioner~~ division finds that the statutes of the state  
3 in which the regional institution or regional holding company has its principal place  
4 of business permit all of the following:

5           **SECTION 5296.** 214.17 (2) of the statutes is amended to read:

6           214.17 (2) The ~~commissioner~~ division has not disapproved the acquisition of  
7 the savings bank or the acquisition or merger with the in-state savings bank holding  
8 company under s. 214.18.

9           **SECTION 5297.** 214.17 (3) of the statutes is amended to read:

10          214.17 (3) The ~~commissioner~~ division publishes under ch. 985 a class 3 notice,  
11 in the official state newspaper, of the application to take an action under s. 214.165  
12 and of the opportunity for a hearing and, if at least 25 residents of this state petition  
13 for a hearing within 30 days of the final notice or if the ~~commissioner~~ division on the  
14 ~~commissioner's~~ division's own motion calls for a hearing within 30 days of the final  
15 notice, the ~~commissioner~~ division holds a public hearing on the application, except  
16 that a hearing is not required if the ~~commissioner~~ division finds that an emergency  
17 exists and that the proposed action under s. 214.165 is necessary and appropriate to  
18 prevent the probable failure of an in-state savings bank that is closed or in danger  
19 of closing.

20          **SECTION 5298.** 214.17 (4) of the statutes is amended to read:

21          214.17 (4) The ~~commissioner~~ division is provided a copy of any application  
22 seeking approval by a federal agency of the acquisition of an in-state savings bank  
23 or acquisition of or merger with an in-state savings bank holding company and of any  
24 supplemental material or amendments filed with the application.

25          **SECTION 5299.** 214.17 (5) of the statutes is amended to read:

1           214.17 (5) The applicant has paid the ~~commissioner~~ division a fee of \$1,000  
2 together with the actual costs incurred by the ~~commissioner~~ division in holding any  
3 hearing on the application.

4           **SECTION 5300.** 214.18 (intro.) of the statutes is amended to read:

5           **214.18 Standards for disapproval.** (intro.) The ~~commissioner~~ division may  
6 disapprove any action under s. 214.165 if the ~~commissioner~~ division finds any of the  
7 following:

8           **SECTION 5301.** 214.18 (6) of the statutes is amended to read:

9           214.18 (6) The applicant has failed to enter into an agreement prepared by the  
10 ~~commissioner~~ division to comply with laws and rules of this state regulating  
11 consumer credit finance charges and of the charges and related disclosure  
12 requirements, except to the extent preempted by federal law or regulation.

13           **SECTION 5302.** 214.18 (8) of the statutes is amended to read:

14           214.18 (8) The applicant fails to meet any other standard established by rule  
15 of the ~~commissioner~~ division.

16           **SECTION 5303.** 214.20 of the statutes is amended to read:

17           **214.20 Divestiture.** A savings bank holding company that ceases to be an  
18 in-state savings bank holding company or regional holding company shall  
19 immediately notify the ~~commissioner~~ division of the change in its status and shall,  
20 as soon as practical and no later than 2 years after the event causing it to no longer  
21 be one of these entities, divest itself of control of all in-state savings banks and  
22 in-state savings bank holding companies. A savings bank holding company that  
23 fails to immediately notify the ~~commissioner~~ division shall be subject to a forfeiture  
24 of \$500 per day, beginning on the day its status changes and ending on the day the  
25 ~~commissioner~~ division receives notification.

1           **SECTION 5304.** 214.24 (1) of the statutes is amended to read:

2           214.24 (1) An adult resident of this state may, with the approval of the  
3 ~~commissioner~~ division, organize a savings bank.

4           **SECTION 5305.** 214.24 (2) of the statutes is amended to read:

5           214.24 (2) For stock savings banks, the ~~commissioner~~ division shall determine  
6 the minimum required capital which shall be at least the minimum required to  
7 obtain insurance of accounts from a deposit insurance corporation and may include  
8 additional amounts as the ~~commissioner~~ division may require, based on rules  
9 promulgated by the ~~commissioner~~ division.

10          **SECTION 5306.** 214.24 (3) of the statutes is amended to read:

11          214.24 (3) For mutual savings banks, the ~~commissioner~~ division shall  
12 determine the aggregate minimum amount of funds to be paid into the savings bank's  
13 deposit accounts by persons subscribing for deposit accounts and the length of time  
14 for which the incorporators shall guarantee payment of savings bank operating  
15 expenses. The minimum amount of capital required shall be at least the minimum  
16 required to obtain insurance of the accounts from a deposit insurance corporation  
17 and may include additional amounts as the ~~commissioner~~ division may require,  
18 based on rules promulgated by the ~~commissioner~~ division.

19          **SECTION 5307.** 214.245 (intro.) of the statutes is amended to read:

20          **214.245 Content of application to organize.** (intro.) The incorporators  
21 shall file an application for a certificate to organize a savings bank on forms  
22 prescribed by the ~~commissioner~~ division. The application shall include any  
23 information the ~~commissioner~~ division considers necessary but shall include at least  
24 all of the following:

25          **SECTION 5308.** 214.25 (1) of the statutes is amended to read:

1           214.25 (1) The ~~commissioner~~ division shall approve the articles of  
2 incorporation of a savings bank.

3           **SECTION 5309.** 214.25 (2) of the statutes is amended to read:

4           214.25 (2) Duplicate originals of the articles of incorporation executed by the  
5 incorporators, and any subsequent amendments to the articles that are adopted by  
6 the members or stockholders of the savings bank shall be filed with and approved by  
7 the ~~commissioner~~ division.

8           **SECTION 5310.** 214.25 (3) of the statutes is amended to read:

9           214.25 (3) Upon their approval by the ~~commissioner~~ division, articles of  
10 incorporation and amendments to the articles shall be recorded in the office of the  
11 register of deeds in the county in which the home office of the savings bank is located.

12           **SECTION 5311.** 214.25 (5) of the statutes is amended to read:

13           214.25 (5) The effective date of the articles of incorporation and amendments  
14 to the articles shall be the date of recording in the office of the register of deeds or  
15 a later date if the document provides for a different date. The register of deeds shall  
16 forward a certificate of recording to the ~~commissioner~~ division.

17           **SECTION 5312.** 214.255 (1) of the statutes is amended to read:

18           214.255 (1) The ~~commissioner~~ division shall approve the bylaws of a savings  
19 bank.

20           **SECTION 5313.** 214.255 (2) of the statutes is amended to read:

21           214.255 (2) Duplicate originals of the bylaws and any subsequent amendments  
22 to the bylaws shall be filed with and approved by the ~~commissioner~~ division.

23           **SECTION 5314.** 214.255 (3) of the statutes is amended to read:

1           214.255 (3) The effective date of the bylaws and amendments to the bylaws  
2 shall be the date on which they are approved by the ~~commissioner~~ division or a later  
3 date if the document provides for a different date.

4           **SECTION 5315.** 214.26 (1) of the statutes is amended to read:

5           214.26 (1) The ~~commissioner~~ division may require additional information and  
6 shall conduct whatever investigation necessary, including subpoenaing books and  
7 records, taking public testimony and conducting hearings, to determine if the  
8 ~~commissioner~~ division should issue a certificate to organize. The incorporators shall  
9 share jointly and severally the expense of an investigation.

10          **SECTION 5316.** 214.26 (2) (a) of the statutes is amended to read:

11          214.26 (2) (a) The expense fund shall be an asset of the proposed mutual  
12 savings bank if the ~~commissioner~~ division approves the application, and shall be  
13 reflected on the books as a liability under the caption "subsidy by incorporators".

14          **SECTION 5317.** 214.26 (2) (c) of the statutes is amended to read:

15          214.26 (2) (c) After 3 years of corporate existence, the board of directors may  
16 petition the ~~commissioner~~ division for authority to repay the incorporators, on a  
17 proportional basis, any unused portion remaining in the expense fund. If the  
18 ~~commissioner~~ division determines that the operations of the mutual savings bank at  
19 that point are of such degree as so enable the mutual savings bank to operate without  
20 the subsidy, the ~~commissioner~~ division may authorize repayment.

21          **SECTION 5318.** 214.26 (2) (d) of the statutes is amended to read:

22          214.26 (2) (d) After the 4th year of corporate existence, and each subsequent  
23 year, the board of directors of the mutual savings bank may petition the  
24 ~~commissioner~~ division for authority to pay out of current income of any period to the  
25 incorporators on a proportional basis, the amount remaining after payment of

1 expenses, provision for taxes and the provision for distribution of earnings as a  
2 recovery of previous charges made to the expense fund account. The ~~commissioner~~  
3 division may approve or deny the petition for recovery payments. Recovery  
4 payments may not exceed the total of the charges made to the expense fund account.

5 **SECTION 5319.** 214.26 (3) (a) of the statutes is amended to read:

6 214.26 (3) (a) Within 30 days after receiving a completed application, the  
7 ~~commissioner~~ division shall furnish a notice of application to the incorporators and  
8 to each savings bank authorized to operate an office within 4 miles of the proposed  
9 home office if it is to be located in Milwaukee county, or within 20 miles of the  
10 proposed home office if it is to be located outside of Milwaukee county. The notice  
11 shall describe the location and nature of the proposed home office and any other  
12 proposed office and shall solicit written comments on the application. If a hearing  
13 on the application has been scheduled, the notice shall indicate the time and place  
14 of the hearing. If a hearing has not been scheduled, the notice shall describe the right  
15 of interested persons to request a hearing.

16 **SECTION 5320.** 214.26 (3) (b) of the statutes is amended to read:

17 214.26 (3) (b) The incorporators shall publish the notice of application as a class  
18 3 notice under ch. 985 in the city, town or village where the home office is to be located  
19 and shall provide the ~~commissioner~~ division with proof of publication.

20 **SECTION 5321.** 214.26 (4) (intro.) of the statutes is amended to read:

21 214.26 (4) (intro.) The ~~commissioner~~ division shall conduct a public hearing  
22 on the application if any of the following occurs:

23 **SECTION 5322.** 214.26 (4) (b) of the statutes is amended to read:

1           214.26 (4) (b) Within 3 days after publication of the final notice of application  
2 any person planning to participate in a hearing on the application files with the  
3 ~~commissioner~~ division a request for hearing.

4           **SECTION 5323.** 214.26 (5) of the statutes is amended to read:

5           214.26 (5) If a hearing date is not indicated in the notice of application and a  
6 hearing is subsequently required, the ~~commissioner~~ division shall give written  
7 notice of the time and place of the hearing to the incorporators and to anyone who  
8 has requested a hearing, at least 10 days before the hearing.

9           **SECTION 5324.** 214.26 (7) (intro.) of the statutes is amended to read:

10          214.26 (7) (intro.) To approve an application, the ~~commissioner~~ division must  
11 find, based on the record of the application, the ~~commissioner's~~ division's  
12 investigation and the public hearing, if any, that all of the following conditions exist:

13          **SECTION 5325.** 214.26 (7) (c) of the statutes is amended to read:

14          214.26 (7) (c) The proposed name is not deceptively similar to that of another  
15 financial institution within an area defined by rule of the ~~commissioner~~ division.

16          **SECTION 5326.** 214.26 (8) of the statutes is amended to read:

17          214.26 (8) The ~~commissioner~~ division shall have discretionary authority to  
18 grant a certificate of authority. The ~~commissioner~~ division may refuse to issue a  
19 certificate of authority to the incorporators to commence business if, in the  
20 ~~commissioner's~~ division's opinion, any incorporator is not of such character and  
21 general fitness as to warrant belief that the savings bank will be conducted for the  
22 best interest of its members or stockholders or if other sufficient reasons exist for a  
23 refusal to issue a certificate of authority.

24          **SECTION 5327.** 214.265 (1) (a) of the statutes is amended to read:

1           214.265 (1) (a) If the ~~commissioner~~ division approves an application to  
2           organize, the ~~commissioner~~ division shall issue to the incorporators a certificate of  
3           authority to effect a temporary organization.

4           **SECTION 5328.** 214.265 (5) of the statutes is amended to read:

5           214.265 (5) The directors shall prepare articles of incorporation, bylaws, and  
6           other documents and items as required by rule of the ~~commissioner~~ division.

7           **SECTION 5329.** 214.265 (6) of the statutes is amended to read:

8           214.265 (6) The directors shall apply for insurance of accounts with a deposit  
9           insurance corporation and provide the ~~commissioner~~ division with a copy of each  
10          filing and additional documents filed or received in connection with the filing.

11          **SECTION 5330.** 214.265 (8) of the statutes is amended to read:

12          214.265 (8) If a stock savings bank, the officers and directors shall furnish the  
13          ~~commissioner~~ division with the names and addresses of all investors who subscribe  
14          to purchase stock.

15          **SECTION 5331.** 214.265 (9) of the statutes is amended to read:

16          214.265 (9) No business, other than that of completing the organization of the  
17          proposed savings bank, may be transacted until the ~~commissioner~~ division issues  
18          certificate of incorporation.

19          **SECTION 5332.** 214.265 (10) of the statutes is amended to read:

20          214.265 (10) A temporary certificate of authority issued under sub. (1) (a) shall  
21          be effective for 180 days after the date issued. The ~~commissioner~~ division may, for  
22          cause, extend the effective period of the certificate for such time as the ~~commissioner~~  
23          division considers to be advisable.

24          **SECTION 5333.** 214.27 (1) of the statutes is amended to read:

1           214.27 (1) In addition to the organization requirements of this subchapter, the  
2 commissioner division may require additional assurances, information, capital or  
3 agreements from the officers, directors or employes of the savings bank. If the  
4 requirements of this subchapter, rules promulgated under this subchapter, federal  
5 law and the commissioner's division's requests are completed, the incorporators  
6 shall provide the commissioner division with a certificate of compliance in a form  
7 prescribed by the commissioner division, together with a \$500 fee.

8           **SECTION 5334.** 214.27 (2) of the statutes is amended to read:

9           214.27 (2) Within 90 days after receipt of the certificate of compliance and  
10 receipt of all required fees, the commissioner division shall issue a certificate of  
11 incorporation authorizing the savings bank to commence business. The certificate  
12 of incorporation shall specify the date of the corporate existence of the savings bank.

13           **SECTION 5335.** 214.27 (3) of the statutes is amended to read:

14           214.27 (3) The commissioner division shall terminate the corporate existence  
15 and void the articles of incorporation and certificate of incorporation of a savings  
16 bank if the savings bank fails to commence business within 6 months after the date  
17 on the certificate of incorporation. The commissioner division may, in writing,  
18 extend the time period to commence business for such time as the commissioner  
19 division considers to be advisable.

20           **SECTION 5336.** 214.275 of the statutes is amended to read:

21           **214.275 Appeal of denial.** If the commissioner division does not grant a  
22 certificate of organization, the incorporators may appeal to the review board to  
23 review the determination.

24           **SECTION 5337.** 214.305 of the statutes is amended to read:

1           **214.305 Annual and special meetings.** The date of the annual meeting of  
2 members or stockholders shall be specified in the bylaws. Failure to hold an annual  
3 meeting may not cause a dissolution of the savings bank. Special meetings may be  
4 called by the board of directors, by stockholders of not less than 20% of the  
5 outstanding stock, by members constituting not less than 20% of the eligible votes  
6 or by any other person designated in the bylaws. The ~~commissioner~~ division may call  
7 a special meeting with not less than 7 days' written or oral notice. An annual or  
8 special meeting shall be held at the home office of the savings bank or in another  
9 place within the same county if specifically designated in the notice of the meeting.

10           **SECTION 5338.** 214.31 (1) of the statutes is amended to read:

11           214.31 (1) Notice of an annual meeting shall be provided not fewer than 10 days  
12 nor more than 40 days before the date of the meeting in the manner provided in the  
13 bylaws. The notice shall be displayed at each office of the savings bank in a manner  
14 prescribed by rule of the ~~commissioner~~ division. The notice shall state the time, place  
15 and purpose of the meeting.

16           **SECTION 5339.** 214.34 (1) of the statutes is amended to read:

17           214.34 (1) Every person appointed or elected to any position requiring the  
18 receipt, payment, management or use of savings bank money, or whose duties permit  
19 or require access to or custody of savings bank money or securities, or whose duties  
20 permit the regular making of entries in the books or other records of the savings  
21 bank, shall be bonded by a trust or company authorized to issue bonds in this state  
22 or by a fidelity insurance company licensed to do business in this state. A bond shall  
23 be in a form prescribed by the ~~commissioner~~ division and in an amount fixed by the  
24 board of directors. A bond shall be payable to the savings bank to indemnify the  
25 savings bank for any loss the savings bank may sustain through any dishonest or

1 criminal act or omission by the bonded person, whether committed alone or in concert  
2 with others. A bond shall provide that cancellation of the bond by the surety or by  
3 the insured is not effective before 30 days' written notice is given to the ~~commissioner~~  
4 division, unless the ~~commissioner~~ division approves an earlier cancellation.

5 **SECTION 5340.** 214.34 (2) of the statutes is amended to read:

6 214.34 (2) Notwithstanding sub. (1), the ~~commissioner~~ division may proceed  
7 against a savings bank if the ~~commissioner~~ division believes that the business of the  
8 savings bank is being conducted in an unsafe or unsound manner or that the form  
9 or amount of bonds approved by the board of directors is inadequate to give  
10 reasonable protection to the savings bank.

11 **SECTION 5341.** 214.345 (1) of the statutes is amended to read:

12 214.345 (1) Upon election, a director shall take an oath that the director will  
13 diligently and honestly perform the duties of that office and will not knowingly  
14 violate or willingly permit to be violated this chapter, any rules of the ~~commissioner~~  
15 division, the articles of incorporation or bylaws under which the savings bank  
16 operates or any other state or federal law applicable to a savings bank.

17 **SECTION 5342.** 214.345 (2) of the statutes is amended to read:

18 214.345 (2) The ~~commissioner~~ division may require disclosure by directors,  
19 officers and employees of their personal interest, directly or indirectly, in any business  
20 or transaction on behalf of or involving the savings bank and of their control of or  
21 active participation in enterprises having activities related to the business of the  
22 savings bank.

23 **SECTION 5343.** 214.345 (5) (intro.) of the statutes is amended to read:

24 214.345 (5) (intro.) Subject to the approval of the ~~commissioner~~ division, a  
25 savings bank's bylaws shall provide for reasonable indemnification to its officers,

1 directors and employes in connection with the faithful performance of their duties  
2 for the savings bank.

3 **SECTION 5344.** 214.37 (4) (b) of the statutes is amended to read:

4 214.37 (4) (b) The examination of financial records by, or the furnishing of  
5 financial records by a savings bank to, any officer, employe or agent of the  
6 ~~commissioner~~ division or a deposit insurance corporation for use solely in the  
7 exercise of that person's duties as an officer, employe or agent.

8 **SECTION 5345.** 214.37 (5) of the statutes is amended to read:

9 214.37 (5) If a member or stockholder desires to communicate with other  
10 members or stockholders of the savings bank with reference to any question pending  
11 or to be presented at an annual or special meeting, the savings bank shall give that  
12 person, upon written request, a written statement of the approximate number of  
13 members or stockholders entitled to vote at the meeting and an estimate of the cost  
14 of preparing and mailing the communication. The requester shall submit the  
15 communication to the ~~commissioner~~ division who, if finding it to be appropriate and  
16 accurate, shall direct the savings bank to prepare and mail the communication to the  
17 members or stockholders upon the requester's payment or adequate provision for  
18 payment of the expenses of preparation and mailing.

19 **SECTION 5346.** 214.375 of the statutes is amended to read:

20 **214.375 Closing books.** A savings bank shall close its books at least once  
21 annually and at such other times as the ~~commissioner~~ division may require. The  
22 date of the annual closing may be March 31, June 30, September 30 or December 31  
23 or as otherwise provided by rule of the ~~commissioner~~ division.

24 **SECTION 5347.** 214.40 (1) of the statutes is amended to read:

1           214.40 (1) A savings bank may be organized to exercise the powers conferred  
2 by this chapter with minimum capital, surplus and reserves for operating expenses  
3 as determined by the ~~commissioner~~ division. The ~~commissioner~~ division may not  
4 establish requirements for savings banks at a level less than that required for  
5 insurance of accounts. For a savings bank other than one resulting from the  
6 conversion from an existing financial institution, the ~~commissioner~~ division may  
7 establish capital requirements at least as stringent as those required under s. 214.43  
8 (1).

9           **SECTION 5348.** 214.40 (2) of the statutes is amended to read:

10           214.40 (2) A stock savings bank may not commence business until it has a  
11 paid-in surplus equal to 20% of its capital. The ~~commissioner~~ division may waive  
12 this requirement for a financial institution that converts to a savings bank.

13           **SECTION 5349.** 214.42 (1) of the statutes is amended to read:

14           214.42 (1) The board of directors of a stock savings bank may propose an  
15 amendment to the articles of incorporation providing for the retirement of all of the  
16 capital stock and a detailed plan for effectuating the amendment. The resulting  
17 capital of the savings bank may not be less than the minimum initial capital that is  
18 required to organize a savings bank. The proposal shall be subject to the  
19 ~~commissioner's~~ division's approval.

20           **SECTION 5350.** 214.42 (2) of the statutes is amended to read:

21           214.42 (2) If the ~~commissioner~~ division approves the proposal, the savings  
22 bank's board of directors may request in writing an appraisal of the value of the  
23 capital stock. The ~~commissioner~~ division shall order an appraisal to be made at the  
24 expense of the savings bank.

25           **SECTION 5351.** 214.43 (1) of the statutes is amended to read:

1           214.43 (1) A savings bank shall maintain total capital of not less than 6% of  
2 total assets. This is the minimum capital level acceptable for a savings bank that is  
3 well-managed and whose overall financial condition is fundamentally sound. If the  
4 ~~commissioner~~ division determines that the financial condition or history,  
5 management or earnings prospects of a savings bank are not adequate, the  
6 ~~commissioner~~ division may require a higher minimum capital level for the savings  
7 bank.

8           **SECTION 5352.** 214.435 (3) of the statutes is amended to read:

9           214.435 (3) The board of directors may quarterly, semiannually or annually  
10 declare a dividend on capital stock of so much of the net profits of the savings bank  
11 that the board determines to be expedient, except that until the paid-in surplus of  
12 the savings bank equals its capital stock, a dividend may not be declared unless there  
13 has been transferred to paid-in surplus not less than 10% of the net profits of the  
14 preceding half year in the case of quarterly or semiannual dividends, or not less than  
15 10% of the net profits for the preceding year in the case of annual dividends. A stock  
16 dividend may be declared out of retained earnings with the written approval of the  
17 ~~commissioner~~ division.

18           **SECTION 5353.** 214.435 (4) of the statutes is amended to read:

19           214.435 (4) The written approval of the ~~commissioner~~ division is required  
20 before any dividends on stock that exceed 50% of the savings bank's net profits of that  
21 year may be declared in any calendar year.

22           **SECTION 5354.** 214.48 (3) of the statutes is amended to read:

23           214.48 (3) Each loan or investment that a savings bank makes or purchases,  
24 in whole or in part, shall be adequately underwritten and reserved against as

1 necessary in accordance with its payment performance, and in accordance with rules  
2 of the commissioner division.

3 **SECTION 5355.** 214.48 (5) of the statutes is amended to read:

4 214.48 (5) If an appraisal of real estate securing a savings bank's loan is  
5 obtained as part of an examination by the commissioner division, the cost of the  
6 appraisal shall promptly be paid by the savings bank to the appraiser.

7 **SECTION 5356.** 214.485 (intro.) of the statutes is amended to read:

8 **214.485 Investment in loans.** (intro.) Subject to rules of the commissioner  
9 division, a savings bank may lend funds under any of the following conditions or for  
10 any of the following purposes:

11 **SECTION 5357.** 214.485 (8) of the statutes is amended to read:

12 214.485 (8) Through secured or unsecured loans for business, corporate,  
13 commercial or agricultural purposes if the total of all loans granted under this  
14 subsection does not exceed 10% of the savings bank's total assets, unless a greater  
15 amount is authorized in writing by the commissioner division.

16 **SECTION 5358.** 214.485 (12) of the statutes is amended to read:

17 214.485 (12) Through issuance of letters of credit or other similar  
18 arrangements as provided for by rules of the commissioner division with regard to  
19 aggregate amounts permitted, take-out commitments for stand-by letters of credit,  
20 underlying documentation and underwriting, legal limitations on loans of the  
21 savings bank, control and subsidiary records and other procedures considered to be  
22 necessary by the commissioner division.

23 **SECTION 5359.** 214.485 (17) of the statutes is amended to read:

24 214.485 (17) For any other purpose authorized by rule of the commissioner  
25 division.

1           **SECTION 5360.** 214.49 (intro.) of the statutes is amended to read:

2           **214.49 Other investments.** (intro.) Subject to rules of the ~~commissioner~~  
3 division, a savings bank may invest funds in any of the following:

4           **SECTION 5361.** 214.49 (5) (intro.) of the statutes is amended to read:

5           214.49 (5) (intro.) With the prior written consent of the ~~commissioner~~ division,  
6 a savings bank may invest in the initial purchase and development, or the purchase  
7 or commitment to purchase after completion, of home sites and housing for sale or  
8 rental, including projects for the reconstruction, rehabilitation or rebuilding of  
9 residential properties to meet the minimum standards of health and occupancy  
10 prescribed by a local governmental unit, the provision of accommodations for retail  
11 stores, shops and other community services that are reasonably incident to that  
12 housing, or in the stock of a corporation that owns one or more of those projects and  
13 that is wholly owned by one or more financial institutions. The total investment in  
14 any one project may not exceed 15% of the savings bank's capital, nor may the  
15 aggregate investment under this subsection exceed 50% of its capital. A savings  
16 bank may not make an investment under this subsection unless it is in compliance  
17 with the capital requirements under s. 214.43 and with the capital maintenance  
18 requirements of its deposit insurance corporation. The ~~commissioner~~ division may  
19 approve the investment only if the savings bank shows all of the following:

20           **SECTION 5362.** 214.49 (15) of the statutes is amended to read:

21           214.49 (15) In any other investment authorized by rule of the ~~commissioner~~  
22 division.

23           **SECTION 5363.** 214.51 (1) of the statutes is amended to read:

24           214.51 (1) A savings bank may sell a loan or a participating interest in a loan  
25 with or without recourse. The ~~commissioner~~ division may by rule adopt limitations

1 on the sale of loans except loans sold to agencies of the United States or this state or  
2 to another government-sponsored agency if approved by the ~~commissioner~~ division.

3 **SECTION 5364.** 214.51 (2) of the statutes is amended to read:

4 214.51 (2) A savings bank may contract to service a loan or a participating  
5 interest in a loan, subject to rules of the ~~commissioner~~ division.

6 **SECTION 5365.** 214.52 (3) of the statutes is amended to read:

7 214.52 (3) Unless prior written approval of the ~~commissioner~~ division is  
8 obtained, a savings bank may not purchase, lease or acquire a site for an office  
9 building or an interest in real estate from an officer, director, employe, from a  
10 stockholder holding more than 10% of the stock of the savings bank, or from any firm,  
11 corporation, entity, or family in which an officer, director, employe or stockholder  
12 holding more than 10% of the stock of a savings bank has a direct or indirect interest.

13 **SECTION 5366.** 214.525 of the statutes is amended to read:

14 **214.525 Prohibited loans.** A savings bank may not make a loan to a person  
15 owning 10% or more of its stock, an affiliated person, agent, or attorney of the savings  
16 bank, either individually or as an agent or partner of another, except under rules of  
17 the ~~commissioner~~ division and regulations of a deposit insurance corporation.

18 **SECTION 5367.** 214.53 (3) of the statutes is amended to read:

19 214.53 (3) The ~~commissioner~~ division may require a director or officer of a  
20 savings bank who knowingly participates in or assents to, or who knowingly permits  
21 an officer, employe or agent of the savings bank to make, an investment that is not  
22 authorized by this subchapter to obtain an indemnity bond, insurance, or collateral  
23 sufficient to indemnify the savings bank against damages that the savings bank may  
24 sustain as a result of the investment. If an unauthorized investment, the amount  
25 considered sufficient to indemnify the savings bank shall be the difference between

1 the book value and the market value of the investment at the time the ~~commissioner~~  
2 division determines that the investment is unauthorized. If an unauthorized loan,  
3 the amount considered sufficient to indemnify the savings bank shall be the  
4 difference between the book value of the loan and the amount of the loan that could  
5 have been made under this subchapter. If an unauthorized investment is sold or  
6 disposed of without recourse, the ~~commissioner~~ division shall release all or part of  
7 the indemnity after deducting any loss. If the balance of an unauthorized loan is  
8 reduced to an amount that would permit the loan to be made under this subchapter,  
9 the indemnity shall be released. In making a determination under this subsection,  
10 the ~~commissioner~~ division may order an independent appraisal at the savings bank's  
11 expense.

12 **SECTION 5368.** 214.54 (1) of the statutes is amended to read:

13 214.54 (1) Except as provided in sub. (2) and s. 214.49 (4), the total of  
14 outstanding loans and extensions of credit, both direct and indirect, made by a  
15 savings bank to a single person shall be subject to limits established by rule of the  
16 ~~commissioner~~ division, but may not exceed 15% of the savings bank's capital.

17 **SECTION 5369.** 214.545 of the statutes is amended to read:

18 **214.545 Rules.** The ~~commissioner~~ division shall promulgate rules to  
19 determine permissible levels of investment and permissible concentrations of assets  
20 for savings banks that apply to all lending and investment authority under this  
21 subchapter. The rules shall give due regard to capital adequacy, operating income,  
22 underwriting standards, risk inherent in the investment or loan, and competitive  
23 parity with other financial institutions.

24 **SECTION 5370.** 214.58 (1) of the statutes is amended to read:



1 companies at either of the above addresses or the office of the commissioner division  
2 of savings and loan at .... (insert address).

3 **SECTION 5373.** 214.62 (2) (e) of the statutes is amended to read:

4 214.62 (2) (e) Other provisions necessary or desirable or that the commissioner  
5 division requires.

6 **SECTION 5374.** 214.62 (3) of the statutes is amended to read:

7 214.62 (3) After approval by the board of directors of the merging financial  
8 institution and of the savings bank, the merger agreement shall be submitted to the  
9 commissioner division for approval, together with a certified copy of the authorizing  
10 resolution of each board of directors. Before issuing approval, the commissioner  
11 division may examine the affairs of each merging financial institution and its  
12 affiliates and subsidiaries, the expense of which is to be paid by the merging financial  
13 institution.

14 **SECTION 5375.** 214.62 (4) (intro.) of the statutes is amended to read:

15 214.62 (4) (intro.) The commissioner division may approve or disapprove the  
16 proposed merger agreement. The commissioner division may not approve a merger  
17 agreement unless the commissioner division finds all of the following:

18 **SECTION 5376.** 214.62 (5) of the statutes is amended to read:

19 214.62 (5) If the commissioner division fails to approve a proposed merger, the  
20 commissioner division shall state the objections in writing and give the merging  
21 financial institutions a stated period of time in which to amend the plan of merger.

22 **SECTION 5377.** 214.625 of the statutes is amended to read:

23 **214.625 Merger; vote of approval.** If approved by the commissioner  
24 division, the plan of merger shall be submitted to the members or stockholders of  
25 each merging financial institution for approval. A meeting of the members or

1 stockholders of a savings bank shall be called and held in accordance with ss. 214.305  
2 and 214.31. The plan is approved if it receives the affirmative vote of the majority  
3 of the total votes entitled to be cast.

4 **SECTION 5378.** 214.63 of the statutes is amended to read:

5 **214.63** (title) **Merger; commissioner's certificate.** The executed merger  
6 agreement, together with a certified copy of the minutes of the meeting of members  
7 or stockholders of each merging financial institution approving the merger  
8 agreement, shall be filed with the ~~commissioner~~ division. The ~~commissioner~~ division  
9 shall issue to the resulting savings bank a certificate of merger, setting forth the  
10 name of each merging financial institution, the name of the resulting savings bank  
11 and the date on which the ~~commissioner~~ division approves the articles of  
12 incorporation and bylaws of the resulting savings bank. The merger takes effect on  
13 the date of the recording of the certificate or a later date if the certificate provides  
14 for a different date. Recording shall be completed in the same manner as required  
15 for savings bank articles of incorporation, in each county in which the home office of  
16 any of the merging financial institutions was located and in the county in which the  
17 home office of the resulting savings bank is located. The certificate shall be  
18 conclusive evidence of the merger and of the correctness of the merger proceedings  
19 except against this state.

20 **SECTION 5379.** 214.64 of the statutes is amended to read:

21 **214.64** (title) **Merger; commissioner's expenses.** The merging financial  
22 institutions shall pay the expenses of any examination made by or at the direction  
23 of the ~~commissioner~~ division in connection with a proposed merger.

24 **SECTION 5380.** 214.645 of the statutes is amended to read:

1           **214.645 Sale of assets.** Subject to rules of the ~~commissioner~~ division, a  
2 savings bank may, in a transaction not in the usual course of business, sell all or  
3 substantially all of its assets, with or without its name and goodwill, to another  
4 financial institution, in consideration of money, capital or obligations of the  
5 purchasing institution. A savings bank may sell an office or facility and equipment  
6 subject to rules of the ~~commissioner~~ division.

7           **SECTION 5381.** 214.65 (2) (a) of the statutes is amended to read:

8           214.65 (2) (a) The board of directors shall adopt by a two-thirds majority vote  
9 of all directors a resolution setting forth the terms of the proposed sale and shall  
10 submit the plan to the ~~commissioner~~ division for preliminary approval. Upon receipt  
11 of approval by the ~~commissioner~~ division, the plan shall be submitted to a vote of the  
12 members or stockholders at a special or annual meeting.

13           **SECTION 5382.** 214.65 (2) (b) of the statutes is amended to read:

14           214.65 (2) (b) The proposed sale is approved by the members or stockholders  
15 if it receives an affirmative vote from a majority of the total number of votes that are  
16 entitled to cast. A proposal for the voluntary liquidation of the savings bank may  
17 be submitted to the members or stockholders at the same meeting or at any later  
18 meeting called for that purpose. A certified summary of proceedings setting forth the  
19 terms of the proposed sale, the form and timing of the notice given, the vote on the  
20 proposal and the total number of votes entitled to cast shall be filed with the  
21 ~~commissioner~~ division.

22           **SECTION 5383.** 214.65 (3) of the statutes is amended to read:

23           214.65 (3) If the ~~commissioner~~ division finds that the deposit insurance  
24 corporation has approved the sale, the proposed sale is fair to all members,  
25 stockholders, creditors and other persons concerned and provision has been made for

1 the disposition of the remaining assets, if any, of the savings bank, the ~~commissioner~~  
2 division shall issue to the savings bank a certificate of authorization for the sale with  
3 a copy of the filed report of proceedings attached to the certificate.

4 **SECTION 5384.** 214.655 (2) (intro.) of the statutes is amended to read:

5 214.655 (2) (intro.) A savings bank shall apply to the ~~commissioner~~ division for  
6 authority to form an interim institution. The application shall be made on forms  
7 prescribed by the ~~commissioner~~ division and shall be accompanied by a  
8 nonrefundable \$1,000 fee. The ~~commissioner~~ division shall promulgate rules  
9 governing the formation of, and the standards and supervisory considerations to be  
10 applied to, interim institutions. An application shall contain all of the following:

11 **SECTION 5385.** 214.66 (1) of the statutes is amended to read:

12 214.66 (1) Applying to the ~~commissioner~~ division for authority to organize as  
13 a savings bank.

14 **SECTION 5386.** 214.66 (5) of the statutes is amended to read:

15 214.66 (5) Obtaining the ~~commissioner's~~ division's approval to convert to a  
16 savings bank.

17 **SECTION 5387.** 214.66 (7) of the statutes is amended to read:

18 214.66 (7) After obtaining the ~~commissioner's~~ division's approval, giving notice  
19 to its previous regulatory authority.

20 **SECTION 5388.** 214.665 (1) of the statutes is amended to read:

21 214.665 (1) With the prior approval of the ~~commissioner~~ division, which shall  
22 state that the proposed merger is necessary for the protection of depositors and other  
23 creditors, a savings bank that is in default or in danger of default may, by a majority  
24 vote of its board of directors and without a vote of its members or stockholders, merge  
25 with another savings bank, a state or federal savings and loan association, a state

1 bank or a federal bank. The other entity shall be the resulting or continuing savings  
2 bank, savings and loan association or bank.

3 **SECTION 5389.** 214.665 (2) of the statutes is amended to read:

4 214.665 (2) The ~~commissioner~~ division shall by rule establish standards for  
5 determining if a savings bank is in default or in danger of default.

6 **SECTION 5390.** 214.67 (1) of the statutes is amended to read:

7 214.67 (1) With the prior approval of the ~~commissioner~~ division, which shall  
8 state that the proposed sale is necessary for the protection of depositors and other  
9 creditors, a savings bank may, by a majority vote of its board of directors and without  
10 a vote of its members or stockholders, sell all or any part of its assets to another  
11 savings bank, a state or federal savings and loan association, a state bank or a  
12 national bank if the savings bank, savings and loan association or bank assumes in  
13 writing all of the liabilities of the selling savings bank or to a deposit insurance  
14 corporation.

15 **SECTION 5391.** 214.67 (2) of the statutes is amended to read:

16 214.67 (2) A savings bank may sell to a savings bank, state or federal savings  
17 and loan association, state bank or federal bank an insubstantial portion of its total  
18 deposits as described in 12 USC 1815 5 (d) (2) (D). Approval of the sale shall be by  
19 a majority vote of the board of directors and, with approval of the ~~commissioner~~  
20 division, may be without a vote of its members or stockholders.

21 **SECTION 5392.** 214.675 (1) of the statutes is amended to read:

22 214.675 (1) A person, whether acting directly or indirectly, alone or with one  
23 or more persons, shall give the ~~commissioner~~ division 60 days' written notice of  
24 intent to acquire control of 10% or more of a savings bank, affiliate, savings bank  
25 subsidiary, savings bank holding company or service corporation.

**SECTION 5393**

1           **SECTION 5393.** 214.675 (2) of the statutes is amended to read:

2           214.675 (2) A person, whether acting directly or indirectly, alone or with one  
3 or more persons, shall apply to the ~~commissioner~~ division 60 days before any  
4 proposed change in control. A change in control occurs if any change of ownership  
5 of stock, or of rights related to stock, would result in a person, whether acting directly  
6 or indirectly, alone or with one or more persons, owning, directly or indirectly, 25%  
7 or more of the voting shares or rights in a savings bank, affiliate, savings bank  
8 subsidiary, savings bank holding company or service corporation or such lesser  
9 amount that would entitle the person to elect one member to the board of directors  
10 of the entity.

11           **SECTION 5394.** 214.675 (3) of the statutes is amended to read:

12           214.675 (3) The ~~commissioner~~ division may examine the books and records of  
13 a person filing notice of intent under sub. (1) or an application under sub. (2).

14           **SECTION 5395.** 214.675 (4) of the statutes is amended to read:

15           214.675 (4) The ~~commissioner's~~ division's decision on a filing under sub. (1) or  
16 (2) shall be issued within 30 days after the date of receipt of a complete initial  
17 application or the date of receipt of additional information requested by the  
18 ~~commissioner~~ division that is necessary for making the decision. The ~~commissioner~~  
19 division shall make a request for additional information within 30 days of the date  
20 of the ~~commissioner's~~ division's receipt of an initial filing.

21           **SECTION 5396.** 214.675 (5) of the statutes is amended to read:

22           214.675 (5) The ~~commissioner~~ division shall promulgate rules to implement  
23 this section.

24           **SECTION 5397.** 214.68 (1) (b) of the statutes is amended to read:

1           214.68 (1) (b) At the meeting the members or stockholders may, by affirmative  
2           vote of not less than two-thirds of the eligible votes, resolve to convert the savings  
3           bank into a federal savings bank, or if a federal institution, into a savings bank. A  
4           verified copy of the minutes of the meeting shall be filed with the ~~commissioner~~  
5           division within 10 days after the date of the meeting.

6           **SECTION 5398.** 214.68 (1) (d) of the statutes is amended to read:

7           214.68 (1) (d) Within 6 months after the date of the meeting to convert, the  
8           savings bank shall take all steps necessary to complete the conversion. Within 10  
9           days after receipt of federal authorization, the savings bank shall file with the  
10          ~~commissioner~~ division a copy of its federal authorization. Upon filing, the savings  
11          bank shall cease to be a savings bank and shall be a federal savings bank.

12          **SECTION 5399.** 214.68 (1) (e) of the statutes is amended to read:

13          214.68 (1) (e) Within 6 months after the date of the federal institution's meeting  
14          to convert, the ~~commissioner~~ division shall examine the federal institution and shall  
15          determine the action necessary to qualify the federal institution to convert to a  
16          savings bank. Upon complying with the necessary requirements, the ~~commissioner~~  
17          division shall approve the conversion.

18          **SECTION 5400.** 214.68 (3) of the statutes is amended to read:

19          214.68 (3) Before any conversion under this section is effective, the  
20          ~~commissioner~~ division shall issue a certificate of conversion.

21          **SECTION 5401.** 214.685 (1) of the statutes is amended to read:

22          214.685 (1) A mutual savings bank may convert to a stock savings bank under  
23          this section. The board of directors of the mutual savings bank shall adopt a plan of  
24          conversion that complies with this section and the rules of the ~~commissioner~~ division.  
25          The plan of conversion is subject to the approval of the ~~commissioner~~ division.

**SECTION 5402**

1           **SECTION 5402.** 214.685 (2) of the statutes is amended to read:

2           214.685 (2) Conversion of a mutual savings bank shall be effective only if it is  
3 accomplished according to a plan of conversion approved by the ~~commissioner~~  
4 division under sub. (1) and if the plan is approved by an affirmative vote of the  
5 majority of all votes entitled to be cast by members. Notice of a meeting to vote on  
6 the plan of conversion shall be sent to each member at least 10 days before the  
7 meeting. The notice shall state the date, time, place and purpose of the meeting,  
8 provide a summary of the plan of conversion and include any other information the  
9 ~~commissioner~~ division requires.

10           **SECTION 5403.** 214.685 (3) (intro.) of the statutes is amended to read:

11           214.685 (3) (intro.) Within 10 days after the date of a meeting at which a plan  
12 of conversion is adopted, the board of directors shall submit to the ~~commissioner~~  
13 division all of the following:

14           **SECTION 5404.** 214.685 (3) (b) of the statutes is amended to read:

15           214.685 (3) (b) Any additional information pertaining to the plan of conversion  
16 that the ~~commissioner~~ division may require.

17           **SECTION 5405.** 214.685 (4) (intro.) of the statutes is amended to read:

18           214.685 (4) (intro.) The ~~commissioner~~ division may approve a plan of  
19 conversion if the ~~commissioner~~ division finds that the plan meets all of the following  
20 conditions:

21           **SECTION 5406.** 214.685 (4) (c) of the statutes is amended to read:

22           214.685 (4) (c) Complies with any standard which the ~~commissioner~~ division  
23 may promulgate by rule.

24           **SECTION 5407.** 214.685 (5) of the statutes is amended to read:

1           214.685 (5) The ~~commissioner~~ division may issue to a mutual savings bank a  
2 certificate of conversion to a stock savings bank, if the ~~commissioner~~ division  
3 determines the plan of conversion has been implemented as approved and the  
4 savings bank has complied with this section and any conditions to the approval. The  
5 date specified in the certificate is the effective date of the conversion. The certificate  
6 shall be recorded with the register of deeds in the county in which the home office of  
7 the savings bank is located.

8           **SECTION 5408.** 214.685 (8) (intro.) of the statutes is amended to read:

9           214.685 (8) (intro.) The ~~commissioner~~ division shall issue rules governing the  
10 conversion of mutual savings banks, including:

11           **SECTION 5409.** 214.685 (8) (j) of the statutes is amended to read:

12           214.685 (8) (j) Any other requirements for converting a mutual savings bank  
13 to a stock savings bank that the ~~commissioner~~ division considers to be necessary.

14           **SECTION 5410.** 214.715 (title) of the statutes is amended to read:

15           **214.715 (title) Powers of ~~commissioner~~ the division.**

16           **SECTION 5411.** 214.715 (1) (intro.) of the statutes is amended to read:

17           214.715 (1) (intro.) The ~~commissioner~~ division shall do all of the following:

18           **SECTION 5412.** 214.715 (1) (e) of the statutes is amended to read:

19           214.715 (1) (e) Submit an annual report to the governor and the legislature  
20 regarding the work of the ~~commissioner's office~~ division under this chapter.

21           **SECTION 5413.** 214.715 (1) (f) of the statutes is amended to read:

22           214.715 (1) (f) Commence an action ~~in the commissioner's name~~ to enforce any  
23 law of this state that applies to savings banks, service corporations, savings bank  
24 subsidiaries, affiliates or savings bank holding companies, including the

1 enforcement of any obligation of the officers, directors, agents or employes of these  
2 entities.

3 **SECTION 5414.** 214.715 (1) (h) of the statutes is amended to read:

4 214.715 (1) (h) Establish a reasonable fee structure, subject to approval of the  
5 review board, for savings banks and savings bank holding companies and for their  
6 service corporations and subsidiaries. The fees may include annual fees, application  
7 fees, regular and special examination fees and other fees that relate to the  
8 commissioner's division's responsibilities under this chapter and that are directly  
9 attributable to the entities operating under this chapter. The ~~commissioner~~ division  
10 may assess, bill and collect fees established under this paragraph. The amounts  
11 collected by the ~~commissioner~~ division shall be used for the expenses of the ~~office of~~  
12 the ~~commissioner~~ division.

13 **SECTION 5415.** 214.715 (2) of the statutes is amended to read:

14 214.715 (2) The ~~commissioner~~ Employees of the division may not be subject to  
15 any civil liability or penalty, or to any criminal prosecution, for any error in judgment  
16 or discretion made in good faith and upon reasonable grounds in any action taken  
17 or omitted by the ~~commissioner~~ employee in an official capacity.

18 **SECTION 5416.** 214.715 (3) of the statutes is amended to read:

19 214.715 (3) If it appears to the ~~commissioner~~ division that a savings bank is  
20 conducting its business in violation of this chapter, the ~~commissioner~~ division may  
21 report the facts to the department of justice which may bring an action to revoke the  
22 certificate of incorporation of the savings bank.

23 **SECTION 5417.** 214.715 (4) (a) of the statutes is amended to read:

24 214.715 (4) (a) A savings bank that intends to move its home office or a branch  
25 office to some other location not more than one mile from its current location shall

1 make an application to the ~~commissioner~~ division. The ~~commissioner~~ division may  
2 approve or deny the application for relocation.

3 **SECTION 5418.** 214.715 (4) (b) of the statutes is amended to read:

4 214.715 (4) (b) A savings bank that intends to move its home office or a branch  
5 office to some other location more than one mile from its current location shall make  
6 an application to the ~~commissioner~~ division. The ~~commissioner~~ division shall give  
7 notice and provide an opportunity for hearing as provided in s. 214.26 (3) to (5). In  
8 approving or denying the application for relocation, the ~~commissioner~~ division shall  
9 determine the need for relocation and determine whether undue harm or injury  
10 would be caused to any savings bank doing business in the area or vicinity of the  
11 proposed relocation.

12 **SECTION 5418m.** 214.72 (1) (am) of the statutes is created to read:

13 214.72 (1) (am) "Department" means the department of financial institutions.

14 **SECTION 5419.** 214.72 (1) (b) of the statutes is amended to read:

15 214.72 (1) (b) "Financial regulator" means the ~~commissioner,~~ department  
16 secretary and deputy ~~commissioner,~~ secretary, and an administrator of examination  
17 and supervision, a supervisor of data processing, legal counsel and a savings bank  
18 financial institution examiner employed by the department and includes any  
19 member of a financial regulator's immediate family, as defined in s. 19.42 (7).

20 **SECTION 5420.** 214.72 (3) of the statutes is amended to read:

21 214.72 (3) Within 30 days after commencing employment as a financial  
22 regulator and at least once each year, each financial regulator, for himself or herself  
23 and covering his or her immediate family, shall complete a written, sworn report  
24 disclosing the nature of all business relationships with savings banks on forms  
25 prescribed by the ~~commissioner~~ department. Each report shall be reviewed by the

**SECTION 5420**

1 ~~commissioner~~ department, except that the ~~commissioner's~~ secretary's and deputy  
2 ~~commissioner's~~ secretary's report shall be reviewed by the review board. The  
3 reviewers shall determine if any business relationship is or appears improper and,  
4 if so, may direct the termination of that business relationship within a reasonable,  
5 prescribed time period.

6 **SECTION 5421.** 214.725 (1) of the statutes is amended to read:

7 214.725 (1) At least once every 18 months and more often if necessary, the  
8 ~~commissioner~~ division shall examine the books, records, operations and affairs of a  
9 savings bank. In the course of the examination, the ~~commissioner~~ division may also  
10 examine in the same manner any entity, company or individual that the  
11 ~~commissioner~~ division determines may have a relationship with the savings bank or  
12 a savings bank holding company, savings bank subsidiary, service corporation or  
13 affiliate of the savings bank, if the relationship may adversely affect the affairs,  
14 activities and safety and soundness of the savings bank.

15 **SECTION 5422.** 214.725 (2) of the statutes is amended to read:

16 214.725 (2) The ~~commissioner~~ division shall consider it to be necessary to  
17 conduct an examination more often than every 18 months if a required report from  
18 a savings bank indicates a material change in financial condition or a material  
19 violation of a state or federal law, of a federal regulation or of a rule of the  
20 ~~commissioner~~ division. If that condition is grounds for taking custody of the savings  
21 bank under s. 214.76, the examination shall be initiated within 10 business days.

22 **SECTION 5423.** 214.725 (3) (f) of the statutes is amended to read:

23 214.725 (3) (f) Any other matter the ~~commissioner~~ division considers to be  
24 appropriate.

25 **SECTION 5424.** 214.725 (4) of the statutes is amended to read:

1           214.725 (4) If a savings bank, its savings bank holding company or any of its  
2 savings bank subsidiaries or service corporations has not been audited at least once  
3 in the 12 months before the ~~commissioner's~~ division's examination, the  
4 ~~commissioner~~ division shall order an audit of the entity's books and records to be  
5 made by an independent certified public accountant, selected by the ~~commissioner~~  
6 division, who has experience in financial institution audits. The cost of the audit  
7 shall be paid for by the entity being audited.

8           **SECTION 5425.** 214.725 (5) of the statutes is amended to read:

9           214.725 (5) ~~The commissioner, employees~~ Employees of the ~~office of the~~  
10 ~~commissioner~~ division or other designated agents may administer oaths and  
11 examine and take and preserve testimony under oath as to anything in the affairs  
12 or ownership of the savings bank or the entity examined.

13           **SECTION 5426.** 214.725 (7) of the statutes is amended to read:

14           214.725 (7) If a savings bank fails to submit to an examination, the  
15 ~~commissioner~~ division shall report that failure to the attorney general, who shall  
16 institute proceedings to revoke its certificate of incorporation.

17           **SECTION 5427.** 214.735 of the statutes is amended to read:

18           **214.735 Examination report.** Upon completion of an examination, the  
19 ~~commissioner~~ division shall provide an examination report to the board of directors  
20 of the savings bank or other entity examined. Each director shall read the report and  
21 shall sign an affidavit affirming that the director has read and understands the  
22 report. The affidavits shall be retained by the savings bank or entity examined and  
23 may be examined by the ~~commissioner~~ division.

24           **SECTION 5428.** 214.74 (title) of the statutes is amended to read:

25           **214.74 (title) Orders of the ~~commissioner~~ division.**

1           **SECTION 5429.** 214.74 (1) of the statutes is amended to read:

2           214.74 (1) If the affairs of the savings bank, savings bank subsidiary, service  
3 corporation or affiliate or savings bank holding company are not being conducted in  
4 accordance with this chapter, the ~~commissioner~~ division may require the directors,  
5 officers and employees to take necessary corrective action. If the necessary corrective  
6 action is not taken, the ~~commissioner~~ division may issue an order to the directors of  
7 the entity, to be served personally or by certified mail, specifying a date for the  
8 performance of the corrective action.

9           **SECTION 5430.** 214.74 (2) of the statutes is amended to read:

10          214.74 (2) If the order contains a finding that the business of the savings bank  
11 or savings bank holding company is being conducted in a fraudulent, illegal, unsafe  
12 or unsound manner or that the violation or the continuance of the practice to be  
13 corrected may cause insolvency, substantial dissipation of assets or earnings or the  
14 impairment of capital, the savings bank or savings bank holding company shall  
15 comply with the order immediately, unless the order is modified or withdrawn by the  
16 ~~commissioner~~ division or modified or terminated by a court. Notwithstanding sub.  
17 (3), the ~~commissioner~~ division may apply to the circuit court in the county in which  
18 the home office of the savings bank or savings bank holding company is located for  
19 enforcement of an order.

20          **SECTION 5431.** 214.74 (3) of the statutes is amended to read:

21          214.74 (3) If a hearing before the review board has not been requested within  
22 20 days after service of an order, the ~~commissioner~~ division may, at any time within  
23 90 days after the date specified in the order for an action to be taken or discontinued,  
24 commence an action in the circuit court of the county in which the home office of the  
25 savings bank or savings bank holding company is located to compel the directors,

1 officers or employes to take required corrective action. If a hearing is requested  
2 pursuant to s. 214.78, the ~~commissioner~~ division may institute suit within 90 days  
3 after a determination by the review board.

4 **SECTION 5432.** 214.74 (4) of the statutes is amended to read:

5 214.74 (4) This section is in addition to the enforcement authority of the  
6 ~~commissioner~~ division under subch. XII.

7 **SECTION 5433.** 214.745 of the statutes is amended to read:

8 **214.745** (title) **Commissioner's Division's notice to members or**  
9 **stockholders.** The ~~commissioner~~ division may prepare a statement of the condition  
10 of the savings bank, affiliate, savings bank subsidiary, service corporation or savings  
11 bank holding company and may mail the statement to the members or stockholders  
12 or may publish the statement as a class 1 notice under ch. 985. The expense of a  
13 mailing or publication shall be paid by the savings bank, affiliate, savings bank  
14 subsidiary, service corporation or savings bank holding company.

15 **SECTION 5434.** 214.75 (1) of the statutes is amended to read:

16 214.75 (1) A savings bank shall maintain books and records, as required by the  
17 ~~commissioner~~ division, in accordance with generally accepted accounting principles  
18 and the requirements of its deposit insurance corporation. All books and records  
19 shall be current, complete, organized and accessible to the ~~commissioner~~, the  
20 ~~commissioner's~~ division's agents and examiners and to the savings bank's auditors  
21 and accountants.

22 **SECTION 5435.** 214.75 (2) of the statutes is amended to read:

23 214.75 (2) A savings bank employing an outside data processing service shall  
24 inform the ~~commissioner~~ division at the initiation, renewal or changing of a contract  
25 for data processing services with an outside data processing service. The contract

1 shall be submitted to the ~~commissioner~~ division at least 60 days before its  
2 implementation. The contract shall provide that the records maintained shall at all  
3 times be available for examination and audit by the ~~commissioner~~ division. A  
4 savings bank shall implement internal control and security measures for its data  
5 processing activities.

6 **SECTION 5436.** 214.75 (3) of the statutes is amended to read:

7 214.75 (3) The ~~commissioner~~ division may examine any data processing center  
8 that provides data processing or related services to a savings bank as often as the  
9 ~~commissioner~~ division examines the savings bank it serves.

10 **SECTION 5437.** 214.75 (4) of the statutes is amended to read:

11 214.75 (4) The ~~commissioner~~ division shall by rule prescribe periods of time for  
12 which savings banks must retain records and after the expiration of which, the  
13 savings bank may destroy those records. Liability may not accrue against the  
14 savings bank, the ~~commissioner~~ division or this state for destruction of records  
15 according to rules of the ~~commissioner~~ division promulgated under this subsection.  
16 In an action in which records of the savings bank may be called in question or  
17 demanded, a showing of the expiration of the retention period shall be sufficient  
18 excuse for failure to produce the records.

19 **SECTION 5438.** 214.75 (5) (a) of the statutes is amended to read:

20 214.75 (5) (a) A savings bank may cause records kept by the savings bank to  
21 be recorded, copied or reproduced by any photostatic, photographic or miniature  
22 photographic process or by optical imaging if the process employed correctly,  
23 accurately and permanently copies, reproduces or forms a medium for copying,  
24 reproducing or recording the original record on a film or other durable material. A  
25 savings bank may thereafter dispose of the original record after obtaining the

1 written consent of the ~~commissioner~~ division. This subsection, except that part  
2 requiring written consent of the ~~commissioner~~ division, is applicable to federal  
3 savings banks if it does not contravene federal law.

4 **SECTION 5439.** 214.755 (1) (intro.) of the statutes is amended to read:

5 214.755 (1) (intro.) ~~The commissioner, employes~~ Employees of the office of the  
6 ~~commissioner~~ division and members of the review board may not disclose  
7 information gathered by examination of or obtained through reports from a savings  
8 bank or from a state or federal financial institution regulatory authority except to  
9 any of the following:

10 **SECTION 5440.** 214.76 (1) of the statutes is amended to read:

11 214.76 (1) At least once in each year and not more than 12 months after its last  
12 audit, a savings bank shall cause its books, records and accounts to be audited by an  
13 independent certified public accountant not connected with the savings bank. The  
14 certified public accountant shall conduct the audit to produce a certified financial  
15 statement. The ~~commissioner~~ division may require additional information to be  
16 included in an audit report.

17 **SECTION 5441.** 214.76 (3) of the statutes is amended to read:

18 214.76 (3) A copy of the audit report, including a balance sheet of the savings  
19 bank on the date of the audit and a statement of income and expenses of the savings  
20 bank during the year ending with the date of the audit and the written summary  
21 prepared for the board of directors shall be filed with the ~~commissioner~~ division  
22 within 60 days after the date on which the savings bank received the audit report.  
23 The ~~commissioner~~ division may, for good cause shown, extend the filing date for up  
24 to 60 additional days.

25 **SECTION 5442.** 214.76 (4) of the statutes is amended to read:

1           214.76 (4) The audit report filed with the ~~commissioner~~ division shall be  
2 certified by the accountant conducting the audit. If a savings bank fails to cause an  
3 audit to be made, the ~~commissioner~~ division shall order an audit to be made by an  
4 independent certified public accountant at the savings bank's expense. Instead of  
5 the audit required under sub. (1), the ~~commissioner~~ division may accept an audit or  
6 portion of an audit made exclusively for a deposit insurance corporation or for a  
7 financial regulator of another state if the home office of the savings bank is located  
8 in that state.

9           **SECTION 5443.** 214.76 (5) (a) (intro.) of the statutes is amended to read:

10           214.76 (5) (a) (intro.) Annually, no later than February 1, a savings bank shall  
11 file with the ~~commissioner~~ division a report of its activities of the preceding calendar  
12 year, upon forms prescribed by the ~~commissioner~~ division. The report shall include  
13 all of the following:

14           **SECTION 5444.** 214.76 (5) (a) 3. of the statutes is amended to read:

15           214.76 (5) (a) 3. Any other information that the ~~commissioner~~ division  
16 requires.

17           **SECTION 5445.** 214.76 (5) (b) of the statutes is amended to read:

18           214.76 (5) (b) A savings bank shall include with its annual report a copy of a  
19 statement of condition and operations as of the end of the savings bank's most recent  
20 fiscal year, which shall be available to the public. The savings bank shall publish a  
21 printed statement containing such information as the ~~commissioner~~ division  
22 requires as a class 1 notice under ch. 985 in each municipality in which the savings  
23 bank operates an office. Proof of publication shall be furnished to the ~~commissioner~~  
24 division within 60 days after the date of the report.

25           **SECTION 5446.** 214.765 (1) of the statutes is amended to read:

1           214.765 (1) A violation of subch. VI or VII or s. 214.34, 214.59 or 214.76, or the  
2 failure to comply with recommendations of an examination report of the  
3 ~~commissioner~~ division within 60 days after the date of issuance of the report or  
4 within any other period the ~~commissioner~~ division specifies, shall be considered an  
5 unsafe and unsound practice and creates an unsafe and unsound condition in the  
6 savings bank. A savings bank or a person affiliated with a savings bank who violates  
7 these provisions shall be subject to a forfeiture under s. 214.935 and to other  
8 enforcement powers of the ~~commissioner~~ division under this subchapter, subch. XII  
9 and rules of the ~~commissioner~~ division.

10           **SECTION 5447.** 214.765 (2) of the statutes is amended to read:

11           214.765 (2) Continued violation of any provision in sub. (1) after the  
12 ~~commissioner~~ division issues an order to correct shall subject the members of the  
13 board of directors of the savings bank to removal from the board and to a permanent  
14 order of prohibition under s. 214.91.

15           **SECTION 5448.** 214.765 (3) of the statutes is amended to read:

16           214.765 (3) The ~~commissioner~~ division shall promulgate rules to implement  
17 this section.

18           **SECTION 5449.** 214.772 (4) (a) 5. of the statutes is amended to read:

19           214.772 (4) (a) 5. Any other information the ~~commissioner~~ division requires.

20           **SECTION 5450.** 214.772 (4) (b) (intro.) of the statutes is amended to read:

21           214.772 (4) (b) (intro.) Upon receipt of a completed application and the required  
22 fee, the ~~commissioner~~ division may issue a certificate of authority. The certificate of  
23 authority may be subject to specific conditions that the ~~commissioner~~ division  
24 believes necessary to adequately safeguard the interests of the residents of this state.

1 The ~~commissioner~~ division may not issue a certificate of authority to do business in  
2 this state unless all of the following conditions are met:

3 **SECTION 5451.** 214.772 (4) (b) 1. of the statutes is amended to read:

4 214.772 (4) (b) 1. The foreign savings bank is in sound financial condition and  
5 entitled to public confidence, and the ~~commissioner~~ division is satisfied that the  
6 foreign savings bank will conduct its business in this state in accordance with the  
7 laws of this state.

8 **SECTION 5452.** 214.772 (4) (c) (intro.) of the statutes is amended to read:

9 214.772 (4) (c) (intro.) The ~~commissioner~~ division may revoke a certificate of  
10 authority issued under this section if any of the following occurs:

11 **SECTION 5453.** 214.772 (4) (c) 2. of the statutes is amended to read:

12 214.772 (4) (c) 2. The foreign savings bank refuses to permit the ~~commissioner~~  
13 division to conduct an examination, or fails to pay applicable fees.

14 **SECTION 5454.** 214.772 (4) (c) 3. of the statutes is amended to read:

15 214.772 (4) (c) 3. The ~~commissioner~~ division determines that the foreign  
16 savings bank is in an unsafe condition or that its continued operation in this state  
17 is otherwise inconsistent with the best interests of the residents of this state.

18 **SECTION 5455.** 214.772 (5) of the statutes is amended to read:

19 214.772 (5) A foreign savings bank doing business in this state shall be  
20 examined by the ~~commissioner~~ division as provided under s. 214.725, audited under  
21 s. 214.76 and assessed fees as provided under s. 214.715 (1) (h), together with any  
22 out-of-state travel expenses incurred in the course of an examination or audit. The  
23 ~~commissioner~~ division may accept all or part of an examination or audit prepared on  
24 behalf of the regulatory authority responsible for the supervision of the foreign  
25 savings bank in the jurisdiction in which the foreign savings bank is organized.

1           **SECTION 5456.** 214.772 (6) of the statutes is amended to read:

2           214.772 (6) A foreign savings bank doing business in this state shall maintain  
3 on file with the ~~commissioner~~ division the name and address of a person in this state  
4 who is authorized to receive legal process on behalf of the foreign savings bank. The  
5 ~~commissioner~~ division shall maintain a current record of each person so designated.  
6 The record of the ~~commissioner~~ division shall be conclusive evidence of the authority  
7 of the person whose name appears in the record to receive process on behalf of the  
8 foreign savings bank.

9           **SECTION 5457.** 214.772 (7) of the statutes is amended to read:

10          214.772 (7) If the laws of another jurisdiction prohibit a savings bank from  
11 doing business in that jurisdiction, a foreign savings bank organized under the laws  
12 of that jurisdiction may not be authorized to do business in this state. If the laws of  
13 another jurisdiction require the posting of securities or impose other additional  
14 requirements as a condition of permitting a savings bank to do business in that  
15 jurisdiction, the ~~commissioner~~ division may impose similar requirements on a  
16 foreign savings bank organized under the laws of that jurisdiction before issuing the  
17 foreign savings bank a certificate of authority to do business in this state.

18          **SECTION 5458.** 214.775 (intro.) of the statutes is amended to read:

19          **214.775 Procedure upon the impairment of capital.** (intro.) If the  
20 ~~commissioner~~ division finds from a report, examination or other source that a  
21 savings bank's capital is impaired, the ~~commissioner~~ division may do any of the  
22 following:

23          **SECTION 5459.** 214.78 (1) (a) of the statutes is amended to read:

24          214.78 (1) (a) Advise the ~~commissioner~~ division on matters related to this  
25 chapter.

1           **SECTION 5460.** 214.78 (1) (b) of the statutes is amended to read:

2           214.78 (1) (b) Review the acts, orders and determinations of the ~~commissioner~~  
3 division.

4           **SECTION 5461.** 214.78 (1) (c) of the statutes is amended to read:

5           214.78 (1) (c) Act on matters pertaining to this chapter that may be submitted  
6 to it by the ~~commissioner~~ division.

7           **SECTION 5462.** 214.78 (3) of the statutes is amended to read:

8           214.78 (3) A person who subpoenas a witness shall advance the fees and  
9 mileage of the witness. Witness fees shall be the same as fees under s. 814.67 (1) (b)  
10 and (c). The fees of witnesses who are called by the review board in the interests of  
11 the state shall be paid by the state upon presentation of proper vouchers approved  
12 by the chairperson of the review board and charged to the appropriation under s.  
13 ~~20.175~~ 20.144 (1) (g).

14           **SECTION 5463.** 214.785 (1) of the statutes is amended to read:

15           214.785 (1) Any interested person or a savings bank aggrieved by any act, order  
16 or determination of the ~~commissioner~~ division, which relates to savings banks may,  
17 within 20 days after receipt or service of a copy of the act, order or determination, file  
18 a written notice requesting the review board's review of the ~~commissioner's~~ division's  
19 act, order or determination. The sole review of the ~~commissioner's~~ division's decision  
20 shall be to determine if the ~~commissioner~~ division acted within the scope of the  
21 ~~commissioner's~~ division's authority, has not acted in an arbitrary or capricious  
22 manner and that the act, order or determination of the ~~commissioner~~ division is  
23 supported by substantial evidence in view of the entire record as submitted. The  
24 review of applications for new savings banks, branch offices or relocation of offices  
25 shall be based exclusively on the record and new evidence may not be taken by the

1 review board. Applications under this subsection shall be considered and disposed  
2 of as speedily as possible.

3 **SECTION 5464.** 214.785 (2) of the statutes is amended to read:

4 214.785 (2) A determination of the review board shall be subject to review  
5 under ch. 227. If an act, order or determination of the ~~commissioner~~ division is  
6 reversed or modified by the review board, the ~~commissioner~~ division shall be  
7 considered to be a person aggrieved and directly affected by the decision under s.  
8 227.53 (1).

9 **SECTION 5465.** 214.82 (title) of the statutes is amended to read:

10 **214.82 (title) Commissioner's Division's authority to take custody and**  
11 **appoint a conservator or a receiver.**

12 **SECTION 5466.** 214.82 (1) (intro.) of the statutes is amended to read:

13 214.82 (1) (intro.) The ~~commissioner~~ division may take custody of and appoint  
14 a conservator for the property, liabilities, books, records, business and assets of a  
15 savings bank for any of the purposes under s. 214.825 if any of the following  
16 conditions exists:

17 **SECTION 5467.** 214.82 (1) (a) of the statutes is amended to read:

18 214.82 (1) (a) The savings bank fails to produce an annual audited financial  
19 statement, after receiving one extension from the ~~commissioner~~ division.

20 **SECTION 5468.** 214.82 (1) (b) of the statutes is amended to read:

21 214.82 (1) (b) The savings bank's books and records, after at least 2 consecutive  
22 notices from the ~~commissioner~~ division spanning at least 2 consecutive calendar  
23 quarters, are in an inaccurate and incomplete condition to the extent that the  
24 ~~commissioner~~ division is unable to determine the financial condition of the savings

1 bank or the details or purpose of any transaction that may materially affect the  
2 savings bank's financial condition.

3 **SECTION 5469.** 214.82 (1) (e) of the statutes is amended to read:

4 214.82 (1) (e) The savings bank has experienced substantial dissipation of  
5 assets due to a violation of a state or federal law, regulation, rule or order of the  
6 ~~commissioner~~ division or due to any unsafe or unsound practice.

7 **SECTION 5470.** 214.82 (1) (h) of the statutes is amended to read:

8 214.82 (1) (h) The savings bank or its officers, directors or employes are  
9 violating a state or federal law, regulation, rule or supervisory order of the  
10 ~~commissioner~~ division or of another regulatory authority.

11 **SECTION 5471.** 214.82 (1) (j) of the statutes is amended to read:

12 214.82 (1) (j) The directors, officers, trustees or liquidators have neglected,  
13 failed or refused to take any action that the ~~commissioner~~ division considers  
14 necessary for the protection of the savings bank, including production of an annual  
15 audited financial statement after an extension was granted, have continued to  
16 maintain the savings bank's books and records in an inaccurate and incomplete  
17 condition for 2 consecutive quarters after 2 notices from the ~~commissioner~~ division  
18 or have impeded or obstructed an examination.

19 **SECTION 5472.** 214.82 (2) of the statutes is amended to read:

20 214.82 (2) The ~~commissioner~~ division may postpone taking custody of a savings  
21 bank pending a satisfactory resolution of the condition permitting custody as  
22 suggested by the deposit insurance corporation, if the savings bank has sufficient  
23 liquidity and has adopted and implemented an operating plan considered prudent  
24 by the ~~commissioner~~ division.

25 **SECTION 5473.** 214.82 (3) of the statutes is amended to read:

1           214.82 (3) The ~~commissioner~~ division shall promulgate rules to govern the  
2 determination of a need for a conservator, the selection and appointment of a  
3 conservator and the conduct of a conservatorship, including allocation of the  
4 payment of costs.

5           **SECTION 5474.** 214.825 of the statutes is amended to read:

6           **214.825 Purposes of taking custody.** The purposes of taking custody of a  
7 savings bank may include examination; production of an audited financial  
8 statement; reconstruction of books and records; conservation of assets; restoration  
9 of impaired capital; the making of any necessary or equitable adjustment, including  
10 changes in officers and management, considered necessary by the ~~commissioner~~  
11 division under any plan of reorganization or liquidation; restructuring of the savings  
12 bank through a merger or formation of a interim institution; establishment of a  
13 conservatorship to operate and manage a savings bank as an ongoing concern until  
14 the grounds for custody and conservatorship are remedied; or the maturing of an  
15 obligation of the deposit insurance corporation.

16           **SECTION 5475.** 214.83 of the statutes is amended to read:

17           **214.83 (title) Commissioner's Division's powers during custody.** During  
18 the period in which the ~~commissioner~~ division has custody of a savings bank, the  
19 ~~commissioner~~ division shall have all powers necessary to accomplish the purposes  
20 of custody of the savings bank and the authority to call meetings of the members,  
21 stockholders, former officers and directors, liquidators or trustees to consider and act  
22 upon matters considered by the ~~commissioner~~ division to be of sufficient importance  
23 to obtain the views of those persons.

24           **SECTION 5476.** 214.835 (intro.) of the statutes is amended to read:

1           **214.835 Custody of savings banks.** (intro.) If the ~~commissioner~~ division  
2 takes custody of a savings bank, in addition to powers conferred under ss. 214.825  
3 and 214.83, the ~~commissioner~~ division may do any of the following:

4           **SECTION 5477.** 214.835 (1) of the statutes is amended to read:

5           214.835 (1) Notify the deposit insurance corporation of the custody and the  
6 reasons for that action, including a copy of the ~~commissioner's~~ division's report of  
7 examination and condition of the savings bank, and to appoint the deposit insurance  
8 corporation or its designee as receiver or conservator for the savings bank.

9           **SECTION 5478.** 214.835 (3) of the statutes is amended to read:

10          214.835 (3) Determine and declare the savings bank to be in default, find from  
11 the ~~commissioner's~~ division's examination and from reports of the savings bank the  
12 amount of insured deposits and make any necessary orders that may be required for  
13 the purpose of making deposit insurance available to depositors.

14          **SECTION 5479.** 214.84 of the statutes is amended to read:

15          **214.84 Notice of custody; action to enjoin.** On the date the ~~commissioner~~  
16 division takes custody of a savings bank, the ~~commissioner~~ division shall provide by  
17 1st class mail a written notice of that action to the president or secretary and to 2 or  
18 more directors of the savings bank or to 2 or more of the trustees of any trust or to  
19 2 or more of the liquidators if the savings bank is in liquidation. If the parties  
20 receiving notice believe the ~~commissioner~~ division does not have authority to take  
21 custody, the savings bank, the directors or officers of the savings bank or the trustees  
22 or liquidators, within 20 days after the mailing of the notice, or within further periods  
23 of time as the ~~commissioner~~ division may extend up to an additional 60 days, may  
24 file a complaint in the circuit court of the county in which the savings bank is located  
25 to enjoin custody. The court shall require the ~~commissioner~~ division to show cause

1 why custody should not be enjoined. If, upon hearing, the court finds that grounds  
2 do not exist for the ~~commissioner's~~ division's custody, it may enter an order enjoining  
3 further custody.

4 **SECTION 5480.** 214.845 of the statutes is amended to read:

5 **214.845 Segregation of collections during custody.** All payments received  
6 on deposit accounts on depositors' unpledged accounts during custody of the savings  
7 bank shall be segregated in a separate account until the savings bank is redelivered  
8 to the directors, trustees or liquidators or delivered to a conservator or receiver. A  
9 depositor whose payments have been segregated may request the return of those  
10 payments and the ~~commissioner~~ division shall repay them without interest or  
11 dividends. Before delivery of the savings bank or its assets to any trustee, liquidator,  
12 receiver or conservator, the ~~commissioner~~ division shall return the money  
13 segregated in the separate account.

14 **SECTION 5481.** 214.85 of the statutes is amended to read:

15 **214.85 Redelivery of possession.** If, after examination of the savings bank  
16 and consideration of all conditions affecting its affairs, the ~~commissioner~~ division  
17 finds that the cause for taking custody has been removed, the ~~commissioner~~ division  
18 shall relinquish custody of the savings bank, remove any conservator appointed and  
19 redeliver the savings bank and all assets, books and records to its qualified directors,  
20 trustees or liquidators.

21 **SECTION 5482.** 214.855 of the statutes is amended to read:

22 **214.855 Limitations upon custody.** The custody of a savings bank by the  
23 ~~commissioner~~ division, including a conservatorship, may be continued for a  
24 reasonable period not to exceed 12 months, unless a longer time period is approved  
25 by a vote of two-thirds of the directors of the savings bank or ordered by a court.

1           **SECTION 5483.** 214.90 (intro.) of the statutes is amended to read:

2           **214.90 Action to correct conditions.** (intro.) The ~~commissioner~~ division  
3 may issue an order requiring a savings bank, savings bank subsidiary, service  
4 corporation, affiliate, savings bank holding company or a party affiliated with a  
5 savings bank to take action to correct any condition resulting from a violation or  
6 practice identified in the order. The ~~commissioner~~ division may by order require the  
7 savings bank, savings bank subsidiary, service corporation, affiliate, savings bank  
8 holding company or party affiliated with a savings bank to do any of the following:

9           **SECTION 5484.** 214.90 (1) (b) of the statutes is amended to read:

10           214.90 (1) (b) The violation or practice involved a reckless disregard for  
11 applicable state or federal laws, regulations, rules or orders of the ~~commissioner~~  
12 division or other appropriate regulator.

13           **SECTION 5485.** 214.90 (5) of the statutes is amended to read:

14           214.90 (5) Submit candidates for future directors, employes or officers to the  
15 ~~commissioner~~ division for approval.

16           **SECTION 5486.** 214.90 (6) of the statutes is amended to read:

17           214.90 (6) Take any other action the ~~commissioner~~ division considers  
18 necessary.

19           **SECTION 5487.** 214.905 (1) (intro.) of the statutes is amended to read:

20           214.905 (1) (intro.) If an order under s. 214.90 specifies that the books and  
21 records of a savings bank are so incomplete and inaccurate that the ~~commissioner~~  
22 division is unable to determine the financial condition of the savings bank or unable  
23 to determine the nature, details or purpose of any transaction that may have a  
24 material effect on the savings bank's financial condition, the ~~commissioner~~ division  
25 shall issue an order that requires all of the following:

1           **SECTION 5488.** 214.905 (1) (c) of the statutes is amended to read:

2           214.905 (1) (c) Establishment of reserves for any losses that the ~~commissioner~~  
3 division finds were incurred due to the condition of the books and records.

4           **SECTION 5489.** 214.905 (2) of the statutes is amended to read:

5           214.905 (2) An order under sub. (1) shall be effective until the ~~commissioner~~  
6 division determines through an examination that the condition has been corrected  
7 and rescinds the order.

8           **SECTION 5490.** 214.91 (1) (intro.) of the statutes is amended to read:

9           214.91 (1) (intro.) The ~~commissioner~~ division may remove from a savings bank  
10 any employe, agent or person affiliated with the savings bank if the ~~commissioner~~  
11 division finds that the person has done any of the following:

12           **SECTION 5491.** 214.91 (1) (a) of the statutes is amended to read:

13           214.91 (1) (a) Directly or indirectly violated any state or federal law, regulation,  
14 rule or order or any agreement between the savings bank and the ~~commissioner~~  
15 division or between the savings bank and the deposit insurance corporation.

16           **SECTION 5492.** 214.91 (2) (intro.) of the statutes is amended to read:

17           214.91 (2) (intro.) The ~~commissioner~~ division may serve upon a savings bank  
18 employe, agent or person affiliated with the savings bank a written notice of the  
19 ~~commissioner's~~ division's intention to remove or suspend the person from office in the  
20 savings bank or to prohibit any further participation in any manner by that person  
21 in the conduct of the affairs of a savings bank or of a savings and loan association  
22 organized under ch. 215, if the ~~commissioner~~ division finds that, because of a  
23 violation permitting removal under sub. (1), any of the following conditions exists:

24           **SECTION 5493.** 214.915 (1) of the statutes is amended to read:

**SECTION 5493**

1           214.915 (1) Except as provided in rules of the ~~commissioner~~ division, any  
2 person who has been removed or suspended from office in a savings bank or  
3 prohibited from participating in the conduct of the affairs of a savings bank under  
4 s. 214.90 may not, while an order is in effect, hold any office in or participate in any  
5 manner in the conduct of the affairs of another savings bank, savings bank  
6 subsidiary, affiliate, service corporation, savings bank holding company or state  
7 savings and loan association.

8           **SECTION 5494.** 214.92 of the statutes is amended to read:

9           **214.92 Effect of termination or resignation.** The resignation, termination  
10 of employment, or separation of a person affiliated with a savings bank from the  
11 savings bank does not affect the authority of the ~~commissioner~~ division to issue an  
12 order under s. 214.90, 214.91 or 214.915 if the order is issued within 6 years after the  
13 person ceases to be a person affiliated with the savings bank.

14           **SECTION 5495.** 214.925 (1) of the statutes is amended to read:

15           214.925 (1) Except with the prior written consent of the ~~commissioner~~ division,  
16 a person who has been convicted of a criminal offense involving dishonesty or a  
17 breach of trust may not participate, directly or indirectly, in any manner in the  
18 conduct of the affairs of a savings bank.

19           **SECTION 5496.** 214.93 of the statutes is amended to read:

20           **214.93 False statements.** A person may not knowingly make, cause, or allow  
21 another person to make or cause to be made, a false statement, under oath if required  
22 by this chapter or on any report or statement required by the ~~commissioner~~ division  
23 or by this chapter.

24           **SECTION 5497.** 214.935 (intro.) of the statutes is amended to read:

1           **214.935 Civil forfeitures.** (intro.) In addition to the enforcement authority  
2 granted to the ~~commissioner~~ division, the following forfeiture provisions apply:

3           **SECTION 5498.** 214.935 (1) of the statutes is amended to read:

4           214.935 (1) Except as provided in sub. (2), any person who violates this chapter,  
5 any rule promulgated under this chapter or an order of the ~~commissioner~~ division  
6 may be required to forfeit not more than \$10,000. Each day of continued violation  
7 constitutes a separate offense.

8           **SECTION 5499.** 215.01 (6) of the statutes is amended to read:

9           215.01 (6) “~~Commissioner~~” “Division” means the ~~commissioner~~ division of  
10 savings and loan.

11           **SECTION 5500.** 215.01 (19) of the statutes is amended to read:

12           215.01 (19) “Net income” means the gross income for a period less the  
13 aggregate of expenses, determined according to generally accepted accounting  
14 principles or an accounting standard or practice approved by the ~~commissioner~~  
15 division.

16           **SECTION 5501.** 215.01 (20) (a) of the statutes is amended to read:

17           215.01 (20) (a) In a stock association, the aggregate of capital stock, additional  
18 paid-in capital, retained earnings and other accounts designated as components of  
19 net worth by the ~~commissioner~~ division, determined according to generally accepted  
20 accounting principles or an accounting standard or practice approved by the  
21 ~~commissioner~~ division.

22           **SECTION 5502.** 215.01 (20) (b) of the statutes is amended to read:

23           215.01 (20) (b) In a mutual association, the aggregate of retained earnings and  
24 other accounts designated as components of net worth by the ~~commissioner~~ division,

1 determined according to generally accepted accounting principles or an accounting  
2 standard or practice approved by the commissioner division.

3 **SECTION 5503.** 215.01 (21) of the statutes is repealed.

4 **SECTION 5504.** 215.02 (title) of the statutes is repealed and recreated to read:

5 **215.02 (title) Division of savings and loan.**

6 **SECTION 5505.** 215.02 (1), (2) and (3) of the statutes are repealed.

7 **SECTION 5506.** 215.02 (4) of the statutes is amended to read:

8 215.02 (4) (title) IMMUNITY OF COMMISSIONER. ~~The commissioner~~ Employes of  
9 the division shall not be subject to any civil liability or penalty, nor to any criminal  
10 prosecution, for any error in judgment or discretion made in good faith and upon  
11 reasonable grounds in any action taken or omitted by the commissioner employee in  
12 the commissioner's employee's official capacity.

13 **SECTION 5507.** 215.02 (5) of the statutes is amended to read:

14 215.02 (5) ACTIONS VENUE. Proceedings by any association to enjoin the  
15 commissioner division in the discharge of the commissioner's division's duties shall  
16 be had in the county where the savings and loan association is located, or in the state  
17 supreme court. All suits and proceedings arising out of this chapter, in which the  
18 state, or any of its officers or agents are parties, shall be conducted under the  
19 direction and supervision of the department of justice.

20 **SECTION 5508.** 215.02 (6) (a) (intro.) of the statutes is amended to read:

21 215.02 (6) (a) (intro.) ~~The commissioner and all~~ All employes of the office  
22 division and members of the review board shall keep confidential all the facts and  
23 information obtained in the course of examinations by the office and all examination  
24 and other confidential information obtained from any state or federal regulatory

**SECTION 5508**

1 authority, including an authority of this state or another state, for financial  
2 institutions, mortgage bankers, insurance or securities, except:

3 **SECTION 5509.** 215.02 (6) (a) 3. of the statutes is amended to read:

4 215.02 (6) (a) 3. Under rules prescribed by the ~~commissioner~~ division, for the  
5 purpose of comparing notes as to matters affecting an association with an examiner  
6 of the federal home loan bank board or federal savings and loan insurance  
7 corporation as to any association whose savings accounts are insured by the federal  
8 savings and loan insurance corporation.

9 **SECTION 5510.** 215.02 (6) (a) 4. (intro.) of the statutes is amended to read:

10 215.02 (6) (a) 4. (intro.) The ~~commissioner~~ division may:

11 **SECTION 5511.** 215.02 (6) (a) 4. a. of the statutes is amended to read:

12 215.02 (6) (a) 4. a. Furnish to the federal home loan bank board or federal  
13 savings and loan insurance corporation or to any official or examiner thereof a copy  
14 of any examination made by the ~~office~~ division of any association or of any report  
15 made by such association and filed with the ~~office~~ division.

16 **SECTION 5512.** 215.02 (6) (a) 4. b. of the statutes is amended to read:

17 215.02 (6) (a) 4. b. Give access to and disclose to the federal home loan bank  
18 board, federal savings and loan insurance corporation or to any official or examiner  
19 thereof any information possessed by the ~~commissioner~~ division about the conditions  
20 or affairs of any association whose savings accounts are insured by the federal  
21 savings and loan insurance corporation.

22 **SECTION 5513.** 215.02 (6) (a) 5. of the statutes is amended to read:

23 215.02 (6) (a) 5. The ~~commissioner~~ division may give access to and disclose to  
24 an instrumentality insuring the savings accounts of an association, or to the official

1 examiner of the instrumentality, any information possessed by the ~~commissioner~~  
2 division about the conditions or affairs of the association.

3 **SECTION 5514.** 215.02 (6) (a) 6. of the statutes is amended to read:

4 215.02 (6) (a) 6. The ~~commissioner~~ division may disclose to any regulatory  
5 authority of this state or another state for financial institutions, mortgage bankers,  
6 insurance or securities facts and information obtained in the course of examinations  
7 by the ~~office~~ division, if the regulatory authority agrees to keep the facts and  
8 information confidential.

9 **SECTION 5515.** 215.02 (7) (title) of the statutes is amended to read:

10 215.02 (7) (title) ~~COMMISSIONER TO ISSUE ORDERS; REASONABLE~~ ORDERS AND RULES.

11 **SECTION 5516.** 215.02 (7) (a) of the statutes is amended to read:

12 215.02 (7) (a) In addition to performing the duties prescribed in this chapter,  
13 the ~~commissioner~~ division shall, with the approval of the review board, issue orders  
14 prescribing reasonable rules for conducting the business of associations, subject to  
15 the requirements of ch. 227.

16 **SECTION 5517.** 215.02 (7) (c) of the statutes is amended to read:

17 215.02 (7) (c) If the ~~commissioner~~ division, as a result of any examination or  
18 report made to the ~~commissioner~~ division, finds that any association is violating the  
19 provisions of the articles or bylaws of the association, or the laws of this state, or the  
20 laws of the United States, or any lawful rule or order promulgated by the  
21 ~~commissioner~~ division and review board or any order of the ~~commissioner~~ division,  
22 the ~~commissioner~~ division shall deliver a formal written order to the board of  
23 directors of the association in which the facts known to the ~~commissioner~~ division are  
24 set forth, demanding the discontinuance of the violation and, where applicable, order  
25 the association to institute corrective action thereon. The association affected by the

1 order may within 10 days after the order has been delivered to the association  
2 request a review of the findings and order before the ~~commissioner~~ division, at which  
3 time any pertinent evidence may be presented. After review, the ~~commissioner~~  
4 division, on the basis of the evidence presented and any matters of record in the ~~office~~  
5 division's offices, shall continue, modify or set aside the order. The enforcement of  
6 any order issued under this paragraph shall be stayed pending review before the  
7 ~~commissioner~~ division, and during the period of any subsequent review under s.  
8 215.04 (4).

9 **SECTION 5518.** 215.02 (7) (d) of the statutes is amended to read:

10 215.02 (7) (d) Any association which wilfully violates par. (c) or any order issued  
11 thereunder shall, for each violation, forfeit not more than \$250 per day for each day  
12 the violation continues. Assessment of any forfeiture shall become effective 20 days  
13 from the date of delivery of the order, 20 days from the date of review by the  
14 ~~commissioner~~ division, if requested, or 20 days from the date of the decision of the  
15 review board, if an appeal is taken pursuant to s. 215.04 (4).

16 **SECTION 5519.** 215.02 (8) of the statutes is amended to read:

17 215.02 (8) REVOCATION OF CERTIFICATE OF INCORPORATION OR LICENSE. Whenever  
18 it appears to the ~~commissioner~~ division that any association or corporation which has  
19 received a certificate of incorporation or a license to do business in this state is  
20 conducting its business in violation of this chapter, the ~~commissioner~~ division shall  
21 report the facts to the department of justice which may bring an action to revoke the  
22 certificate of incorporation or license of such association or corporation.

23 **SECTION 5520.** 215.02 (9) of the statutes is amended to read:

24 215.02 (9) APPROVAL OF ACTS. Whenever any association requests approval of  
25 the ~~commissioner~~ division for any act, which by statute requires such approval, the

1 ~~commissioner~~ division shall have 90 days in which to grant or deny such approval.  
2 If the ~~commissioner~~ division fails to act, approval shall be deemed to have been  
3 granted. In matters which require the holding of public hearings, the 90-day period  
4 shall not commence until the conclusion of the hearing and the date set by the  
5 ~~commissioner~~ division for receipt of briefs.

6 **SECTION 5521.** 215.02 (10) (a) 1. (intro.) of the statutes is amended to read:

7 215.02 (10) (a) 1. (intro.) The ~~commissioner~~ division may remove an officer,  
8 director or employe of an association if either of the following applies:

9 **SECTION 5522.** 215.02 (10) (a) 1. b. of the statutes is amended to read:

10 215.02 (10) (a) 1. b. The officer, director or employe violates or permits the  
11 violation of this chapter, a rule promulgated under this chapter or an order of the  
12 ~~commissioner~~ division.

13 **SECTION 5523.** 215.02 (10) (a) 2. of the statutes is amended to read:

14 215.02 (10) (a) 2. The ~~commissioner~~ division may issue an order removing an  
15 officer, director or employe under subd. 1. only after the officer, director or employe  
16 is afforded a hearing before the review board and the review board approves the  
17 order.

18 **SECTION 5524.** 215.02 (10) (a) 3. of the statutes is amended to read:

19 215.02 (10) (a) 3. An order of removal takes effect on the date issued. A copy  
20 of the order shall be served upon the association and upon the officer, director or  
21 employe in the manner provided by law for service of a summons in a court of record  
22 or by mailing a copy to the association and officer, director or employe at their  
23 last-known post-office addresses. Any removal under this subsection has the same  
24 effect as if made by the board of directors or the members or stockholders of the  
25 association. An officer, director or employe removed from office or employment under

1 this subsection may not be elected as an officer or director of, or be employed by, an  
2 association without the approval of the ~~commissioner~~ division and the review board.  
3 An order of removal under this subsection is a final order or determination of the  
4 review board under s. 215.04 (6).

5 **SECTION 5525.** 215.02 (10) (b) of the statutes is amended to read:

6 215.02 (10) (b) The ~~commissioner~~ division may appoint any person to fill the  
7 vacancies caused by removal of officers or directors. Any person so appointed shall  
8 hold office until the next annual meeting of the members or stockholders.

9 **SECTION 5526.** 215.02 (11) (a) of the statutes is amended to read:

10 215.02 (11) (a) The ~~commissioner~~ division shall submit to the governor and the  
11 chief clerk of each house of the legislature for distribution to the legislature under  
12 s. 13.172 (2) an annual report on the general conduct and condition of associations  
13 doing business in this state. The report shall be based upon the individual annual  
14 reports of associations filed with the ~~commissioner~~ division, and shall also include  
15 the information required in ss. 215.32 (7) (a), 215.56 (7) (a) and 215.76 (7) (a).

16 **SECTION 5527.** 215.02 (11) (b) of the statutes is amended to read:

17 215.02 (11) (b) The ~~commissioner~~ division shall designate the number of copies  
18 of the report to be made available for distribution. Each association is entitled to one  
19 copy.

20 **SECTION 5528.** 215.02 (12) of the statutes is amended to read:

21 215.02 (12) DISPOSITION OF OBSOLETE RECORDS. The ~~commissioner~~ division may  
22 turn over obsolete departmental records to the secretary of administration, pursuant  
23 to s. 16.61.

24 **SECTION 5529.** 215.02 (14) (title) of the statutes is amended to read:

25 215.02 (14) (title) FEES FOR OFFICE PUBLICATIONS.

**SECTION 5530**

1           **SECTION 5530.** 215.02 (14) (a) of the statutes is amended to read:

2           215.02 (14) (a) Whenever extra copies of statutory reprints of this chapter, the  
3 annual report of savings and loan associations or any other publication published by  
4 the ~~office~~ division are requested, such extra copies shall be furnished upon payment  
5 of such fee as the ~~commissioner~~ division determines. All such fees shall be paid by  
6 the ~~commissioner~~ division into the general fund to the credit of the ~~office~~ division.

7           **SECTION 5531.** 215.02 (15) (a) 1. (intro.) of the statutes is amended to read:

8           215.02 (15) (a) 1. (intro.) Within 10 days after any of the following petitions  
9 have been filed with the ~~commissioner~~ division, the ~~commissioner~~ division shall  
10 proceed to hear the same:

11           **SECTION 5532.** 215.02 (15) (b) of the statutes is amended to read:

12           215.02 (15) (b) At the time and place so fixed, unless by stipulation some other  
13 time and place is fixed, the ~~commissioner~~ division shall hear all parties interested  
14 and shall cause the testimony given to be reduced to writing, ~~or the commissioner~~  
15 ~~may designate some person employed in the commissioner's office to take testimony,~~  
16 ~~hear the petition and file the testimony with the commissioner.~~

17           **SECTION 5533.** 215.02 (15) (c) of the statutes is amended to read:

18           215.02 (15) (c) The ~~commissioner~~ division shall within a reasonable time make  
19 findings as to all matters covered by the petition and make such order as the  
20 ~~commissioner~~ division deems just and reasonable.

21           **SECTION 5534.** 215.02 (15) (d) of the statutes is amended to read:

22           215.02 (15) (d) The findings and order of the ~~commissioner~~ division shall be  
23 final unless modified by the court.

24           **SECTION 5535.** 215.02 (16) (a) of the statutes is amended to read:

1           215.02 (16) (a) *Annual fee.* Associations organized under this chapter shall, on  
2 or before July 15, pay an annual fee as determined by the ~~commissioner~~ division and  
3 the review board, but not exceeding 12 cents per \$1,000 of assets or fraction thereof,  
4 as of the close of the preceding calendar year.

5           **SECTION 5536.** 215.02 (16) (b) of the statutes is amended to read:

6           215.02 (16) (b) *Penalty for failure to pay fee.* An association failing to pay the  
7 annual fee to the ~~commissioner~~ division by July 15 of each year shall, if ordered by  
8 the ~~commissioner~~ division, forfeit \$10 for each day it fails to pay the fee.

9           **SECTION 5537.** 215.02 (16) (c) 1. of the statutes is amended to read:

10          215.02 (16) (c) 1. On or before June 30 of each year the ~~commissioner~~ division  
11 and the review board shall fix a per diem charge for the services of each examiner  
12 used in the examination of an association, for the next 12 months. Such per diem  
13 charge shall be the same for all associations. The hours constituting a day shall be  
14 that which is fixed for state employes by s. 230.35.

15          **SECTION 5538.** 215.02 (16) (c) 2. of the statutes is amended to read:

16          215.02 (16) (c) 2. After the per diem charge for each examiner has been fixed  
17 by the ~~commissioner~~ division and review board, each association shall be uniformly  
18 billed for examinations during the ensuing year on a fixed per diem basis for each  
19 examiner engaged in such examination.

20          **SECTION 5539.** 215.02 (16) (d) of the statutes is amended to read:

21          215.02 (16) (d) *Special examination costs.* The ~~commissioner~~ division shall  
22 charge any special costs and expenses incurred because of special work required by  
23 the ~~commissioner~~ division, caused by an association not having proper or sufficient  
24 management or failing to keep its books, records and other matters in a standard and

1 approved manner. An itemized statement of such charges must be submitted to the  
2 association.

3 **SECTION 5540.** 215.02 (17) (a) of the statutes is amended to read:

4 215.02 (17) (a) The ~~office~~ division may, in relation to any matter within its  
5 powers, issue subpoenas and take testimony.

6 **SECTION 5541.** 215.02 (17) (b) of the statutes is amended to read:

7 215.02 (17) (b) Witnesses shall be entitled to the same fees as are allowed to  
8 witnesses in courts of record. Such fees shall be audited and paid by the state in the  
9 same manner as other expenses of the ~~office~~ division are audited and paid. No  
10 witness subpoenaed at the instance of any party other than the ~~office~~ division shall  
11 be entitled to payment of fees by the state, unless the ~~office~~ division certifies that the  
12 testimony of the witness was material to the hearing or proceeding.

13 **SECTION 5542.** 215.02 (18) of the statutes is amended to read:

14 215.02 (18) AUTHORITY TO GRANT CERTAIN POWERS. Unless the ~~commissioner~~  
15 division is expressly restricted by statute from acting under this subsection with  
16 respect to a specific power, right or privilege, the ~~commissioner~~ division by rule may,  
17 with the approval of the review board, authorize associations to exercise any power  
18 under the notice, disclosure or procedural requirements governing federally  
19 chartered associations or to make any loan or investment or exercise any right, power  
20 or privilege of federally chartered associations permitted under a federal law,  
21 regulation or interpretation. Notice, disclosure and procedures prescribed by statute  
22 which may be modified by a rule adopted under this subsection include, but are not  
23 limited to, those provided under s. 138.056. A rule adopted under this subsection  
24 may not affect s. 138.041 or chs. 421 to 428 or restrict powers specifically granted  
25 associations under this chapter.

1           **SECTION 5543.** 215.03 (1) of the statutes is amended to read:

2           215.03 (1) (title) ~~TYPES OF ASSOCIATIONS SUPERVISED AND CONTROLLED BY THE~~  
3 ~~COMMISSIONER.~~ All associations organized under this chapter or similar laws, or  
4 permitted by license to transact, in this state, a business similar to that authorized  
5 by this chapter, shall be under the supervision and control of the ~~commissioner~~  
6 division.

7           **SECTION 5544.** 215.03 (2) (a) of the statutes is amended to read:

8           215.03 (2) (a) At least once within every 18-month period, the ~~commissioner~~  
9 division shall examine the cash, bills, collaterals, securities, assets, books of account,  
10 condition and affairs of all such associations and for that purpose the ~~commissioner~~  
11 division or the division's examiners ~~appointed by the commissioner~~ shall have access  
12 to, and may compel the production of, all their books, papers, securities and moneys,  
13 administer oaths to and examine their officers and agents as to their affairs. ~~Neither~~  
14 ~~the commissioner nor any~~ An employe of the ~~office shall~~ division may not examine  
15 an association in which the ~~commissioner~~ employe is interested as an officer or  
16 director.

17           **SECTION 5545.** 215.03 (2) (b) of the statutes is amended to read:

18           215.03 (2) (b) The ~~commissioner~~ division may accept an examination-audit  
19 made by the federal home loan bank board or any other governmental agency  
20 authorized to make examination-audits of savings and loan associations pursuant  
21 to their rules and regulations. The examination-audit must comply with the  
22 procedure established by the ~~commissioner~~ division.

23           **SECTION 5546.** 215.03 (5) (title) of the statutes is amended to read:

24           215.03 (5) (title) ~~ACCOUNTING AND BOOKKEEPING PROCEDURE PRESCRIBED BY~~  
25 ~~COMMISSIONER.~~

1           **SECTION 5547.** 215.03 (5) (a) of the statutes is amended to read:

2           215.03 (5) (a) Whenever it appears to the ~~commissioner~~ division that any  
3 association does not keep books and accounts in such manner as to enable the  
4 ~~commissioner~~ division to readily ascertain its true condition, the ~~commissioner~~  
5 division may require the officers of such associations or any of them to open and keep  
6 such books or accounts as the ~~commissioner~~ division prescribes.

7           **SECTION 5548.** 215.03 (5) (b) of the statutes is amended to read:

8           215.03 (5) (b) Any association that fails to open books or keep books or accounts  
9 as prescribed by the ~~commissioner~~ division, shall, at the discretion of the  
10 ~~commissioner~~ division, forfeit \$10 for each day it so fails. If the association fails to  
11 pay the forfeiture, the ~~commissioner~~ division may institute proceedings to recover  
12 such forfeitures.

13           **SECTION 5549.** 215.03 (6) (a) 1. of the statutes is amended to read:

14           215.03 (6) (a) 1. Not later than February 1 of each year each association subject  
15 to the supervision and control of the ~~commissioner~~ division shall file with the  
16 ~~commissioner~~ division a report of its activities of the preceding year, upon forms  
17 furnished by the ~~commissioner~~ division.

18           **SECTION 5550.** 215.03 (6) (a) 2. c. of the statutes is amended to read:

19           215.03 (6) (a) 2. c. Such other information as the ~~commissioner~~ division  
20 requires.

21           **SECTION 5551.** 215.03 (6) (a) 3. of the statutes is amended to read:

22           215.03 (6) (a) 3. Attached to the annual report shall be a copy of a printed  
23 statement of condition and operations as of the end of the association's most recent  
24 fiscal year, which shall be available to the public. The reports shall be published as  
25 a class 1 notice, under ch. 985, where the association is located, in the condensed form

1 as the ~~commissioner~~ division prescribes. Proof of publication shall be furnished to  
2 the ~~commissioner~~ division within 45 days after the date of the report. The printed  
3 statement shall contain such information as the ~~commissioner~~ division may by rule  
4 prescribe.

5 **SECTION 5552.** 215.03 (6) (b) of the statutes is amended to read:

6 215.03 (6) (b) If such association fails or refuses to furnish the report herein  
7 required, it shall be subject, at the discretion of the ~~commissioner~~ division, to a  
8 forfeiture of \$10 per day for each day of default, and the ~~commissioner~~ division may  
9 maintain an action ~~in the name of the state~~ to recover such penalty, and the same  
10 shall be paid into the general fund.

11 **SECTION 5553.** 215.03 (7) (a) of the statutes is amended to read:

12 215.03 (7) (a) Any association which determines to move its home office or  
13 branch to some other location not more than one mile from its then location shall  
14 make an application to the ~~commissioner~~ division. The ~~commissioner~~ division may  
15 approve or deny such application for relocation.

16 **SECTION 5554.** 215.03 (7) (b) of the statutes is amended to read:

17 215.03 (7) (b) Any association which determines to move its home office or  
18 branch to some other location more than one mile from its then location shall make  
19 an application to the ~~commissioner~~ division. The ~~commissioner~~ division shall give  
20 notice and provide an opportunity for hearing as provided in s. 215.40 (7). In  
21 approving or denying the application for relocation, the ~~commissioner~~ division shall  
22 ascertain the need for relocation and determine whether undue harm or injury would  
23 be caused to any properly conducted association or branch now doing business in the  
24 area or vicinity of the proposed relocation.

25 **SECTION 5555.** 215.03 (8) (a) of the statutes is amended to read:

1           215.03 (8) (a) Any association desiring to establish a branch office, subject to  
2 the limitations of s. 215.13 (39), shall apply to the ~~commissioner~~ division in such form  
3 as the ~~commissioner~~ division prescribes, giving such information as the  
4 ~~commissioner~~ division requires. Each application shall be accompanied by a fee of  
5 \$500. The ~~commissioner~~ division shall give notice and provide an opportunity for  
6 hearing as provided in s. 215.40 (7). The ~~commissioner~~ division may grant  
7 certificates of authority to maintain and operate branch offices or may refuse to issue  
8 certificates when, in the ~~commissioner's~~ division's opinion, such branch is not in the  
9 best interests of the public, or when other good and sufficient reasons exist for  
10 refusal.

11           **SECTION 5556.** 215.03 (8) (b) of the statutes is amended to read:

12           215.03 (8) (b) It is the intent of this section to provide adequate and convenient  
13 savings and loan facilities for the public. When 2 or more applications for a branch  
14 in the same area are pending, priority of application shall be considered but not be  
15 controlling, and the ~~commissioner~~ division shall give consideration to the equitable  
16 distribution of branches among the associations making application.

17           **SECTION 5557.** 215.03 (8) (c) of the statutes is amended to read:

18           215.03 (8) (c) Review of the decision of the ~~commissioner~~ division in regard to  
19 applications for branches shall be governed by s. 215.04 (4).

20           **SECTION 5558.** 215.04 (1) (a) of the statutes is amended to read:

21           215.04 (1) (a) Advise the ~~commissioner, deputy commissioner and others~~  
22 division in respect to improvement in the condition and service of associations;

23           **SECTION 5559.** 215.04 (1) (b) of the statutes is amended to read:

24           215.04 (1) (b) Review the acts, orders and determinations of the ~~commissioner~~  
25 division under sub. (4);

1           **SECTION 5560.** 215.04 (1) (c) of the statutes is amended to read:

2           215.04 (1) (c) Act promptly on matters and questions, pertaining to  
3 associations, that may be submitted to it by the ~~commissioner~~ division;

4           **SECTION 5561.** 215.04 (3) (b) of the statutes is amended to read:

5           215.04 (3) (b) The fees of witnesses who are called by the review board in the  
6 interests of the state shall be paid by the state in the same manner that other  
7 expenses are paid, upon presentation of proper vouchers approved by a member of  
8 the review board and charged to the appropriation of the ~~office~~ division.

9           **SECTION 5562.** 215.04 (4) of the statutes is amended to read:

10           215.04 (4) REVIEW OF GRIEVANCES, ORDERS OR DETERMINATIONS. Any interested  
11 person or any association aggrieved by any act, order or determination of the  
12 ~~commissioner~~ division, which relates to savings and loan associations may, within  
13 20 days thereof, apply to the review board to review the action of the ~~commissioner~~  
14 division. The sole review of the ~~commissioner's~~ division's decision shall be to  
15 determine whether or not the ~~commissioner~~ division has acted within the scope of the  
16 ~~commissioner's~~ division's authority, has not acted in an arbitrary or capricious  
17 manner, and that the act, order or determination of the ~~commissioner~~ division is  
18 supported by substantial evidence in view of the entire record as submitted. The  
19 review of applications for branches, relocation of association offices or new charters  
20 shall be based exclusively on the record, and no new evidence shall be taken by the  
21 review board. Applications under this subsection shall be considered and disposed  
22 of as speedily as possible.

23           **SECTION 5563.** 215.04 (6) of the statutes is amended to read:

24           215.04 (6) REVIEW OF FINAL ORDERS AND DETERMINATIONS. Any final order or  
25 determination of the review board shall be subject to review under ch. 227. If an act,

1 order or determination of the ~~commissioner~~ division is reversed or modified by the  
2 review board, the ~~commissioner~~ division shall be deemed a person aggrieved and  
3 directly affected thereby under s. 227.53 (1).

4 **SECTION 5564.** 215.11 (1) of the statutes is amended to read:

5 215.11 (1) WHO SHALL FURNISH BOND; TYPE AND FORM. Before entry upon the  
6 discharge of the person's duties, every person appointed or elected to any position  
7 requiring receipt, payment or custody of money or other personal property of an  
8 association or in its custody or control as collateral or otherwise shall give a bond in  
9 some surety company, licensed by this state, in such sum as the ~~commissioner~~  
10 division prescribes. In lieu of individual bonds, the ~~commissioner~~ division may  
11 accept a schedule or blanket bond which covers all of the officers, directors and  
12 employes of the association, whose duties include the receipt, payment or custody of  
13 money or other personal property. Such bonds shall be in the form prescribed by the  
14 ~~commissioner~~ division.

15 **SECTION 5565.** 215.11 (2) of the statutes is amended to read:

16 215.11 (2) (title) SURETY BONDS TO BE APPROVED BY THE BOARD AND FILED WITH THE  
17 ~~COMMISSIONER~~. No officer, director or employe who is required to give bond shall enter  
18 upon the discharge of the person's duties until the person's bond has been approved  
19 by the board. The minute book of the association shall contain a record of each bond  
20 executed and approved. Such bonds shall be filed with the ~~commissioner~~ division  
21 within 10 days after approval by the board.

22 **SECTION 5566.** 215.11 (3) of the statutes is amended to read:

23 215.11 (3) SURETY BOND COVERAGE. Such bond shall be sufficient to protect the  
24 association from loss by reason of acts of fraud or dishonesty, including forgery, theft,  
25 embezzlement, wrongful abstraction or misapplication on the part of the person,

1 directly or through connivance with others. At any time the ~~commissioner~~ division  
2 may require an additional bond.

3 **SECTION 5567.** 215.11 (4) (a) of the statutes is amended to read:

4 215.11 (4) (a) No termination of this bond shall be effective unless the surety  
5 gives in advance at least 10 days' written notice by registered mail to the  
6 ~~commissioner~~ division. If this bond is terminated at the request of the insured  
7 (employer) this provision shall apply nevertheless, it being the duty of the surety to  
8 give the required written notice to the ~~commissioner~~ division, such notice to be given  
9 promptly and within 10 days after the receipt of such request;

10 **SECTION 5568.** 215.11 (4) (b) of the statutes is amended to read:

11 215.11 (4) (b) The surety agrees to furnish the ~~commissioner~~, ~~at Madison,~~  
12 division a copy of all riders and indorsements executed subsequently to the effective  
13 date of this bond.

14 **SECTION 5569.** 215.11 (5) of the statutes is amended to read:

15 215.11 (5) (title) ~~COMMISSIONER~~ DIVISION MAY CONSENT TO TERMINATION AND WAIVE  
16 NOTICE THEREOF. The ~~commissioner~~ division may waive, as to the termination of any  
17 bond, the 10-day written notice in advance and may give written consent to the  
18 termination being made effective as of a date agreed upon by the surety and the  
19 association.

20 **SECTION 5570.** 215.13 (21) of the statutes is amended to read:

21 215.13 (21) ACQUIRING ASSETS OF OTHER ASSOCIATIONS. Acquire all or any part  
22 of the assets of any other association with prior approval of the ~~commissioner~~  
23 division.

24 **SECTION 5571.** 215.13 (22) of the statutes is amended to read:

1           215.13 **(22)** SELLING OF ASSETS TO OTHER ASSOCIATIONS. Sell all or any part of its  
2 assets to any other association with prior approval of the ~~commissioner~~ division.

3           **SECTION 5572.** 215.13 (26) (intro.) of the statutes is amended to read:

4           215.13 **(26)** INVESTMENT SECURITIES. (intro.) Invest in the following types of  
5 securities, subject to such limitations as may be fixed by the ~~commissioner~~ division:

6           **SECTION 5573.** 215.13 (26) (f) of the statutes is amended to read:

7           215.13 **(26)** (f) Such other types of securities which may be approved and  
8 authorized by the ~~commissioner~~ division.

9           **SECTION 5574.** 215.13 (27) of the statutes is amended to read:

10          215.13 **(27)** LEND MONEY TO OTHER ASSOCIATIONS. Lend money to other savings  
11 and loan associations incorporated and operating under this chapter, subject to  
12 approval of the ~~commissioner~~ division.

13          **SECTION 5575.** 215.13 (28) of the statutes is amended to read:

14          215.13 **(28)** BORROWING MONEY. Borrow money and issue its obligations for the  
15 borrowed money, including but not limited to obligations, bonds, notes or other debt  
16 securities. The aggregate amount borrowed under this subsection may not exceed  
17 50% of the association's total assets, except with the prior written approval of the  
18 ~~commissioner~~ division. An obligation, bond, note or other debt security may include  
19 a written provision subordinating the debt to claims of other creditors or of savers.

20          **SECTION 5576.** 215.13 (31) of the statutes is amended to read:

21          215.13 **(31)** INSURANCE OF SAVINGS ACCOUNTS. Insure the savings accounts of  
22 savers with the federal savings and loan insurance corporation or with another  
23 instrumentality approved by the ~~commissioner~~ division.

24          **SECTION 5577.** 215.13 (36) of the statutes is amended to read:

1           215.13 (36) LIMITED OFFICE. With the prior written approval of the  
2       ~~commissioner~~ division, establish a limited office providing lending or other services.  
3       Deposits to savings accounts may not be accepted at a limited office except as  
4       permitted under sub. (46).

5           **SECTION 5578.** 215.13 (39) of the statutes is amended to read:

6           215.13 (39) BRANCHES. Subject to the approval of the ~~commissioner~~ division,  
7       any savings and loan association may establish and maintain one or more branch  
8       offices within the normal lending area of the home office, as defined in s. 215.21 (2),  
9       in this state or in any one of the regional states, as defined in s. 215.36 (1) (f). In the  
10      ~~commissioner's~~ division's approval, the ~~commissioner~~ division may limit the powers  
11      of the branch. Savings and loan associations may promote thrift in their local schools  
12      by accepting payments in the school upon savings accounts of the teachers and  
13      pupils.

14          **SECTION 5579.** 215.13 (40) of the statutes is amended to read:

15          215.13 (40) LOCATION OF BRANCHES. Whenever an association is absorbed or a  
16      branch office is acquired under s. 215.36, 215.53 or 215.73, maintain and operate a  
17      branch office at the location of the absorbed association or of the acquired branch  
18      office, if the ~~commissioner~~ division finds that the continued operation of a branch  
19      office at the location of the absorbed association or of the acquired branch office would  
20      be in the public interest. This subsection does not permit continued operation of an  
21      office of an absorbed association which received its certificate of incorporation less  
22      than 5 years prior to its absorption.

23          **SECTION 5580.** 215.13 (41) of the statutes is amended to read:

24          215.13 (41) SELLER OF CHECKS. To engage as an authorized agent in the business  
25      and functions provided for in ch. 217 for their members upon receiving a certificate

1 of authority from the ~~commissioner~~ division. Such applicants shall be under the  
2 jurisdiction and supervision of the ~~commissioner~~ division and meet the same  
3 requirements as other applicants under ch. 217, but no license or investigation fee  
4 shall be charged savings and loan association applicants. The ~~commissioner~~ division  
5 has the authority to enforce ch. 217 as it applies to savings and loan associations, ~~the~~  
6 ~~same as that granted the commissioner of banking in enforcing ch. 217.~~ The  
7 ~~commissioner~~ division shall determine the records that shall be maintained and  
8 shall require the segregation of such funds as is necessary for operations permitted  
9 savings and loan associations under this subsection and ch. 217.

10 **SECTION 5581.** 215.13 (42) of the statutes is amended to read:

11 215.13 (42) INVEST IN REAL PROPERTY. Invest in, or in interests in, real property,  
12 subject to such rules as the ~~commissioner~~ division shall issue.

13 **SECTION 5582.** 215.13 (46) (a) 1. of the statutes is amended to read:

14 215.13 (46) (a) 1. Directly or indirectly, acquire, place and operate, or  
15 participate in the acquisition, placement and operation of, at locations other than its  
16 home or branch offices, remote service units, in accordance with rules established by  
17 the ~~commissioner~~ division. Remote service units established in accordance with such  
18 rules are not subject to sub. (36), (39), (40) or (47) or s. 215.03 (8). The rules of the  
19 ~~commissioner~~ division shall provide that any such remote service unit shall be  
20 available for use, on a nondiscriminatory basis, by any state or federal savings and  
21 loan association which has its principal place of business in this state, by any other  
22 savings and loan association obtaining the consent of a state or federal savings and  
23 loan association which has its principal place of business in this state and is using  
24 the terminal and by all customers designated by a savings and loan association using  
25 the unit. This paragraph does not authorize a savings and loan association which

1 has its principal place of business outside this state to conduct business as a savings  
2 and loan association in this state. The remote service units also shall be available  
3 for use, on a nondiscriminatory basis, by any credit union, state or national bank or  
4 state or federal savings bank, whose home office is located in this state, if the credit  
5 union, bank or savings bank requests to share its use, subject to the joint rules  
6 established under s. 221.04 (1) (k). The rules of the ~~commissioner~~ division shall  
7 prohibit any advertising with regard to a shared remote service unit which suggests  
8 or implies exclusive ownership or control of the shared unit by any savings and loan  
9 association or group of savings and loan associations operating or participating in  
10 the operation of the unit. The ~~commissioner~~ division by order may authorize the  
11 installation and operation of a remote service unit in a mobile facility, after notice  
12 and hearing upon the proposed service stops of the mobile facility.

13 **SECTION 5583.** 215.13 (46) (a) 3. of the statutes is amended to read:

14 215.13 (46) (a) 3. If any person primarily engaged in the retail sale of goods or  
15 services owns or operates a remote service unit on such person's premises and allows  
16 access to the unit by any financial institution, group of financial institutions or their  
17 customers, nothing in this paragraph or in rules established by the ~~commissioner~~  
18 division shall, or shall be construed or interpreted to, require such person to accept  
19 any connection to or use of the unit on its premises for any other purpose or function  
20 or to accept any connection to the unit on its premises by any other financial  
21 institution.

22 **SECTION 5584.** 215.13 (46) (a) 4. of the statutes is amended to read:

23 215.13 (46) (a) 4. If a person primarily engaged in the retail sale of goods or  
24 services owns or operates a remote service unit on such person's premises and allows  
25 access to the unit by any financial institution, group of financial institutions or their

1 customers for any purpose or function, no laws governing such institutions or rules  
2 established by the ~~commissioner~~ division shall apply to such person other than those  
3 laws or rules directly related to the particular function performed by the unit on such  
4 person's premises for a financial institution.

5 **SECTION 5585.** 215.13 (47) of the statutes is amended to read:

6 215.13 (47) EXTENDED OFFICE. With the approval of the ~~commissioner~~ division,  
7 extend its home office or branch by purchasing or leasing real estate for the purpose  
8 of establishing, identifying and maintaining an extended office, but only if the  
9 extended office is located within 1,000 feet of the home office or branch. All  
10 measurements under this subsection shall be made in a straight line from the  
11 nearest adjacent points in the respective property lines. The authority under this  
12 subsection is in addition to the authority to establish branch offices under s. 215.03  
13 (8).

14 **SECTION 5586.** 215.13 (51) of the statutes is amended to read:

15 215.13 (51) CONTRACT FOR FINANCIAL SERVICES. Contract with a bank that is  
16 owned by a bank holding company which also owns the contracting association, to  
17 provide products or services under s. 221.04 (1) (pm). The bank shall be subject to  
18 regulation and examination by the ~~commissioner~~ division with regard to services  
19 performed under the contract to the same extent as if the services were being  
20 performed by the association itself on its own premises.

21 **SECTION 5587.** 215.135 (1) of the statutes is amended to read:

22 215.135 (1) Subject to any regulatory approval required by law and subject to  
23 sub. (2), a savings and loan association, directly or through a subsidiary, may  
24 undertake any activity, exercise any power or offer any financially related product  
25 or service in this state that any other provider of financial products or services may

1 undertake, exercise or provide or that the ~~commissioner~~ division finds to be  
2 financially related.

3 **SECTION 5588.** 215.135 (2) of the statutes is amended to read:

4 215.135 (2) The activities, powers, products and services that may be  
5 undertaken, exercised or offered by savings and loan associations under sub. (1) are  
6 limited to those specified by rule of the ~~commissioner~~ division. The ~~commissioner~~  
7 division may direct any savings and loan association to cease any activity, the  
8 exercise of any power or the offering of any product or service authorized by rule  
9 under this subsection. Among the factors that the ~~commissioner~~ division may  
10 consider in so directing a savings and loan association are the savings and loan  
11 association's net worth, assets, management rating and liquidity ratio and its ratio  
12 of net worth to assets.

13 **SECTION 5589.** 215.141 of the statutes is amended to read:

14 **215.141 Financially related services tie-ins.** In any transaction conducted  
15 by an association, a savings and loan holding company or a subsidiary of either with  
16 a customer who is also a customer of any other subsidiary of any of them, the  
17 customer shall be given a notice in 12-point boldface type in substantially the  
18 following form:

19 NOTICE OF RELATIONSHIP

20 This company, .... (insert name and address of association, savings and loan  
21 holding company or subsidiary), is related to .... (insert name and address of  
22 association, savings and loan holding company or subsidiary) of which you are also  
23 a customer. You may not be compelled to buy any product or service from either of  
24 the above companies or any other related company in order to participate in this  
25 transaction.

1           If you feel that you have been compelled to buy any product or service from  
2 either of the above companies or any other related company in order to participate  
3 in this transaction, you should contact the management of either of the above  
4 companies at either of the above addresses or the ~~office of the commissioner~~ division  
5 of savings and loan at .... (insert address).

6           **SECTION 5590.** 215.15 (1) of the statutes is amended to read:

7           215.15 (1) SAVINGS ACCOUNT FORMS. The association shall issue to each saver  
8 a written summary of the terms of the saver's account or, if permitted by the  
9 ~~commissioner~~ division, a receipt. The ~~commissioner~~ division may promulgate rules  
10 prescribing the form of or otherwise regulating issuance and use of evidences of  
11 savings accounts, summaries of savings accounts and receipts.

12           **SECTION 5591.** 215.15 (3) (a) (intro.) of the statutes is amended to read:

13           215.15 (3) (a) (intro.) The board of directors may, subject to the rules of the  
14 ~~commissioner~~ division and par. (b), provide for the following:

15           **SECTION 5592.** 215.15 (3) (b) of the statutes is amended to read:

16           215.15 (3) (b) Unless the ~~commissioner~~ division approves, a mutual association  
17 may not issue negotiable certificates of deposit which are not in registered form in  
18 an aggregate amount exceeding 20% of the total amount in savings accounts.

19           **SECTION 5593.** 215.15 (3) (c) of the statutes is amended to read:

20           215.15 (3) (c) The ~~commissioner~~ division may promulgate rules governing the  
21 transfer of savings accounts or the replacement of lost or destroyed evidences of  
22 savings accounts.

23           **SECTION 5594.** 215.16 (intro.) of the statutes is amended to read:

24           **215.16 Savings account earnings.** (intro.) Subject to the rules of the  
25 ~~commissioner~~ division, the board of directors of an association may:

1           **SECTION 5595.** 215.18 (3) of the statutes is amended to read:

2           215.18 (3) An association may agree in writing not to close a savings account.  
3           The ~~commissioner~~ division may promulgate rules restricting the authority of an  
4           association to close savings accounts.

5           **SECTION 5596.** 215.20 (2) of the statutes is amended to read:

6           215.20 (2) An association may make, buy, sell and hold property improvement  
7           loans to such persons, for such purposes, in such individual and aggregate amounts,  
8           and upon such terms as the ~~commissioner~~ division by rule prescribes.

9           **SECTION 5597.** 215.205 (intro.) of the statutes is amended to read:

10          **215.205 Other loans and investments.** (intro.) Subject to such rules as the  
11          ~~commissioner~~ division prescribes, an association may make, buy, sell and hold the  
12          following loans and investments:

13          **SECTION 5598.** 215.205 (4) of the statutes is amended to read:

14          215.205 (4) Loans or interests in loans to financial institutions with respect to  
15          which the United States, or any agency or instrumentality thereof, has any function  
16          of examination or supervision, or to any broker or dealer registered with the  
17          securities and exchange commission, secured by loans, obligations or investments in  
18          which it has any statutory authority to invest directly, subject to such rules as the  
19          ~~commissioner~~ division may issue.

20          **SECTION 5599.** 215.21 (1) (intro.) of the statutes is amended to read:

21          215.21 (1) BASIC SECURITY REQUIRED. (intro.) Subject to such additional  
22          limitations as the ~~commissioner~~ division may prescribe, associations may make  
23          loans on the security of any of the following:

24          **SECTION 5600.** 215.21 (1) (c) of the statutes is amended to read:

1           215.21 (1) (c) An assignment or transfer of stock certificates or other evidence  
2 of the borrower's ownership interest in a corporation formed for the cooperative  
3 ownership of real estate. Sections 846.10 and 846.101, as they apply to a foreclosure  
4 of a mortgage involving a one-family residence, apply to a proceeding to enforce the  
5 lender's rights in security given for a loan under this paragraph. The ~~commissioner~~  
6 division shall promulgate joint rules with the ~~commissioners~~ office of credit unions  
7 and banking that establish procedures for enforcing a lender's rights in security  
8 given for a loan under this paragraph.

9           **SECTION 5601.** 215.21 (5) (a) of the statutes is amended to read:

10           215.21 (5) (a) The aggregate of loans that an association may make to any one  
11 borrower is subject to such limits as determined and prescribed by the ~~commissioner~~  
12 division and review board, but not exceeding 10% of the aggregate savings accounts  
13 or the net worth of the association, whichever is less.

14           **SECTION 5602.** 215.21 (6) (a) of the statutes is amended to read:

15           215.21 (6) (a) *Direct reduction mortgage loans.* The total monthly contractual  
16 payment on a direct reduction mortgage shall appear in the mortgage note. The  
17 ~~commissioner~~ division shall by regulation establish the maximum terms for the  
18 various types of direct reduction mortgages. The interest charges on loans of this  
19 type may be adjusted monthly or semiannually in accordance with the terms of the  
20 mortgage note.

21           **SECTION 5603.** 215.21 (7) (intro.) of the statutes is amended to read:

22           215.21 (7) TYPES OF REAL ESTATE SECURITY. (intro.) An association may make  
23 loans on the following types of real estate security as defined by the ~~commissioner~~  
24 division:

25           **SECTION 5604.** 215.21 (7) (c) of the statutes is amended to read:

**SECTION 5604**

1           215.21 (7) (c) Commercial type properties, the aggregate of which shall be fixed  
2 by the commissioner division;

3           **SECTION 5605.** 215.21 (14) of the statutes is amended to read:

4           215.21 (14) SELLING LOANS. Except as otherwise prescribed in s. 215.13 (22) an  
5 association may sell mortgage loans, without recourse, to any person, and service  
6 such loans for the purchaser in accordance with a duly executed servicing agreement.  
7 The aggregate of loans sold in any calendar year shall not exceed such limits as may  
8 be set by the commissioner division and review board.

9           **SECTION 5606.** 215.21 (15) of the statutes is amended to read:

10          215.21 (15) PARTICIPATION LOANS. Any association may participate with other  
11 lenders in mortgage loans of any type that such association may otherwise make,  
12 subject to such rules as the commissioner division issues, including the interest in  
13 participation loans to be retained by the originator. The normal lending area,  
14 prescribed in sub. (2), shall not apply to any association purchasing a participating  
15 interest in such loan, provided the real estate securing such loan is located within  
16 the United States.

17          **SECTION 5607.** 215.21 (17) (b) (intro.) of the statutes is amended to read:

18          215.21 (17) (b) (intro.) Without the prior written approval of the commissioner  
19 division, no association may directly or indirectly make a mortgage loan to:

20          **SECTION 5608.** 215.21 (17) (b) 2. of the statutes is amended to read:

21          215.21 (17) (b) 2. Such other persons as the commissioner division may by rule  
22 designate to avoid conflicts between the best interests of the association and the  
23 interests of its officers, directors or employes.

24          **SECTION 5609.** 215.21 (17) (d) 2. of the statutes is amended to read:

1           215.21 (17) (d) 2. To a nonprofit, religious, charitable or fraternal organization  
2 or a corporation in which the association has been authorized to invest by the  
3 ~~commissioner~~ division.

4           **SECTION 5610.** 215.21 (28) of the statutes is amended to read:

5           215.21 (28) LOANS OUTSIDE THE LENDING AREA. Subject to the rules issued by the  
6 ~~commissioner~~ division and without regard to the limitation set forth in sub. (2), an  
7 association may make or invest its funds in loans, originated and serviced by or  
8 through an institution, the accounts or deposits of which are insured by the federal  
9 savings and loan insurance corporation or the federal deposit insurance corporation  
10 or by or through an approved federal housing administration mortgagee, in an  
11 aggregate amount not exceeding 10% of such association's assets on the security of  
12 real estate or leasehold interests.

13           **SECTION 5611.** 215.22 (2) of the statutes is amended to read:

14           215.22 (2) All real estate acquired pursuant to this section shall be sold within  
15 10 years from acquiring title thereto, unless the ~~commissioner~~ division grants  
16 extensions of time within which such real estate shall be sold.

17           **SECTION 5612.** 215.23 (intro.) of the statutes is amended to read:

18           **215.23 Limitations on investments in office buildings and related**  
19 **facilities.** (intro.) An association's aggregate investment in the following may not  
20 exceed the association's net worth without the prior written approval of the  
21 ~~commissioner~~ division:

22           **SECTION 5613.** 215.24 of the statutes is amended to read:

23           **215.24 Minimum net worth.** An association shall maintain net worth at an  
24 amount not less than the minimum amount established by the ~~commissioner~~  
25 division. If an association fails to maintain the minimum net worth required under

1 this section, the ~~commissioner~~ division may take appropriate action, including but  
2 not limited to ordering the association to take corrective action or to restrict payment  
3 of dividends.

4 **SECTION 5614.** 215.25 of the statutes is amended to read:

5 **215.25 Audit requirements.** Each association shall be audited at least once  
6 in each fiscal year by auditors and in a manner satisfactory to the ~~commissioner~~  
7 division in accordance with the policies established by the ~~commissioner~~ division.  
8 The auditors are to be designated by the board of directors and must be independent,  
9 certified public accountants certified in this state. In lieu of audits by independent,  
10 certified public accountants, the board of directors may request an audit of the books  
11 and accounts to be made by the ~~commissioner~~ division to check the assets of the  
12 association and to determine losses, which request the ~~commissioner~~ division may  
13 refuse. The ~~commissioner~~ division may at any time make or cause to be made an  
14 audit of any association, with appraisals, when deemed advisable. Associations shall  
15 promptly file with the ~~commissioner~~ division a copy of the report of each audit, other  
16 than audits made by the ~~commissioner~~ division. The cost of any audit made pursuant  
17 to this section shall be paid by the association audited.

18 **SECTION 5615.** 215.26 (3) of the statutes is amended to read:

19 215.26 (3) OBSOLETE RECORDS. Any association may destroy or dispose of such  
20 of its records as may become obsolete after first obtaining the written consent of the  
21 ~~commissioner~~ division.

22 **SECTION 5616.** 215.26 (4) (a) of the statutes is amended to read:

23 215.26 (4) (a) Any association may cause any or all records kept by such  
24 association to be recorded, copied or reproduced by any photostatic, photographic or  
25 miniature photographic process or by optical imaging if the process employed

1 correctly, accurately and permanently copies, reproduces or forms a medium for  
2 copying, reproducing or recording the original record on a film or other durable  
3 material. An association may thereafter dispose of the original record after first  
4 obtaining the written consent of the ~~commissioner~~ division. This section, excepting  
5 the part of it which requires written consent of the ~~commissioner~~ division, is  
6 applicable to federal associations insofar as it does not contravene federal law.

7 **SECTION 5617.** 215.26 (5) of the statutes is amended to read:

8 215.26 (5) LEGAL HOLIDAYS. The ~~commissioner~~ division shall designate such  
9 of the legal holidays listed in s. 895.20 as days on which no association may transact  
10 business or be open for the purpose of transacting business. For purposes of this  
11 subsection, operation of a remote service unit as defined in s. 215.13 (46) (a) 1. or an  
12 unstaffed facility does not constitute the transaction of business.

13 **SECTION 5618.** 215.26 (8) (b) 1. of the statutes is amended to read:

14 215.26 (8) (b) 1. The ~~commissioner~~ division or ~~duly its~~ authorized  
15 representatives.

16 **SECTION 5619.** 215.26 (8) (b) 3. of the statutes is amended to read:

17 215.26 (8) (b) 3. Any federal agency or other instrumentality approved by the  
18 ~~commissioner~~ division which is authorized to inspect and examine books and records  
19 of an insured association.

20 **SECTION 5620.** 215.26 (9) of the statutes is amended to read:

21 215.26 (9) CLOSING BOOKS. Each association shall close its books at least once  
22 annually and at such other times as the ~~commissioner~~ division requires. The date  
23 of the annual fiscal closing may be March 31, June 30, September 30 or December  
24 31, unless rules of the ~~commissioner~~ division otherwise direct.

25 **SECTION 5621.** 215.32 (title) of the statutes is amended to read:

1           **215.32** (title) **Possession by ~~commissioner~~ division; involuntary**  
2 **liquidation.**

3           **SECTION 5622.** 215.32 (1m) (intro.) of the statutes is amended to read:

4           215.32 **(1m)** CONDITIONS FOR TAKING POSSESSION. (intro.) The ~~commissioner~~  
5 division may take possession of the business and property of any association to which  
6 this chapter applies if the ~~commissioner~~ division finds that the association:

7           **SECTION 5623.** 215.32 (1m) (h) of the statutes is amended to read:

8           215.32 **(1m)** (h) Has failed to comply with an order of the ~~commissioner~~  
9 division; or

10          **SECTION 5624.** 215.32 (2) (intro.) of the statutes is amended to read:

11          215.32 **(2)** PROCEDURE AFTER TAKING POSSESSION. (intro.) After taking  
12 possession of the business and property of an association, the ~~commissioner~~ division  
13 shall immediately:

14          **SECTION 5625.** 215.32 (2) (a) of the statutes is amended to read:

15          215.32 **(2)** (a) Serve written notice on an officer of the association stating that  
16 the ~~commissioner~~ division has taken possession and control of the business and  
17 property of the association. A copy of the notice and proof of service thereof shall be  
18 filed with the clerk of circuit court.

19          **SECTION 5626.** 215.32 (2) (b) of the statutes is amended to read:

20          215.32 **(2)** (b) Mail notice to the last-known address of any person known to  
21 the ~~commissioner~~ division to be in possession of assets of the association.

22          **SECTION 5627.** 215.32 (3) of the statutes is amended to read:

23          215.32 **(3)** EMPLOYMENT OF COUNSEL; RETENTION OF OFFICERS AND EMPLOYEES OF  
24 ASSOCIATION. The ~~commissioner~~ division may employ necessary counsel and experts

1 in a liquidation under this section and may retain any officer or employe of the  
2 association.

3 **SECTION 5628.** 215.32 (4) of the statutes is amended to read:

4 215.32 (4) (title) APPOINTMENT OF SPECIAL DEPUTY COMMISSIONERS. The  
5 commissioner division may appoint special deputy commissioners deputies as agents  
6 to assist in the liquidation and distribution of the assets of associations whose  
7 business and property the commissioner division has taken possession of. A  
8 certificate of the appointment shall be filed in the office of the commissioner with the  
9 division and a certified copy shall be filed in the office of the clerk of circuit court.

10 **SECTION 5629.** 215.32 (5) of the statutes is amended to read:

11 215.32 (5) (title) SURETY BONDS OF SPECIAL DEPUTY COMMISSIONERS DEPUTIES AND  
12 ASSISTANTS. Special deputy commissioners deputies and assistants shall furnish  
13 surety bonds in accordance with s. 215.11.

14 **SECTION 5630.** 215.32 (6) (title) of the statutes is amended to read:

15 215.32 (6) (title) DUTIES OF SPECIAL DEPUTY COMMISSIONERS DEPUTIES.

16 **SECTION 5631.** 215.32 (6) (a) of the statutes is amended to read:

17 215.32 (6) (a) *Notice, allowance and payment of claims.* The special deputy  
18 commissioner shall publish a class 3 notice, under ch. 985, requiring all persons who  
19 have claims against the association, other than savers whose claims are shown in the  
20 records of the association, to file proof of their claims at a place and by a date not  
21 earlier than 30 days after the last insertion of the notice. The special deputy  
22 commissioner shall mail a copy of the notice to all persons, at their last-known  
23 addresses, who appear as creditors upon the books of the association. Proof of  
24 publication and service of the notice shall be filed with the clerk of circuit court. A  
25 claim, other than that of a saver whose claim is shown on the records of the

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1 association, for which no proof of claim is filed by the date fixed in the notice is barred.  
2 Savers whose claims are shown in the records of the association need not file proof  
3 of their claims. Any interested party may file written objections to any claim with  
4 the special deputy ~~commissioner~~. The special deputy ~~commissioner~~ may reject any  
5 claim, including a claim of a saver. After notice by registered mail of rejection, the  
6 claim is barred unless the claimant commences an action within 90 days after the  
7 date of mailing of the notice of rejection.

8 **SECTION 5632.** 215.32 (6) (b) of the statutes is amended to read:

9 215.32 **(6)** (b) *Inventory of assets and statement of liabilities.* The special  
10 deputy ~~commissioner~~ appointed under this section shall make an inventory of the  
11 assets of the association. One copy of the inventory shall be filed ~~in the office of the~~  
12 ~~commissioner~~ with the division and one in the office of the clerk of circuit court. After  
13 the time for filing proof of claims has expired, the special deputy ~~commissioner~~ shall  
14 make a complete list of the claims for which proof of claims were filed and specify the  
15 claims ~~he or she~~ the special deputy has rejected. One copy shall be filed ~~in the office~~  
16 ~~of the commissioner~~ with the division and one in the office of the clerk of circuit court.  
17 The inventory of assets and list of claims shall be open to inspection.

18 **SECTION 5633.** 215.32 (6) (c) of the statutes is amended to read:

19 215.32 **(6)** (c) *Execution of legal documents; borrowing of money.* A special  
20 deputy ~~commissioner~~ appointed under this section may, with the prior approval of  
21 the ~~commissioner~~ division and the circuit court, execute, acknowledge and deliver all  
22 deeds, assignments, releases or other instruments necessary and proper to effect any  
23 sale or transfer or incumbrance of the property of an association subject to this  
24 section and may borrow money for use in the liquidation.

25 **SECTION 5634.** 215.32 (6) (d) of the statutes is amended to read:

1           215.32 (6) (d) *Conservation of assets; collection of claims; sale of assets and*  
2 *performance of any other acts upon order of the court.* A special deputy commissioner  
3 appointed under this section may take any action necessary to conserve the assets  
4 and business of an association subject to this section and shall proceed to liquidate  
5 its affairs. The special deputy commissioner shall collect all claims belonging to the  
6 association, and, with the prior approval of the commissioner division and the circuit  
7 court, may sell or compound all bad or doubtful claims, do any act or execute any  
8 necessary instruments, or sell the property of the association.

9           **SECTION 5635.** 215.32 (6) (e) of the statutes is amended to read:

10           215.32 (6) (e) *Depositing of moneys in one or more financial institutions.* The  
11 moneys collected by the special deputy commissioner under this section shall be  
12 deposited in financial institutions, and in case of the suspension or insolvency of the  
13 depository the deposits shall be preferred before all other deposits.

14           **SECTION 5636.** 215.32 (6) (em) 1. of the statutes is amended to read:

15           215.32 (6) (em) 1. All costs, expenses and debts of the association incurred on  
16 or after the date on which the commissioner division takes possession of the  
17 association.

18           **SECTION 5637.** 215.32 (6) (f) of the statutes is amended to read:

19           215.32 (6) (f) *Liquidating dividends.* After the date fixed for filing proof of  
20 claims under s. 215.32 (6) (a), the special deputy commissioner may, with the prior  
21 approval of the commissioner division and the circuit court, out of the funds  
22 remaining after the payment of costs, expenses, debts and claims under par. (em),  
23 declare liquidating dividends, and may declare a final liquidating dividend. The  
24 liquidating dividends shall be paid to those persons, in those amounts directed by the  
25 circuit court.

1           **SECTION 5638.** 215.32 (6) (g) of the statutes is amended to read:

2           215.32 (6) (g) *Notice prior to order for final distribution.* Prior to the order for  
3 final distribution under par. (f), the special deputy ~~commissioner~~ shall publish a class  
4 3 notice, under ch. 985, and give such further notice as the circuit court directs,  
5 requiring all persons who have claims against the association arising during the  
6 liquidation proceedings to file proof of their claims at a place and by a date not earlier  
7 than 30 days after the last insertion of the notice. Proof of publication of the notice  
8 shall be filed with the clerk of circuit court. A claim for which no proof of claim is filed  
9 by the date fixed in the notice is barred. Any interested party may file written  
10 objection to any claim with the special deputy ~~commissioner~~. The special deputy  
11 ~~commissioner~~ may reject any claim. After notice by registered mail of rejection, the  
12 claim is barred unless the claimant commences an action within 90 days after the  
13 date of mailing of the rejection.

14           **SECTION 5639.** 215.32 (6) (h) of the statutes is amended to read:

15           215.32 (6) (h) *Transfer of residual assets to commissioner.* After the order for  
16 final distribution has been made under par. (f), the special deputy ~~commissioner~~  
17 shall, with the approval of the ~~commissioner~~ division and the circuit court, assign all  
18 assets, claims and demands that have been written off and considered worthless, and  
19 all unknown assets, to the ~~commissioner~~ division. The ~~commissioner~~ division may  
20 accept and hold the assets, claims and demands, with the power to compound,  
21 compromise, settle and assign them and execute and deliver any legal instrument  
22 incidental thereto without court approval. Any moneys received shall be paid into  
23 the general fund of the state after the ~~commissioner~~ division has deducted the cost  
24 of his or her division services, attorney fees and other incidental expenses.

25           **SECTION 5640.** 215.32 (7) (a) 1. (intro.) of the statutes is amended to read:

1           215.32 (7) (a) 1. (intro.) The special deputy ~~commissioner~~ shall deliver to the  
2     ~~commissioner~~ division:

3           **SECTION 5641.** 215.32 (7) (a) 1. a. of the statutes is amended to read:

4           215.32 (7) (a) 1. a. Any unclaimed liquidating dividends and all funds  
5     remaining in the hands of the special deputy ~~commissioner~~ at the date of the order  
6     for final distribution.

7           **SECTION 5642.** 215.32 (7) (a) 2. of the statutes is amended to read:

8           215.32 (7) (a) 2. The ~~commissioner~~ division shall deposit moneys delivered  
9     under subd. 1. in a financial institution, to the credit of the ~~commissioner~~ division  
10    in trust for the persons entitled to the moneys.

11          **SECTION 5643.** 215.32 (7) (a) 3. (intro.) of the statutes is amended to read:

12          215.32 (7) (a) 3. (intro.) The ~~commissioner~~ division shall include in the annual  
13    report under s. 215.02 (11):

14          **SECTION 5644.** 215.32 (7) (c) (intro.) of the statutes is amended to read:

15          215.32 (7) (c) (intro.) The ~~commissioner~~ division may:

16          **SECTION 5645.** 215.32 (7) (d) of the statutes is amended to read:

17          215.32 (7) (d) The ~~commissioner~~ division may make application to the circuit  
18    court for an order determining what books or records of an association subject to this  
19    section are to be kept or destroyed. All books or records ordered kept shall be kept  
20    in a manner and place ordered, subject to the further order of the circuit court. The  
21    expense of keeping books or records shall be paid before final distribution. All books  
22    or records ordered destroyed shall be delivered to the ~~commissioner~~ division to be  
23    destroyed.

24          **SECTION 5646.** 215.32 (8) of the statutes is amended to read:

1           215.32 (8) (title) TITLE PASSES TO ~~COMMISSIONER~~ DIVISION. The possession of and  
2 title to all property of the association is transferred from the association to the  
3 ~~commissioner~~ division on the date the notice required by sub. (2) is filed. The filing  
4 of the notice bars any attachment, garnishment, execution or other legal proceedings  
5 against the association or its property.

6           **SECTION 5647.** 215.32 (9) of the statutes is amended to read:

7           215.32 (9) EFFECT OF POSSESSION. No association shall have a lien or charge for  
8 any payment, advance or clearance made or liability incurred, against any of the  
9 assets of the association after the ~~commissioner~~ division has possession.

10          **SECTION 5648.** 215.32 (10) of the statutes is amended to read:

11          215.32 (10) ACTION TO ENJOIN PROCEEDINGS. An association subject to this  
12 section may, within 10 days after the notice required under sub. (2) is filed, apply to  
13 the circuit court to enjoin further proceedings. The circuit court, after citing the  
14 ~~commissioner~~ division to show cause why further proceedings should not be enjoined  
15 and hearing the matter, may enjoin the ~~commissioner~~ division from further  
16 proceedings, and direct the ~~commissioner~~ division to surrender the association's  
17 business and property to the association.

18          **SECTION 5649.** 215.32 (11) of the statutes is amended to read:

19          215.32 (11) COMPENSATION AND EXPENSES IN CONNECTION WITH LIQUIDATION. The  
20 compensation of the special ~~deputy commissioners~~ deputies, counsel and other  
21 employes and assistants and all expenses of supervision and liquidation shall be  
22 fixed by the ~~commissioner~~ division, subject to the approval of the circuit court, and  
23 shall upon the certificate of the ~~commissioner~~ division be paid out of the funds of the  
24 association. Such expenses include the cost of the service rendered by the  
25 ~~commissioner~~ division to the association and shall be determined from time to time

1 by the ~~commissioner~~ division and shall be paid to the ~~commissioner~~ division from the  
2 assets of the association.

3 **SECTION 5650.** 215.32 (13) (intro.) of the statutes is amended to read:

4 215.32 (13) REINSTATEMENT. (intro.) Whenever the ~~commissioner~~ division has  
5 taken possession of the business and property of any association, the association may  
6 resume business when:

7 **SECTION 5651.** 215.32 (13) (a) of the statutes is amended to read:

8 215.32 (13) (a) In the case of a mutual association, the owners of at least  
9 two-thirds of such association's dollar value aggregate of outstanding savings  
10 accounts or, in the case of a capital stock association, the owners of at least  
11 two-thirds of the association's outstanding shares, execute a petition to such effect,  
12 in the form prescribed by the ~~commissioner~~ division;

13 **SECTION 5652.** 215.32 (13) (b) of the statutes is amended to read:

14 215.32 (13) (b) Such members, savers or stockholders, or a committee selected  
15 by them, submit to the ~~commissioner~~ division a plan for the reorganization and  
16 reinstatement of the association;

17 **SECTION 5653.** 215.32 (13) (c) of the statutes is amended to read:

18 215.32 (13) (c) The ~~commissioner~~ division recommends that control of the  
19 business and property of the association be returned to the directors; and

20 **SECTION 5654.** 215.32 (13) (d) of the statutes is amended to read:

21 215.32 (13) (d) The court in which such liquidation is pending, upon application  
22 of the ~~commissioner~~ division, finds that the association will be in a safe and sound  
23 condition when control is resumed by the directors.

24 **SECTION 5655.** 215.32 (14) of the statutes is amended to read:

1           215.32 (14) REINSTATEMENT UPON A RESTRICTED BASIS. Such association may  
2 resume business upon a restricted basis, and upon limitations and conditions  
3 prescribed by the ~~commissioner~~ division when approved by the circuit court, upon  
4 application of the ~~commissioner~~ division. Such restrictions and conditions may  
5 include a prohibition against the acceptance of payments on new savings accounts,  
6 reasonable restrictions upon withdrawals of savings accounts and the payment of  
7 other liabilities. Such associations shall thereupon be relieved from the control of the  
8 ~~commissioner~~ division.

9           **SECTION 5656.** 215.32 (15) (a) of the statutes is amended to read:

10           215.32 (15) (a) The ~~commissioner~~ division may, if the ~~commissioner~~ division  
11 takes possession of any association, the savings accounts of which are to any extent  
12 insured by the federal savings and loan insurance corporation, tender to said  
13 corporation the appointment as statutory liquidator of such association. If the  
14 ~~commissioner~~ division does not make such tender, the ~~commissioner~~ division shall  
15 tender to said corporation the appointment as statutory co-liquidator to act jointly  
16 with the ~~commissioner~~ division, but such co-liquidatorship shall not be for more  
17 than one year from the date of such tender, at the expiration of which time the  
18 ~~commissioner~~ division shall become the sole liquidator except as herein otherwise  
19 provided. The ~~commissioner~~ division shall tender to said corporation the  
20 appointment as sole statutory liquidator of such association whenever said  
21 corporation has become subrogated to the rights of 90 per cent of the liability of such  
22 association on savings accounts. If the corporation becomes subrogated as to all the  
23 savings accounts in such association, it may then exercise all the powers and  
24 privileges herein conferred upon it without court approval.

25           **SECTION 5657.** 215.32 (15) (b) of the statutes is amended to read:

1           215.32 (15) (b) If the corporation accepts the appointment as sole liquidator it  
2 shall possess all the powers and privileges of the ~~commissioner~~ division as statutory  
3 liquidator of a possessed savings and loan association, and be subject to all the duties  
4 of the ~~commissioner~~ division as sole liquidator, except insofar as such powers and  
5 privileges or duties are in conflict with federal laws, and except as herein otherwise  
6 provided, unless such association resumes business, pursuant to subs. (13) and (14).  
7 If the corporation accepts the appointment as co-liquidator, it shall possess such  
8 powers and privileges jointly with the ~~commissioner~~ division and shall be subject to  
9 such duties jointly with said ~~commissioner~~ division.

10           **SECTION 5658.** 215.32 (15) (c) of the statutes is amended to read:

11           215.32 (15) (c) In the event the corporation accepts the appointment as  
12 co-liquidator or liquidator, it shall file such acceptance with the ~~commissioner~~  
13 division and the clerk of the circuit court and it may act without bond. Upon the filing  
14 by the corporation of its acceptance of the appointment as sole liquidator, the  
15 possession of and title to all the assets, business and property of the association shall  
16 vest in the corporation without the execution of any conveyance, assignments,  
17 transfer or indorsement. Upon the filing by the corporation of its acceptance of the  
18 appointment as co-liquidator, such possession and title shall be vested in the  
19 ~~commissioner~~ division and the corporation jointly. If the corporation does not qualify  
20 as sole liquidator at or before the time herein provided for the expiration of the  
21 co-liquidatorship, the corporation shall be wholly divested of and from such joint  
22 title and possession and the sole title and possession shall thereupon vest in the  
23 ~~commissioner~~ division. The vesting of title and possession of the property of the  
24 association, under sub. (8), shall not render such property subject to any claims or  
25 demands against the federal corporation, except such as may be incumbered by it

1 with respect to such association and its property. Whether or not it serves as  
2 aforesaid, the corporation may make loans on the security of or may purchase with  
3 the approval of the court, except as herein otherwise provided, all or any part of the  
4 assets of any association, the savings accounts of which are to any extent insured by  
5 it, but in the event of such purchase, the corporation shall pay a reasonable price.

6 **SECTION 5659.** 215.33 (3) (a) 5. of the statutes is amended to read:

7 215.33 (3) (a) 5. Such other information as the ~~commissioner~~ division may  
8 require.

9 **SECTION 5660.** 215.33 (3) (b) (intro.) of the statutes is amended to read:

10 215.33 (3) (b) *Approval of applications.* (intro.) Upon receipt of a completed  
11 application and the required fee, the ~~commissioner~~ division may issue a certificate  
12 of authority. The certificate of authority may be subject to specific conditions that  
13 the ~~commissioner~~ division believes necessary to adequately safeguard the interests  
14 of the residents of this state. A certificate of authority to do business in this state  
15 shall not be issued unless:

16 **SECTION 5661.** 215.33 (3) (b) 1. of the statutes is amended to read:

17 215.33 (3) (b) 1. The association is in sound financial condition and entitled to  
18 public confidence, and the ~~commissioner~~ division is satisfied that the association will  
19 conduct its business in this state in accordance with the laws of this state.

20 **SECTION 5662.** 215.33 (3) (b) 2. of the statutes is amended to read:

21 215.33 (3) (b) 2. The accounts of the association are insured by the federal  
22 savings and loan insurance corporation or any other insurer acceptable to the  
23 ~~commissioner~~ division, or that adequate and sufficient securities have been  
24 deposited with the state treasurer to assure that the association will meet its  
25 obligations to the residents of this state.

1           **SECTION 5663.** 215.33 (3) (c) (intro.) of the statutes is amended to read:

2           215.33 (3) (c) *Revocation.* (intro.) The ~~commissioner~~ division may revoke a  
3 certificate of authority issued under this section if:

4           **SECTION 5664.** 215.33 (3) (c) 2. of the statutes is amended to read:

5           215.33 (3) (c) 2. The association refuses to permit the ~~commissioner~~ division  
6 to conduct a complete examination of the association, or fails to pay applicable costs  
7 or fees.

8           **SECTION 5665.** 215.33 (3) (c) 3. of the statutes is amended to read:

9           215.33 (3) (c) 3. The ~~commissioner~~ division determines that the association is  
10 in an unsafe condition or that its continued operation in this state is otherwise  
11 inconsistent with the best interests of the residents of this state.

12           **SECTION 5666.** 215.33 (4) of the statutes is amended to read:

13           215.33 (4) EXAMINATION AND AUDIT OF FOREIGN ASSOCIATIONS. Each foreign  
14 association doing business in this state shall be examined by the ~~commissioner~~  
15 division as provided under s. 215.03, audited under s. 215.25 and assessed fees and  
16 costs as provided under s. 215.02 (16), together with any out-of-state travel  
17 expenses incurred in the course of the examination and audit. However, the  
18 ~~commissioner~~ division may accept as all or part of the examination or audit, all or  
19 any part of an examination or audit made on behalf of the agency responsible for the  
20 supervision of the foreign association in the jurisdiction in which the association is  
21 organized.

22           **SECTION 5667.** 215.33 (5) of the statutes is amended to read:

23           215.33 (5) DESIGNATION OF REGISTERED AGENT. Each foreign association doing  
24 business in this state shall maintain on file with the ~~commissioner~~ division the name  
25 and address of an individual in this state who is authorized to receive legal process

1 on behalf of the association. The ~~commissioner~~ division shall maintain a current  
2 record of each individual so designated. The record of the ~~commissioner~~ division  
3 shall be conclusive evidence of the authority of the person whose name appears  
4 therein to receive process on behalf of the association.

5 **SECTION 5668.** 215.33 (6) of the statutes is amended to read:

6 215.33 (6) RECIPROCITY. If the laws of another jurisdiction prohibit an  
7 association chartered by this state and insured by the federal savings and loan  
8 insurance corporation from doing business in that jurisdiction, no association  
9 organized under the laws of that jurisdiction may be authorized to do business in this  
10 state. If the laws of another jurisdiction require the posting of securities or impose  
11 other additional requirements as a condition of permitting an association chartered  
12 by this state to do business in that jurisdiction, the ~~commissioner~~ division may  
13 impose similar requirements on an association organized under the laws of that  
14 jurisdiction before issuing the association a certificate of authority to do business in  
15 this state.

16 **SECTION 5669.** 215.35 (1) (intro.) of the statutes is amended to read:

17 215.35 (1) (intro.) The ~~commissioner~~ division may waive any portion of s.  
18 215.53, 215.57, 215.58, 215.73 or 215.77 if the ~~commissioner~~ division makes written  
19 findings of both of the following:

20 **SECTION 5670.** 215.36 (2) (b) of the statutes is amended to read:

21 215.36 (2) (b) An in-state savings and loan proposing any action under par. (a)  
22 shall provide the ~~commissioner~~ division a copy of any original application seeking  
23 approval by a federal agency or by an agency of the regional state and of any  
24 supplemental material or amendments filed in connection with any application.

25 **SECTION 5671.** 215.36 (3) (b) of the statutes is amended to read:

1           215.36 (3) (b) An in-state savings and loan holding company proposing any  
2 action under par. (a) shall provide the ~~commissioner~~ division a copy of any original  
3 application seeking approval by a federal agency or by an agency of the regional state  
4 and of any supplemental material or amendments filed in connection with any  
5 application.

6           **SECTION 5672.** 215.36 (5) (a) (intro.) of the statutes is amended to read:

7           215.36 (5) (a) (intro.) The ~~commissioner~~ division finds that the statutes of the  
8 regional state in which the regional savings and loan or regional savings and loan  
9 holding company has its principal place of business permit all of the following:

10           **SECTION 5673.** 215.36 (5) (b) of the statutes is amended to read:

11           215.36 (5) (b) The ~~commissioner~~ division has not disapproved the acquisition  
12 of the in-state savings and loan or the acquisition or merger with the in-state  
13 savings and loan holding company under sub. (7).

14           **SECTION 5674.** 215.36 (5) (c) of the statutes is amended to read:

15           215.36 (5) (c) The ~~commissioner~~ division gives a class 3 notice, under ch. 985,  
16 in the official state newspaper, of the application to take an action under sub. (4) and  
17 of the opportunity for a hearing and, if at least 25 residents of this state petition for  
18 a hearing within 30 days of the final notice or if the ~~commissioner~~ division on his or  
19 ~~her~~ the division's motion calls for a hearing within 30 days of the final notice, the  
20 ~~commissioner~~ division holds a public hearing on the application, except that a  
21 hearing is not required if the ~~commissioner~~ division finds that an emergency exists  
22 and that the proposed action under sub. (4) is necessary and appropriate to prevent  
23 the probable failure of an in-state savings and loan that is closed or in danger of  
24 closing.

25           **SECTION 5675.** 215.36 (5) (d) of the statutes is amended to read:

1           215.36 (5) (d) The ~~commissioner~~ division is provided a copy of any original  
2 application seeking approval by a federal agency of the acquisition of an in-state  
3 savings and loan or acquisition of or merger with an in-state savings and loan  
4 holding company and of any supplemental material or amendments filed with the  
5 application.

6           **SECTION 5676.** 215.36 (5) (e) of the statutes is amended to read:

7           215.36 (5) (e) The applicant has paid the ~~commissioner~~ division a fee of \$1,000  
8 together with the actual costs incurred by the ~~commissioner~~ division in holding any  
9 hearing on the application.

10          **SECTION 5677.** 215.36 (7) (intro.) of the statutes is amended to read:

11          215.36 (7) STANDARDS FOR DISAPPROVAL. (intro.) The ~~commissioner~~ division may  
12 disapprove of any action under sub. (4) if the ~~commissioner~~ division finds any of the  
13 following:

14          **SECTION 5678.** 215.36 (7) (ct) of the statutes is amended to read:

15          215.36 (7) (ct) The applicant has failed to enter into an agreement prepared by  
16 the ~~commissioner~~ division to comply with laws and rules of this state regulating  
17 consumer credit finance charges and other charges and related disclosure  
18 requirements, except to the extent preempted by federal law or regulation.

19          **SECTION 5679.** 215.36 (7) (e) of the statutes is amended to read:

20          215.36 (7) (e) The applicant fails to meet any other standards established by  
21 rule of the ~~commissioner~~ division.

22          **SECTION 5680.** 215.36 (9) (a) of the statutes is amended to read:

23          215.36 (9) (a) Subsections (1) to (7) do not apply prior to January 1, 1987, except  
24 that the ~~commissioner~~ division may promulgate rules under sub. (7) (e) to be  
25 applicable no earlier than the date that subs. (1) to (7) apply.

1           **SECTION 5681.** 215.36 (11) of the statutes is amended to read:

2           215.36 (11) DIVESTITURE. Any savings and loan holding company that ceases  
3 to be an in-state savings and loan holding company or regional savings and loan  
4 holding company shall immediately notify the ~~commissioner~~ division of the change  
5 in its status and shall, as soon as practical and, in any case, within 2 years after the  
6 event causing it to no longer be one of these entities, divest itself of control of all  
7 in-state savings and loans and in-state savings and loan holding companies. A  
8 savings and loan holding company that fails to immediately notify the ~~commissioner~~  
9 division is liable for a forfeiture of \$500 for each day beginning with the day its status  
10 changes and ending with the day notification is received by the ~~commissioner~~  
11 division.

12           **SECTION 5682.** 215.40 (1) (c) of the statutes is amended to read:

13           215.40 (1) (c) An association shall include the word "savings" in its name if its  
14 name includes the word "bank". This paragraph does not apply to an association  
15 name if the association obtained approval for use of the name from the ~~commissioner~~  
16 division before February 12, 1992.

17           **SECTION 5683.** 215.40 (2) (intro.) of the statutes is amended to read:

18           215.40 (2) MINIMUM MEMBERSHIP AND SAVINGS ACCOUNTS. (intro.) The  
19 ~~commissioner~~ division shall determine:

20           **SECTION 5684.** 215.40 (2) (d) of the statutes is amended to read:

21           215.40 (2) (d) Such other requirements as the ~~commissioner~~ division deems  
22 necessary or desirable.

23           **SECTION 5685.** 215.40 (3) of the statutes is amended to read:

24           215.40 (3) WHO MAY ORGANIZE. Adult citizens of this state, hereinafter referred  
25 to as incorporators, desiring to organize a mutual association under this section shall

1 make application to the ~~commissioner~~ division as prescribed on forms furnished by  
2 the ~~commissioner~~ division.

3 **SECTION 5686.** 215.40 (4) (e) of the statutes is amended to read:

4 215.40 (4) (e) Such other information as the ~~commissioner~~ division requires.

5 **SECTION 5687.** 215.40 (5) of the statutes is amended to read:

6 215.40 (5) APPLICATION FEE. The applicants shall pay to the ~~commissioner~~  
7 division \$200 to defray the cost of investigation, which sum shall be ~~paid by the~~  
8 ~~commissioner~~ deposited into the general fund to the credit of the ~~office~~ division.

9 **SECTION 5688.** 215.40 (6) (a) of the statutes is amended to read:

10 215.40 (6) (a) Along with the application, the incorporators shall file an  
11 agreement with the ~~commissioner~~ division that, in addition to their initial savings  
12 account subscriptions, they will create an expense fund in an amount not less than  
13 one-half of the total minimum required amount of savings accounts. The expense  
14 fund is for organization expenses, operating deficits, earnings distributions on  
15 savings accounts and losses.

16 **SECTION 5689.** 215.40 (6) (b) of the statutes is amended to read:

17 215.40 (6) (b) This expense fund shall become a part of the assets of the  
18 proposed association if the ~~commissioner~~ division approves the application and will  
19 be reflected on the books as a liability under the caption "Subsidy by incorporators."

20 **SECTION 5690.** 215.40 (6) (d) of the statutes is amended to read:

21 215.40 (6) (d) At the end of 3 years of corporate existence, the board of directors  
22 may petition the ~~commissioner~~ division for authority to repay the incorporators on  
23 a proportional basis, any unused portion remaining in the subsidy by directors. If  
24 the ~~commissioner~~ division determines that the operations of the association at that  
25 point are of such degree as to enable the association to operate as an independent

1 institution, requiring no further subsidy, the ~~commissioner~~ division may authorize  
2 such repayment.

3 **SECTION 5691.** 215.40 (6) (e) of the statutes is amended to read:

4 215.40 (6) (e) At the end of the 4th year, and each subsequent year, the board  
5 of directors of the association may petition the ~~commissioner~~ division for authority  
6 to pay out of current income of any period to the incorporators on a proportional basis  
7 the amount remaining after payment of expenses, provision for taxes, and the  
8 provision for distribution of earnings as a recovery of previous charges made to the  
9 expense fund account by incorporators. The ~~commissioner~~ division may approve or  
10 deny the petition for recovery payments. In no event shall refunds of this type exceed  
11 the total of the charges made to the expense fund account by incorporators.

12 **SECTION 5692.** 215.40 (7) (a) of the statutes is amended to read:

13 215.40 (7) (a) Within 30 days after receiving a completed application the  
14 ~~commissioner~~ division shall furnish a notice of application to the applicant and to  
15 each association authorized to operate an office within 4 miles of the proposed office  
16 if the office is to be located in Milwaukee county, or 20 miles of the proposed office  
17 if located elsewhere. The notice shall describe the location and nature of the  
18 proposed office and shall solicit written comments on the application. If a hearing  
19 on the application has been scheduled the notice shall also indicate the time and  
20 place of the hearing. If not, the notice shall notify interested persons of their right  
21 to request a hearing under par. (b) 2. The applicant shall publish the notice of  
22 application as a class 3 notice under ch. 985 in the city, town or village where the  
23 office is to be located and shall provide the ~~commissioner~~ division with proof of its  
24 publication.

25 **SECTION 5693.** 215.40 (7) (b) (intro.) of the statutes is amended to read:

1           215.40 (7) (b) (intro.) The ~~commissioner~~ division shall conduct a public hearing  
2 on the application if any of the following occur:

3           **SECTION 5694.** 215.40 (7) (b) 2. of the statutes is amended to read:

4           215.40 (7) (b) 2. Within 3 days after publication of the notice of application any  
5 person planning to participate in a hearing on the application files with the  
6 ~~commissioner~~ division a request for hearing; or

7           **SECTION 5695.** 215.40 (7) (b) 3. of the statutes is amended to read:

8           215.40 (7) (b) 3. The ~~commissioner~~ division determines that a hearing will be  
9 necessary or useful.

10          **SECTION 5696.** 215.40 (7) (c) of the statutes is amended to read:

11          215.40 (7) (c) If a hearing date was not indicated in the notice of application and  
12 a hearing is subsequently required, the ~~commissioner~~ division shall give written  
13 notice of the time and place of the hearing to the applicant and to anyone who has  
14 requested a hearing, not later than 10 days in advance of the scheduled hearing.

15          **SECTION 5697.** 215.40 (8) of the statutes is amended to read:

16          215.40 (8) CERTIFICATION OF AUTHORITY, WHEN ISSUED. If the application is  
17 approved, the ~~commissioner~~ division shall issue to the incorporators a certificate of  
18 authority to effect a temporary organization, consisting of a chairperson, a secretary  
19 and a treasurer; to execute and file articles of incorporation; to adopt and file bylaws;  
20 to adopt rules for the procedure of the incorporators; to conduct the first meeting of  
21 members; and to open subscription books for savings accounts.

22          **SECTION 5698.** 215.40 (11) of the statutes is amended to read:

23          215.40 (11) CERTIFICATE OF AUTHORITY, WHEN VOIDED. The certificate of authority  
24 shall be void after 90 days from its date, but the ~~commissioner~~ division may for cause,

1 after a hearing, extend the life of such certificate for such time as the ~~commissioner~~  
2 division deems advisable.

3 **SECTION 5699.** 215.40 (13) (a) (intro.) of the statutes is amended to read:

4 215.40 (13) (a) (intro.) Within the time prescribed in sub. (11), the incorporators  
5 shall file with the ~~commissioner~~ division a certificate stating:

6 **SECTION 5700.** 215.40 (13) (a) 1. of the statutes is amended to read:

7 215.40 (13) (a) 1. That articles of incorporation have been executed, filed with  
8 and approved by the ~~commissioner~~ division, and recorded; and

9 **SECTION 5701.** 215.40 (13) (a) 3. of the statutes is amended to read:

10 215.40 (13) (a) 3. That bylaws were adopted at the first meeting of members  
11 and filed with and approved by the ~~commissioner~~ division; and

12 **SECTION 5702.** 215.40 (13) (a) 9. of the statutes is amended to read:

13 215.40 (13) (a) 9. That necessary action has been taken to obtain membership  
14 in the federal home loan bank, and insurance of savings accounts from the federal  
15 savings and loan insurance corporation or other instrumentality approved by the  
16 ~~commissioner~~ division.

17 **SECTION 5703.** 215.40 (13) (b) of the statutes is amended to read:

18 215.40 (13) (b) No business, other than that of completing the organization of  
19 the proposed association, may be transacted until such time as the ~~commissioner~~  
20 division issues a certificate of incorporation to the association to commence business.

21 **SECTION 5704.** 215.40 (14) of the statutes is amended to read:

22 215.40 (14) CERTIFICATE OF INCORPORATION, WHEN ISSUED. Upon receipt of the  
23 certificate of compliance from the incorporators, the ~~commissioner~~ division may  
24 within 30 days issue a certificate of incorporation to the association ~~under the~~  
25 ~~commissioner's hand and seal~~ authorizing said the association to commence

**SECTION 5704**

1 business. The date appearing on the certificate of incorporation shall be the date of  
2 the corporate existence of the association.

3 **SECTION 5705.** 215.40 (15) of the statutes is amended to read:

4 215.40 (15) FEE FOR CERTIFICATE OF INCORPORATION. The incorporators shall pay  
5 to the ~~commissioner~~ division a fee of \$50 for the certificate of incorporation, which  
6 sum shall be ~~paid by the commissioner~~ deposited into the general fund to the credit  
7 of the ~~office~~ division.

8 **SECTION 5706.** 215.40 (17) of the statutes is amended to read:

9 215.40 (17) DISCRETIONARY AUTHORITY. The ~~commissioner~~ division shall have  
10 discretionary power in the granting of certificates of authority to incorporators  
11 desiring to organize such associations. The ~~commissioner~~ division may also refuse  
12 to issue certificates of incorporation to the incorporators to commence business  
13 when, in the ~~commissioner's~~ division's opinion, the incorporators or any of them are  
14 not of such character and general fitness as to warrant belief that the association will  
15 be conducted for the best interest of its members; the location of the association is  
16 so close to an existing association that its business might be interfered with and the  
17 support of the new association would not be such as to assure its success; or when  
18 other good and sufficient reasons exist for such refusal.

19 **SECTION 5707.** 215.40 (18) of the statutes is amended to read:

20 215.40 (18) APPEAL BY APPLICANTS AFTER BEING DENIED CERTIFICATE OF AUTHORITY.  
21 If the ~~commissioner~~ division refuses to grant a certificate of authority to organize an  
22 association, and the applicants feel aggrieved thereby, they may appeal to the review  
23 board to review the ~~commissioner's~~ division's determination under s. 215.04 (1) (d)  
24 and (4).

25 **SECTION 5708.** 215.41 (1) of the statutes is amended to read:

1           215.41 (1) FORM. The articles of incorporation of a mutual association shall be  
2 approved by the ~~commissioner~~ division. The ~~commissioner~~ division shall, with the  
3 approval of the review board, promulgate rules governing articles of incorporation.

4           **SECTION 5709.** 215.41 (2) of the statutes is amended to read:

5           215.41 (2) FILING AND APPROVAL. Duplicate originals of the articles of  
6 incorporation executed by the incorporators, and any subsequent amendments  
7 thereto adopted by the members of the association, shall be filed with and approved  
8 by the ~~commissioner~~ division.

9           **SECTION 5710.** 215.41 (3) of the statutes is amended to read:

10          215.41 (3) RECORDING. Upon their approval by the ~~commissioner~~ division,  
11 articles of incorporation and amendments thereto shall be recorded in the office of  
12 the register of deeds of the county in which the home office of the association is  
13 located.

14          **SECTION 5711.** 215.41 (5) of the statutes is amended to read:

15          215.41 (5) EFFECTIVE DATE. The effective date of articles of incorporation and  
16 amendments thereto shall be the date when left for record in the office of the register  
17 of deeds. The register of deeds shall forward a certificate of recording to the  
18 ~~commissioner~~ division.

19          **SECTION 5712.** 215.42 (1) of the statutes is amended to read:

20          215.42 (1) FORM. The bylaws of a mutual association shall be approved by the  
21 ~~commissioner~~ division. The ~~commissioner~~ division shall, with the approval of the  
22 review board, promulgate rules governing bylaws.

23          **SECTION 5713.** 215.42 (2) of the statutes is amended to read:

**SECTION 5713**

1           215.42 (2) FILINGS AND APPROVAL. Duplicate originals of the bylaws and any  
2 subsequent amendments thereto shall be filed with and approved by the  
3 ~~commissioner~~ division.

4           **SECTION 5714.** 215.42 (3) of the statutes is amended to read:

5           215.42 (3) EFFECTIVE DATE. The effective date of bylaws and amendments  
6 thereto shall be the date when approved by the ~~commissioner~~ division.

7           **SECTION 5715.** 215.50 (1) of the statutes is amended to read:

8           215.50 (1) MANAGEMENT RESPONSIBILITY. The government and management of  
9 a mutual association shall be vested in a board of directors, who are charged with the  
10 responsibility of compliance with this chapter, orders of the ~~commissioner~~ division,  
11 rules of the ~~commissioner~~ division promulgated under ch. 227, the articles of  
12 incorporation and bylaws of the association, and other laws applicable to savings and  
13 loan operations.

14           **SECTION 5716.** 215.50 (6) of the statutes is amended to read:

15           215.50 (6) OATH OF DIRECTORS. Upon election, every director shall take and  
16 subscribe an oath that the director will diligently and honestly perform the duties  
17 of such office and will not knowingly violate or willingly permit to be violated this  
18 chapter, any rule of the ~~commissioner~~ division, the articles of incorporation or bylaws  
19 under which the association operates, or any other law applicable to savings and loan  
20 operations.

21           **SECTION 5717.** 215.50 (7) of the statutes is amended to read:

22           215.50 (7) DIRECTORS TO FIX COMPENSATION. The compensation of officers,  
23 directors, employees and committee members shall be fixed by a majority vote of the  
24 board of directors in accordance with the bylaws. In addition, the board of directors  
25 may, by resolution, create a fund or join a pension system or enter into deferred

1 compensation agreements for the retirement of its officers and employes, subject to  
2 specific, prior approval of the ~~commissioner~~ division and the review board.

3 **SECTION 5718.** 215.50 (10) of the statutes is amended to read:

4 215.50 (10) PROMULGATION OF RULES. The board of directors, may by resolution,  
5 adopt rules and regulations for the conduct of business, provided that they are  
6 consistent with this chapter, the rules of the ~~commissioner~~ division, and the  
7 association's articles of incorporation and bylaws.

8 **SECTION 5719.** 215.50 (11) (a) of the statutes is amended to read:

9 215.50 (11) (a) The board may remove a director who violates this chapter, the  
10 rules of the ~~commissioner~~ division, the articles of incorporation, the bylaws, orders  
11 of the ~~commissioner~~ division or any other law applicable to savings and loan  
12 operations. The board may remove a director only after affording the director a  
13 hearing.

14 **SECTION 5720.** 215.53 (1) (a) (intro.) of the statutes is amended to read:

15 215.53 (1) (a) (intro.) With the consent of the ~~commissioner~~ division and subject  
16 to any condition that the ~~commissioner~~ division prescribes, a mutual association  
17 organized under this chapter may, by an affirmative vote of at least two-thirds of the  
18 board of each association, do any of the following:

19 **SECTION 5721.** 215.53 (1) (a) 4. of the statutes is amended to read:

20 215.53 (1) (a) 4. Absorb a mutual savings and loan holding company or mutual  
21 savings bank holding company under a plan, approved by the ~~commissioner~~ division,  
22 that provides that the mutual savings and loan holding company or mutual savings  
23 bank holding company ceases to engage in activities that the absorbing association  
24 may not engage in and that provides that stock in a subsidiary association that is not

1 held by the absorbed mutual savings and loan holding company or mutual savings  
2 bank holding company is redeemed.

3 **SECTION 5722.** 215.53 (3) of the statutes is amended to read:

4 215.53 (3) WITHDRAWAL REQUESTS. Any saver in an absorbed association or  
5 savings bank or in a subsidiary of an absorbed mutual savings and loan holding  
6 company or mutual savings bank holding company, who intends to file a written  
7 withdrawal request for savings accounts within one year after the date of approval  
8 of such absorption by the ~~commissioner~~ division, may do so by giving 90 days' written  
9 notice of such intention, and the savings accounts shall be withdrawn as provided  
10 in s. 215.17. Any person who has filed such written withdrawal request shall remain  
11 a member and be subject to all rights, privileges and duties under this chapter and  
12 the bylaws and the rules and regulations of the absorbing association or, if the  
13 absorbing association is a subsidiary of a mutual savings and loan holding company,  
14 of the mutual savings and loan holding company, until the withdrawal value of the  
15 savings accounts has been paid to the person.

16 **SECTION 5723.** 215.56 (1) (b) 1. of the statutes is amended to read:

17 215.56 (1) (b) 1. Certified to the ~~commissioner~~ division under the seal of the  
18 association by its president and secretary;

19 **SECTION 5724.** 215.56 (2) of the statutes is amended to read:

20 215.56 (2) PERIOD OF LIQUIDATION. A mutual association so liquidating shall  
21 dispose of all its assets within 10 years from the date of liquidation, unless the  
22 ~~commissioner~~ division orders otherwise.

23 **SECTION 5725.** 215.56 (6) of the statutes is amended to read:

1           215.56 (6) RESUMPTION OF BUSINESS. Any mutual association in liquidation may  
2 with the approval of the ~~commissioner~~ division resume business upon conditions  
3 approved by the ~~commissioner~~ division.

4           **SECTION 5726.** 215.56 (7) (a) of the statutes is amended to read:

5           215.56 (7) (a) Unclaimed liquidating dividends and all funds remaining unpaid  
6 in the hands of the association or its board of directors at or immediately prior to the  
7 date of final distribution, together with all final liquidating costs, shall be delivered  
8 by them to the ~~commissioner~~ division to be deposited by the ~~commissioner~~ division  
9 in one or more state banks, state savings banks or state-chartered savings and loan  
10 associations, to the credit of the ~~commissioner in the commissioner's name~~ division,  
11 in trust for the various members and creditors entitled thereto. The ~~commissioner~~  
12 division shall include in the annual report under s. 215.02 (11) the names of the  
13 associations so liquidated and the sums of unclaimed and unpaid liquidating  
14 dividends and unclaimed funds with respect to each of them respectively, including  
15 a statement of interest or dividends earned upon the funds.

16           **SECTION 5727.** 215.56 (7) (b) (intro.) of the statutes is amended to read:

17           215.56 (7) (b) (intro.) The ~~commissioner~~ division may:

18           **SECTION 5728.** 215.56 (7) (b) 3. of the statutes is amended to read:

19           215.56 (7) (b) 3. Apply the interest and dividends earned by the moneys so held  
20 toward defraying the expenses of the ~~office~~ division.

21           **SECTION 5729.** 215.56 (8) of the statutes is amended to read:

22           215.56 (8) (title) RESERVED AUTHORITY OF ~~COMMISSIONER~~. This section shall not  
23 prohibit the ~~commissioner~~ division from proceeding against any association as  
24 provided in s. 215.32.

25           **SECTION 5730.** 215.57 (1) (b) of the statutes is amended to read:

**SECTION 5730**

1           215.57 (1) (b) At such meeting, by the affirmative vote, in person or by proxy,  
2 of not less than two-thirds of the dollar value of savings accounts of the association  
3 the members may by resolution declare to convert such association into a federal  
4 association or into a state-chartered association. A copy of the minutes of such  
5 meeting, verified by the affidavit of the chairperson and the secretary of the meeting,  
6 shall be filed ~~in the office of the commissioner~~ with the division within 10 days after  
7 the meeting.

8           **SECTION 5731.** 215.57 (1) (d) 1. of the statutes is amended to read:

9           215.57 (1) (d) 1. Within 6 months after the adjournment of a meeting to convert  
10 into a federal association, the association shall do what is necessary to make it a  
11 federal association. Within 10 days after the receipt of the federal charter, the  
12 association shall file with the ~~commissioner~~ division a copy of the federal charter  
13 certified by the federal home loan bank board. Upon such filing the association shall  
14 cease to be a state-chartered association and shall thereafter be a federal  
15 association.

16           **SECTION 5732.** 215.57 (1) (d) 2. of the statutes is amended to read:

17           215.57 (1) (d) 2. Within 6 months after the adjournment of a meeting of the  
18 members of a federal mutual association called for the purpose of converting the  
19 association into a state-chartered association, the ~~commissioner~~ division shall  
20 examine such association and shall determine the action necessary to qualify the  
21 converting federal mutual association for a state charter. Upon complying with the  
22 necessary requirements, a state charter shall be issued to such association.

23           **SECTION 5733.** 215.57 (4) of the statutes is amended to read:

24           215.57 (4) (title) ~~COMMISSIONER'S APPROVAL~~ APPROVAL REQUIRED BEFORE  
25 CONVERSION BECOMES EFFECTIVE. Before any such conversion of any association shall

1 be final and in effect, the written approval of the ~~commissioner~~ division must be  
2 secured by such association.

3 **SECTION 5734.** 215.58 (1) (a) of the statutes is amended to read:

4 215.58 (1) (a) A state chartered mutual association may convert to a stock  
5 association or a mutual savings and loan holding company may convert to a stock  
6 savings and loan holding company under this section. The board shall adopt a plan  
7 of conversion which complies with this section and the rules of the ~~commissioner~~  
8 division. The plan of conversion is subject to the approval of the ~~commissioner~~  
9 division.

10 **SECTION 5735.** 215.58 (1) (b) of the statutes is amended to read:

11 215.58 (1) (b) Conversion of a mutual association or a mutual savings and loan  
12 holding company under this section is effective only if done according to a plan of  
13 conversion approved by the ~~commissioner~~ division under par. (a) and if the plan is  
14 approved by an affirmative vote of the majority of all votes entitled to be cast by  
15 members. Notice of a meeting to vote on the plan of conversion shall be sent to each  
16 member at least 10 days prior to such meeting. The notice shall state the time, place  
17 and purpose of the meeting, and provide a summary of the plan of conversion and  
18 such other information as the ~~commissioner~~ division requires.

19 **SECTION 5736.** 215.58 (1) (c) (intro.) of the statutes is amended to read:

20 215.58 (1) (c) (intro.) Within 10 days after a meeting of members at which a plan  
21 of conversion is adopted, the board shall submit to the ~~commissioner~~ division:

22 **SECTION 5737.** 215.58 (1) (c) 2. of the statutes is amended to read:

23 215.58 (1) (c) 2. Such additional information pertaining to the plan of  
24 conversion as the ~~commissioner~~ division may require.

25 **SECTION 5738.** 215.58 (2) (intro.) of the statutes is amended to read:

1           215.58 (2) (title) ~~COMMISSIONER'S APPROVAL~~ APPROVAL OF PLAN OF CONVERSION;  
2 STANDARDS. (intro.) The ~~commissioner~~ division may approve a plan of conversion  
3 under this section if the ~~commissioner~~ division finds that the plan meets all of the  
4 following conditions:

5           **SECTION 5739.** 215.58 (2) (c) of the statutes is amended to read:

6           215.58 (2) (c) The plan complies with any other standard which the  
7 ~~commissioner~~ division may promulgate by rule as in the public interest.

8           **SECTION 5740.** 215.58 (3) of the statutes is amended to read:

9           215.58 (3) CERTIFICATE OF CONVERSION; EFFECTIVE DATE. The ~~commissioner~~  
10 division may issue a certificate of conversion from a mutual association to a stock  
11 association or from a mutual savings and loan holding company to a stock savings  
12 and loan holding company if the ~~commissioner~~ division determines the plan of  
13 conversion has been implemented as approved and the association or holding  
14 company has complied with this section and any conditions to the approval. The date  
15 specified in the certificate is the effective date of conversion. The certificate shall be  
16 recorded with the register of deeds in the county where the home office of the  
17 association or the registered office of the holding company is located.

18           **SECTION 5741.** 215.58 (6) (intro.) of the statutes is amended to read:

19           215.58 (6) (title) ~~RESERVED AUTHORITY OF COMMISSIONER.~~ (intro.) The  
20 ~~commissioner~~ division may issue rules governing the conversion of a mutual  
21 association or mutual savings and loan holding company, including:

22           **SECTION 5742.** 215.59 (1) (c) of the statutes is amended to read:

23           215.59 (1) (c) *Capital asset retention.* Subject to the approval of the  
24 ~~commissioner~~ division, if the net worth of the stock association chartered under the  
25 reorganization plan exceeds the minimum net worth under s. 215.24, a plan may

1 permit a mutual savings and loan holding company to retain capital assets of the  
2 reorganizing mutual association.

3 **SECTION 5743.** 215.59 (1) (d) 3. of the statutes is amended to read:

4 215.59 (1) (d) 3. The ~~commissioner~~ division under par. (f).

5 **SECTION 5744.** 215.59 (1) (e) 1. of the statutes is amended to read:

6 215.59 (1) (e) 1. Notice of a meeting to vote on a reorganization plan shall be  
7 sent to members at least 10 days before the meeting. The notice shall state the time,  
8 place and purpose of the meeting, shall provide a summary of the reorganization plan  
9 and shall provide any other information that the ~~commissioner~~ division requires.

10 **SECTION 5745.** 215.59 (1) (e) 3. of the statutes is amended to read:

11 215.59 (1) (e) 3. Within 10 days after a reorganization plan receives member  
12 approval, the mutual association shall submit to the ~~commissioner~~ division a copy  
13 of the minutes of the meeting at which the plan is approved. The secretary of the  
14 mutual association shall certify that the minutes show that the members approved  
15 the reorganization plan.

16 **SECTION 5746.** 215.59 (1) (f) (intro.) of the statutes is amended to read:

17 215.59 (1) (f) (title) *Commissioner Division approval.* (intro.) The  
18 ~~commissioner~~ division may approve a reorganization plan if the ~~commissioner~~  
19 division finds that all of the following conditions exist:

20 **SECTION 5747.** 215.59 (1) (f) 3. of the statutes is amended to read:

21 215.59 (1) (f) 3. The reorganization plan complies with rules promulgated by  
22 the ~~commissioner~~ division governing the reorganization of a mutual association into  
23 a mutual savings and loan holding company and the operation of a mutual savings  
24 and loan holding company.

25 **SECTION 5748.** 215.59 (1) (g) of the statutes is amended to read:

1           215.59 (1) (g) *Certificate of reorganization.* If the ~~commissioner~~ division  
2 determines that the mutual association has complied with the requirements of this  
3 subsection and has implemented the reorganization plan as approved, the  
4 ~~commissioner~~ division shall issue a certificate of reorganization evidencing that the  
5 mutual association has been reorganized into a mutual savings and loan holding  
6 company. The date specified in the certificate shall be the effective date of  
7 reorganization. On the date specified in the certificate, the mutual association  
8 ceases to exist but its legal existence continues as a mutual savings and loan holding  
9 company. The certificate shall be recorded with the register of deeds in the county  
10 in which the home office of the mutual association was located and in the county in  
11 which the registered office of the mutual savings and loan holding company is  
12 located.

13           **SECTION 5749.** 215.59 (3) (a) 10. of the statutes is amended to read:

14           215.59 (3) (a) 10. Unless limited or prohibited by the ~~commissioner~~ division,  
15 engage in any activity that the federal reserve board permits a bank holding  
16 company to engage in under 12 CFR 225, subpart C, promulgated pursuant to 12  
17 USC 1843 (c) or any activity that the federal savings and loan insurance corporation  
18 authorized a multiple savings and loan holding company to engage in directly on  
19 March 5, 1987.

20           **SECTION 5750.** 215.59 (3) (a) 12. of the statutes is amended to read:

21           215.59 (3) (a) 12. Dissolve itself and the stock association chartered under sub.  
22 (1) (b) 1. and convert itself and the stock association into a mutual association or  
23 mutual savings bank under a plan, approved by the ~~commissioner~~ division, that  
24 provides that the converting mutual savings and loan holding company ceases to  
25 engage in activities that the converted association or savings bank may not engage

1 in and that provides that stock in a subsidiary association or savings bank that is not  
2 held by the converting mutual savings and loan holding company is redeemed.

3 **SECTION 5751.** 215.59 (4) of the statutes is amended to read:

4 215.59 (4) STOCK IN SUBSIDIARY. Under a plan approved by the ~~commissioner~~  
5 division, a stock association that is a subsidiary of a mutual savings and loan holding  
6 company may issue any number of nonvoting shares and less than 50% of the voting  
7 shares of the stock association to persons other than the mutual savings and loan  
8 holding company.

9 **SECTION 5752.** 215.60 (1) (c) of the statutes is amended to read:

10 215.60 (1) (c) An association shall include the word "savings" in its name if its  
11 name includes the word "bank". This paragraph does not apply to an association  
12 name if the association obtained approval for use of the name from the ~~commissioner~~  
13 division before February 12, 1992.

14 **SECTION 5753.** 215.60 (2) (intro.) of the statutes is amended to read:

15 215.60 (2) MINIMUM REQUIREMENTS. (intro.) The ~~commissioner~~ division by rule  
16 shall determine:

17 **SECTION 5754.** 215.60 (2) (c) of the statutes is amended to read:

18 215.60 (2) (c) Such other requirements as the ~~commissioner~~ division deems  
19 necessary or desirable.

20 **SECTION 5755.** 215.60 (3) of the statutes is amended to read:

21 215.60 (3) WHO MAY ORGANIZE. Any individual who is a resident of this state may  
22 apply to the ~~commissioner~~ division for authority to incorporate a stock association  
23 under this section. The individual applying is the incorporator.

24 **SECTION 5756.** 215.60 (4) (h) of the statutes is amended to read:

25 215.60 (4) (h) Such other information as the ~~commissioner~~ division requires.

1           **SECTION 5757.** 215.60 (5) of the statutes is amended to read:

2           215.60 (5) APPLICATION FEE. The incorporators shall pay to the ~~commissioner~~  
3 division a \$500 fee, which sum shall be paid by the ~~commissioner~~ division into the  
4 general fund to the credit of the ~~office~~ division. Applicants shall also be liable for any  
5 other direct costs incurred by the ~~commissioner~~ division or review board for any  
6 transcripts of hearings, per diems and travel expenses.

7           **SECTION 5758.** 215.60 (6) of the statutes is amended to read:

8           215.60 (6) NOTICE OF APPLICATION AND HEARING THEREON. Upon receipt of a  
9 properly executed application, the ~~commissioner~~ division shall, within 30 days,  
10 assign a date and place for hearing on the application and notice thereof shall be  
11 given as provided in s. 215.40 (7).

12           **SECTION 5759.** 215.60 (7) of the statutes is amended to read:

13           215.60 (7) CERTIFICATE OF AUTHORITY; WHEN ISSUED. If the application to  
14 organize a capital stock association is approved, the ~~commissioner~~ division shall  
15 issue to the incorporators a certificate of authority to effect a temporary  
16 organization, consisting of a chairperson, a secretary and a treasurer; to adopt  
17 articles of incorporation; to adopt bylaws; to adopt rules for the procedure of the  
18 incorporators; to conduct meetings; and to open subscription books for the sale of  
19 capital stock and also open subscription books for savings accounts.

20           **SECTION 5760.** 215.60 (10) of the statutes is amended to read:

21           215.60 (10) CERTIFICATE OF AUTHORITY, WHEN VOIDED. The certificate of authority  
22 as described in sub. (7) shall be void after 180 days from its date, but the  
23 ~~commissioner~~ division may, for cause, extend the life of the certificate for such time  
24 as the ~~commissioner~~ division deems advisable.

25           **SECTION 5761.** 215.60 (11) (a) (intro.) of the statutes is amended to read:

1           215.60 (11) (a) (intro.) Within the time prescribed in sub. (10), the incorporators  
2 of the proposed capital stock association shall file with the ~~commissioner~~ division a  
3 certificate stating:

4           **SECTION 5762.** 215.60 (11) (a) 1. of the statutes is amended to read:

5           215.60 (11) (a) 1. That articles of incorporation have been executed, filed with  
6 and approved by the ~~commissioner~~ division and recorded;

7           **SECTION 5763.** 215.60 (11) (a) 2. of the statutes is amended to read:

8           215.60 (11) (a) 2. That a meeting of stockholders was held and that directors  
9 and officers acceptable to the ~~commissioner~~ division were elected at the meeting;

10          **SECTION 5764.** 215.60 (11) (a) 3. of the statutes is amended to read:

11          215.60 (11) (a) 3. That bylaws were adopted and filed with and approved by the  
12 ~~commissioner~~ division;

13          **SECTION 5765.** 215.60 (11) (a) 7. of the statutes is amended to read:

14          215.60 (11) (a) 7. That insurance of savings accounts has been obtained from  
15 the federal savings and loan insurance corporation or other instrumentality  
16 approved by the ~~commissioner~~ division; and

17          **SECTION 5766.** 215.60 (11) (b) of the statutes is amended to read:

18          215.60 (11) (b) No business, other than that of completing the organization of  
19 the proposed capital stock association, may be transacted until such time as the  
20 ~~commissioner~~ division issues a certificate of incorporation to the association to  
21 commence business.

22          **SECTION 5767.** 215.60 (12) of the statutes is amended to read:

23          215.60 (12) CERTIFICATE OF INCORPORATION, WHEN ISSUED. Upon receipt of the  
24 certificate of compliance from the incorporators, described in sub. (11), and after all  
25 fees have been paid, the ~~commissioner~~ division may within 90 days issue a certificate

1 of incorporation to the association ~~under the commissioner's hand and seal~~  
2 authorizing such the association to commence business. The date appearing on the  
3 certificate of incorporation shall be the date of the corporate existence of the  
4 association.

5 **SECTION 5768.** 215.60 (13) of the statutes is amended to read:

6 215.60 (13) CERTIFICATE OF INCORPORATION, WHEN VOIDED. Any capital stock  
7 association failing to commence business within 6 months from the date of the  
8 certificate of incorporation shall have its corporate existence terminated, and its  
9 articles of incorporation and certificate of incorporation shall be voided, but the  
10 ~~commissioner~~ division may for cause, extend the life of such certificate for such time  
11 as the ~~commissioner~~ division deems advisable.

12 **SECTION 5769.** 215.60 (14) of the statutes is amended to read:

13 215.60 (14) (title) DISCRETIONARY AUTHORITY OF ~~COMMISSIONER~~. The  
14 ~~commissioner~~ division shall have the discretionary power in the granting of  
15 certificates of authority to incorporators desiring to organize capital stock  
16 associations. The ~~commissioner~~ division may refuse to issue certificates of  
17 incorporation to the incorporators of a capital stock association to commence  
18 business when, in the ~~commissioner's~~ division's opinion, the incorporators or any of  
19 them are not of such character and general fitness as to warrant belief that the  
20 association will be conducted for the best interests of the public; the location of the  
21 proposed association is so close to an existing association that undue harm might  
22 result, or the support of the new association might not be such as to assure its  
23 success; or when other good and sufficient reasons exist for such refusal.

24 **SECTION 5770.** 215.60 (15) of the statutes is amended to read:

1           215.60 (15) APPEAL BY APPLICANTS. If the ~~commissioner~~ division refuses to grant  
2 a certificate of authority or a certificate of incorporation and the applicants feel  
3 aggrieved thereby, they may appeal to the review board to review the ~~commissioner's~~  
4 division's determination.

5           **SECTION 5771.** 215.61 (1) of the statutes is amended to read:

6           215.61 (1) FORM. The articles of incorporation of a stock association shall be  
7 approved by the ~~commissioner~~ division. The ~~commissioner~~ division shall, with the  
8 approval of the review board, promulgate rules governing articles of incorporation.

9           **SECTION 5772.** 215.61 (2) of the statutes is amended to read:

10          215.61 (2) FILING AND APPROVAL. Duplicate originals of the articles of  
11 incorporation executed by the incorporators, and any subsequent amendments  
12 thereto adopted by the stockholders of the association, shall be filed with and  
13 approved by the ~~commissioner~~ division.

14          **SECTION 5773.** 215.61 (5) of the statutes is amended to read:

15          215.61 (5) EFFECTIVE DATE. The effective date of the articles of incorporation  
16 and amendments thereto shall be the date when left for record in the office of register  
17 of deeds. The register of deeds shall forward a certificate of recording to the  
18 ~~commissioner~~ division.

19          **SECTION 5774.** 215.62 (1) of the statutes is amended to read:

20          215.62 (1) FORM. The bylaws of a stock association shall be approved by the  
21 ~~commissioner~~ division. The ~~commissioner~~ division shall, with the approval of the  
22 review board, promulgate rules governing bylaws.

23          **SECTION 5775.** 215.62 (2) of the statutes is amended to read:

24          215.62 (2) FILING AND APPROVAL. Duplicate originals of the bylaws and  
25 amendments thereto shall be filed with and approved by the ~~commissioner~~ division.

1           **SECTION 5776.** 215.62 (3) of the statutes is amended to read:

2           215.62 (3) EFFECTIVE DATE. The effective date of bylaws and subsequent  
3 amendments thereto shall be the date on which such bylaws or amendments are  
4 approved by the ~~commissioner~~ division.

5           **SECTION 5777.** 215.64 (1) of the statutes is amended to read:

6           215.64 (1) A savings and loan holding company shall be deemed to be engaged  
7 in the savings and loan business and shall be subject to the supervision and control  
8 of the ~~office of the commissioner~~ division. Such savings and loan holding company  
9 shall file reports of its financial condition when requested by the ~~commissioner~~  
10 division, and the ~~commissioner~~ division may order an examination of its solvency  
11 and economic condition whenever, in the ~~commissioner's~~ division's opinion, an  
12 examination is required. The cost of the examination shall be paid by the savings  
13 and loan holding company. Whenever in the opinion of the ~~commissioner~~ division,  
14 the condition of the savings and loan holding company shall endanger the safety of  
15 the savings capital of any savings and loan association which it owns or in any  
16 manner controls, or the operation of such savings and loan holding company shall  
17 be carried on in a manner which endangers the safety of such savings and loan  
18 association or its savers, or is contrary to the public interest, the ~~commissioner~~  
19 division may order the savings and loan holding company to remedy such condition  
20 or policy within 90 days. If the ~~commissioner's~~ division's order is not complied with,  
21 the ~~commissioner~~ division may fully direct the operation of such savings and loan  
22 association or savings and loan holding company until the order is complied with,  
23 and may withhold all dividends from the institution whose operation the  
24 ~~commissioner~~ division directs during the period in which the ~~commissioner~~ division  
25 exercises such authority.

1           **SECTION 5778.** 215.67 of the statutes is amended to read:

2           **215.67 Dividends.** The board of a stock association may declare and pay  
3 dividends, subject to the orders and rules of the ~~commissioner~~ division.

4           **SECTION 5779.** 215.70 (1) of the statutes is amended to read:

5           **215.70 (1) MANAGEMENT RESPONSIBILITY.** The management of a stock  
6 association shall be vested in a board of directors, who are charged with the  
7 responsibility of complying with this chapter, orders of the ~~commissioner~~ division,  
8 rules of the ~~commissioner~~ division promulgated under ch. 227, the articles of  
9 incorporation and bylaws of the association, and other laws applicable to savings and  
10 loan operations.

11           **SECTION 5780.** 215.70 (4) of the statutes is amended to read:

12           **215.70 (4) PROMULGATION OF RULES.** The board may by resolution adopt rules  
13 for the conduct of business by the association, provided they are consistent with this  
14 chapter, the rules of the ~~commissioner~~ division, and the articles of incorporation and  
15 bylaws of the association.

16           **SECTION 5781.** 215.73 (1) (a) (intro.) of the statutes is amended to read:

17           **215.73 (1) (a) (intro.)** With the consent of the ~~commissioner~~ division and subject  
18 to any condition that the ~~commissioner~~ division prescribes, a stock association  
19 organized under this chapter may, by an affirmative vote of at least two-thirds of the  
20 board of each association, do any of the following:

21           **SECTION 5782.** 215.73 (3) of the statutes is amended to read:

22           **215.73 (3) WITHDRAWAL REQUESTS.** Any saver in an absorbed association or  
23 savings bank, who intends to file a written withdrawal request for savings accounts  
24 within one year after the date of approval of such absorption by the ~~commissioner~~

1 division, may do so by giving 90 days' written notice of such intention, and the  
2 savings accounts shall be withdrawn as provided in s. 215.17.

3 **SECTION 5783.** 215.76 (1) (b) 1. of the statutes is amended to read:

4 215.76 (1) (b) 1. Certified to the ~~commissioner~~ division under the seal of the  
5 association, by its president and secretary.

6 **SECTION 5784.** 215.76 (2) of the statutes is amended to read:

7 215.76 (2) PERIOD OF LIQUIDATION. A stock association so liquidating shall  
8 dispose of its assets within 10 years from the date of liquidation, unless the  
9 ~~commissioner~~ division orders otherwise.

10 **SECTION 5785.** 215.76 (6) of the statutes is amended to read:

11 215.76 (6) RESUMPTION OF BUSINESS. A stock association in liquidation may  
12 resume business with the approval of the ~~commissioner~~ division upon conditions  
13 approved by the ~~commissioner~~ division.

14 **SECTION 5786.** 215.76 (7) (a) of the statutes is amended to read:

15 215.76 (7) (a) Unclaimed liquidating dividends and all funds remaining unpaid  
16 in the hands of the association or its board at or immediately prior to the date of final  
17 distribution, together with all final liquidating costs, shall be delivered to the  
18 ~~commissioner~~ division to be deposited in one or more state banks, state savings  
19 banks or state-chartered savings and loan associations, to the credit of the  
20 ~~commissioner~~ division, in trust for the various stockholders, owners of savings  
21 accounts or creditors entitled thereto. The ~~commissioner~~ division shall include in the  
22 annual report under s. 215.02 (11) the names of the associations so liquidated and  
23 the sums of unclaimed and unpaid liquidating dividends and unclaimed funds with  
24 respect to each of them respectively, including a statement of interest or dividends  
25 earned upon such funds.

1           **SECTION 5787.** 215.76 (7) (b) (intro.) of the statutes is amended to read:

2           215.76 (7) (b) (intro.) The ~~commissioner~~ division may:

3           **SECTION 5788.** 215.76 (7) (b) 3. of the statutes is amended to read:

4           215.76 (7) (b) 3. Apply the interest and dividends earned by the moneys so held  
5 toward defraying the expenses of the ~~office~~ division.

6           **SECTION 5789.** 215.76 (8) of the statutes is amended to read:

7           215.76 (8) (title) ~~RESERVED AUTHORITY OF COMMISSIONER.~~ This section does not  
8 prohibit the ~~commissioner~~ division from proceeding against any association as  
9 provided in s. 215.32.

10          **SECTION 5790.** 215.77 (1) (b) of the statutes is amended to read:

11          215.77 (1) (b) At such meeting, the stockholders may by the affirmative vote,  
12 in person or by proxy, of not less than two-thirds of the outstanding capital stock of  
13 the association the stockholders may by resolution declare to convert the association  
14 into a federal association, or in the case of a federal capital stock association into a  
15 state-chartered association. A copy of the minutes of the meeting, verified by the  
16 affidavit of the chairperson and the secretary of the meeting, shall be filed ~~in the~~  
17 ~~office of the commissioner~~ with the division within 10 days after the meeting.

18          **SECTION 5791.** 215.77 (1) (d) 1. of the statutes is amended to read:

19          215.77 (1) (d) 1. Within 6 months after the adjournment of a meeting to convert  
20 into a federal association, the association shall do what is necessary to make it a  
21 federal association. Within 10 days after receipt of the federal charter, the  
22 association shall file with the ~~commissioner~~ division a copy of the federal charter,  
23 certified by the federal home loan bank board. Upon such filing the association shall  
24 cease to be a state-chartered association and shall thereafter be a federal  
25 association.

**SECTION 5792**

1           **SECTION 5792.** 215.77 (1) (d) 2. of the statutes is amended to read:

2           215.77 (1) (d) 2. Within 6 months after the adjournment of a meeting of the  
3 stockholders of a federal stock association called for the purpose of converting the  
4 association into a state-chartered association, the ~~commissioner~~ division shall  
5 examine such association and shall determine the action necessary to qualify the  
6 converting federal stock association for a state charter. Upon complying with the  
7 necessary requirements, a state charter shall be issued to such association.

8           **SECTION 5793.** 215.77 (4) of the statutes is amended to read:

9           215.77 (4) (title) ~~COMMISSIONER'S APPROVAL~~ APPROVAL REQUIRED BEFORE  
10 CONVERSION BECOMES EFFECTIVE. Before any conversion under this section is final and  
11 in effect, the written approval of the ~~commissioner~~ division must be secured by the  
12 converting association.

13           **SECTION 5794.** 217.02 (2m) of the statutes is created to read:

14           217.02 (2m) "Division" means the division of banking.

15           **SECTION 5795.** 217.02 (3) of the statutes is amended to read:

16           217.02 (3) "General order" means an order of the ~~office~~ division other than a  
17 special order.

18           **SECTION 5796.** 217.02 (6) of the statutes is repealed.

19           **SECTION 5797.** 217.02 (10) of the statutes is amended to read:

20           217.02 (10) "Special order" means an order of the ~~office~~ division to or affecting  
21 a person.

22           **SECTION 5798.** 217.03 (1) of the statutes is amended to read:

23           217.03 (1) No person shall, as a service or for a fee or other consideration,  
24 engage in the business as a seller of checks without first securing a license from the  
25 ~~office~~ division to do so. ~~Any person lawfully engaged in said business on March 18,~~

1 ~~1968 may continue to engage therein without a license until the office has acted upon~~  
2 ~~the person's application for a license, provided such application is filed within 30~~  
3 ~~days after March 18, 1968.~~

4 **SECTION 5799.** 217.03 (2) of the statutes is amended to read:

5 217.03 (2) The licensee shall be liable on checks duly issued for it by each  
6 authorized agent and shall furnish each such agent not exempt under s. 217.04 with  
7 an authorization in the form approved by the ~~office~~ division in lieu of a license from  
8 the ~~office~~ division, to be displayed in the agent's place of business indicating that it  
9 is an authorized agent of the licensee. An agent so authorized by a licensee shall not  
10 be required to secure a license.

11 **SECTION 5800.** 217.05 (intro.) of the statutes is amended to read:

12 **217.05 Application and fees.** (intro.) Each application for a license shall be  
13 made in writing and under oath to the ~~office~~ division and shall contain such  
14 information and be in such form as ~~it~~ the division prescribes. The application shall  
15 state the full name and business address of:

16 **SECTION 5801.** 217.05 (5) (a) of the statutes is amended to read:

17 217.05 (5) (a) *Financial statements.* Financial statements reasonably  
18 satisfactory to the ~~office~~ division.

19 **SECTION 5802.** 217.05 (5) (c) of the statutes is amended to read:

20 217.05 (5) (c) *Investigation fee.* A nonrefundable fee of \$100 ~~\$300~~ to the office  
21 for investigating the application. If the cost of the investigation exceeds \$100 ~~\$300~~,  
22 the applicant shall, upon demand of the office, pay the excess cost. No investigation  
23 fee shall be required for renewal of a license. ~~Any person holding a license as a~~  
24 ~~community currency exchange or a foreign exchange company on March 18, 1968, is~~

1 not required to pay an investigation fee nor a license fee for a single location for the  
2 remainder of the current licensing year.

3 **SECTION 5803.** 217.05 (5) (c) of the statutes, as affected by 1995 Wisconsin Act  
4 .... (this act), is amended to read:

5 217.05 (5) (c) *Investigation fee.* A nonrefundable fee of \$300 to the office  
6 division for investigating the application. If the cost of the investigation exceeds  
7 \$300, the applicant shall, upon demand of the office division, pay the excess cost. No  
8 investigation fee shall be required for renewal of a license.

9 **SECTION 5804.** 217.05 (5) (d) of the statutes is amended to read:

10 217.05 (5) (d) *License fee.* An annual license fee of \$50 for each location not  
11 exceeding 6. If the applicant has more than 6 locations, a license fee of \$50 each for  
12 the first 6 locations plus \$2 for each location in excess of 6 locations up to and  
13 including a total of 100 locations and \$1 for each location in excess of 100 with a  
14 maximum annual fee of \$1,000. For each single location license issued between  
15 January 1 and June 30 of any year, the licensee shall pay the full annual license fee  
16 for the year ending December 31; for each license issued between July 1 and  
17 December 31 of any year, the licensee shall pay one-half of the annual license fee  
18 except for multiple office locations, for which the full annual fee shall be charged.  
19 No license fee shall be payable with respect to the location of any agent who is  
20 exempted from this chapter by s. 217.04 \$500 plus \$5 for each location within this  
21 state at which a licensee sells or issues checks, with a maximum annual fee of \$1,500.

22 **SECTION 5805.** 217.06 (intro.) of the statutes is amended to read:

23 **217.06 Licenses, how granted; conditions.** (intro.) Every license issued  
24 shall be in the form prescribed by the office division and shall be issued to the  
25 applicant if:

1           **SECTION 5806.** 217.06 (2) of the statutes is amended to read:

2           217.06 (2) The financial responsibility, financial condition, business  
3 experience, character and general fitness of the applicant are such, in the opinion of  
4 the ~~office~~ division, as to command the confidence of the public and to warrant belief  
5 that the business will be conducted honestly and efficiently. The ~~office~~ division may  
6 investigate and consider the qualifications, character and general fitness of officers  
7 and directors or others associated with the applicant in determining whether this  
8 qualification has been met.

9           **SECTION 5807.** 217.06 (3) (a) of the statutes is amended to read:

10           217.06 (3) (a) A surety bond issued by a bonding company or insurance  
11 company authorized to do business in this state has been filed in the minimum  
12 principal sum of \$10,000 for the first location and an additional sum of \$5,000 for  
13 each additional location unless the ~~office~~ division determines that a bond in such  
14 amount is insufficient in which event it may require a bond in a larger sum, but in  
15 no event shall the bond exceed \$300,000. The bond shall be in a form satisfactory to  
16 the ~~office~~ division and shall run to the state for the benefit of any claimants against  
17 the applicant or the applicant's agents to secure the faithful performance of the  
18 obligations of the applicant and the applicant's agents with respect to the receipt,  
19 handling, transmission and payment of money in connection with the sale of checks  
20 and to reimburse the ~~office~~ division for any examination or liquidation expense. The  
21 aggregate liability of the surety in no event shall exceed the principal sum of the  
22 bond. The surety shall have the right to cancel such bond upon giving not less than  
23 60 days' written notice to the ~~office~~ division, but such cancellation shall not release  
24 the surety from any liability that may arise with respect to obligations of the licensee  
25 outstanding on or prior to the effective day that such bond is canceled. Such

1 claimants against the applicant or the applicant's agents may themselves bring suit  
2 directly on the bond, or the attorney general may bring suit thereon in behalf of such  
3 claimants, either in one action or successive actions.

4 **SECTION 5808.** 217.06 (3) (b) of the statutes is amended to read:

5 217.06 (3) (b) In lieu of such corporate surety bond, or of any portion of the  
6 principal thereof as required by this section, the applicant may deposit with such  
7 banks or trust companies in this state as the applicant designates and the office  
8 division approves, interest-bearing obligations of the United States or any agency  
9 or instrumentality thereof, or guaranteed by the United States, or of this state, or of  
10 a city, county, town, village, school district or instrumentality of this state, or  
11 guaranteed by this state, to an aggregate amount, based upon principal amount or  
12 market value, whichever is lower, of not less than the amount of the required  
13 corporate surety bond or portion thereof. The securities shall be held to secure the  
14 same obligations as would the surety bond but the depositor shall be entitled to  
15 receive all interest thereon, shall have the right with the approval of the office  
16 division to substitute other securities for those deposited, and shall be required to do  
17 so on written order of the office division. The licensee shall pay all expenses of  
18 maintaining the deposit of obligations deposited in lieu of a corporate surety bond.

19 **SECTION 5809.** 217.07 of the statutes is amended to read:

20 **217.07 Order denying application.** If the office division is not satisfied as  
21 to all matters specified in s. 217.06, it shall enter a special order denying the  
22 application for a license and shall return the license fee to the applicant and retain  
23 the investigation fee. The office division shall make findings of fact as part of and  
24 in support of its orders denying any application for a license.

25 **SECTION 5810.** 217.08 (2) of the statutes is amended to read:

1           217.08 (2) ANNUAL LICENSE FEE; ADDITIONS AND DELETIONS OF LOCATIONS. Each  
2 licensee shall file with the office division on or before December 1 of each year a  
3 statement listing the locations of the offices of the licensee and the names and  
4 locations of the agents authorized by the licensee. Every licensee shall also on or  
5 before December 1 of each year file a financial statement of its assets and liabilities  
6 as of a date not earlier than the preceding August 31 or, if the licensee is audited  
7 annually by an independent public accountant at the end of each fiscal year, the  
8 licensee may submit financial statements certified by said accountant for the  
9 licensee's latest fiscal year. Such statement shall be accompanied by the annual  
10 licensee fee for the calendar year beginning the following January 1 in an amount  
11 determined under s. 217.05. The amount of the surety bond or deposit of securities  
12 required by s. 217.06 shall be adjusted to reflect the number of such locations.  
13 Licensees which do not pay the maximum license fee under s. 217.05 and which do  
14 not maintain a bond or deposit of securities in the maximum sum of \$300,000 as  
15 provided in s. 217.06 shall also file a supplemental statement setting forth any  
16 changes in the list of offices and agents with the office division on or before April 1,  
17 July 1 and October 1 of each year, and the principal sum of the corporate surety bond  
18 or deposit of securities required by s. 217.06 shall be adjusted to reflect any increase  
19 or decrease in the number of such locations. Any additional license fees which may  
20 become due under s. 217.05 shall be paid to the office division.

21           **SECTION 5811.** 217.08 (3) of the statutes is amended to read:

22           217.08 (3) REMOVAL CONSENT. Whenever a licensee changes its single or  
23 principal office location to another location it shall give written notice thereof to the  
24 office division, which shall amend the license accordingly without charge.

25           **SECTION 5812.** 217.09 (1) (intro.) of the statutes is amended to read:

**SECTION 5812**

1           217.09 (1) (intro.) The ~~office~~ division shall, after complaint, notice and hearing,  
2 following the procedure in s. 217.19 so far as applicable, revoke any license in the  
3 following cases:

4           **SECTION 5813.** 217.09 (1) (c) of the statutes is amended to read:

5           217.09 (1) (c) If any fact or condition exists which, if it had existed at the time  
6 of the original application for such license, clearly would have warranted the ~~office~~  
7 division to refuse to issue such license.

8           **SECTION 5814.** 217.09 (2) of the statutes is amended to read:

9           217.09 (2) If the ~~office~~ division finds cause for revocation of a license, it shall  
10 issue a special order revoking the license, which includes its findings of fact upon  
11 which such order is based.

12          **SECTION 5815.** 217.09 (3) of the statutes is amended to read:

13          217.09 (3) The ~~office~~ division may, for reasonable cause and after a hearing on  
14 5 days' notice, suspend any license for a period not exceeding 30 days, pending  
15 further investigation, and in so doing shall issue a special order including its findings  
16 of fact upon which such order is based.

17          **SECTION 5816.** 217.09 (4) of the statutes is amended to read:

18          217.09 (4) The ~~office~~ division shall revoke or suspend only the authorization  
19 to operate at the location with respect to which grounds for revocation or suspension  
20 apply, but if the ~~office~~ division finds that such grounds for revocation or suspension  
21 apply to more than one location operated by such licensee, then the ~~office~~ division  
22 shall revoke or suspend all of the authorizations of the licensee to which such  
23 grounds apply.

24          **SECTION 5817.** 217.09 (5) of the statutes is amended to read:

1           217.09 (5) Any licensee may surrender any license by giving written notice to  
2 the office division that the licensee surrenders such license and returns the license  
3 therewith.

4           **SECTION 5818.** 217.09 (6) of the statutes is amended to read:

5           217.09 (6) The office division may on its own motion issue a new license when  
6 a license has been revoked.

7           **SECTION 5819.** 217.10 (intro.) of the statutes is amended to read:

8           **217.10 (title) Powers of office division.** (intro.) The office division may:

9           **SECTION 5820.** 217.10 (2) of the statutes is amended to read:

10          217.10 (2) Investigate, at any time, the business and examine the books,  
11 accounts, records and files used therein of every licensee or agent thereof. The cost  
12 of each such examination shall be paid by every licensee so examined within 30 days  
13 after demand therefor by the office division, and the state may maintain an action  
14 for recovery of such costs in any court of competent jurisdiction;

15          **SECTION 5821.** 217.12 (4) of the statutes is amended to read:

16          217.12 (4) NAME, FORBIDDEN USE. No company shall use a name which indicates  
17 that it is a branch, unit or agency of the state or federal government ~~or of any~~  
18 ~~department or branch thereof.~~

19          **SECTION 5822.** 217.15 of the statutes is amended to read:

20          **217.15 Delinquent seller of checks.** ~~The commissioner of banking~~ division  
21 may take possession of any insolvent seller of checks under the circumstances and  
22 utilizing the procedure prescribed in s. 218.04 (9m), so far as applicable.

23          **SECTION 5823.** 217.17 (1) of the statutes is amended to read:

24          217.17 (1) The office division may, in relation to any matter within the office's  
25 division's powers, issue subpoenas and take testimony.

1           **SECTION 5824.** 217.17 (2) of the statutes is amended to read:

2           217.17 (2) Witnesses shall be entitled to the same fees as are allowed to  
3 witnesses in courts of record. Such fees shall be audited and paid by the state in the  
4 same manner as other expenses of the office division are audited and paid. No  
5 witness subpoenaed at the instance of any party other than the office division shall  
6 be entitled to payment of fees by the state, unless the office division certifies that the  
7 testimony of such witness was material to the hearing or proceeding.

8           **SECTION 5825.** 217.18 (1) of the statutes is amended to read:

9           217.18 (1) The office division may, by general or special order require licensees  
10 to file with the office division at such time and in such manner as it may direct, sworn  
11 or unsworn reports, or sworn or unsworn answers in writing to specific questions as  
12 to any matter upon which the office division may demand information under this  
13 chapter.

14           **SECTION 5826.** 217.18 (2) of the statutes is amended to read:

15           217.18 (2) The office division or any official, employe or agent authorized by it  
16 may, for purposes within the office's division's powers, have access during business  
17 hours to the offices and places of business, books, accounts, papers, records, files,  
18 safes and vaults of persons engaged in business as a seller of checks, whether  
19 licensees or not.

20           **SECTION 5827.** 217.18 (3) of the statutes is amended to read:

21           217.18 (3) No person shall refuse, neglect or fail to render any reports or answer  
22 required under this section at such time and in such manner as the office division  
23 may prescribe. No person shall wilfully make any false entry or statement in any  
24 report or answer, nor shall wilfully fail to make full and true entries and statements  
25 in any report or answer required under authority of this chapter.

1           **SECTION 5828.** 217.19 (title) of the statutes is amended to read:

2           **217.19** (title) **Office Division orders; rules of procedure.**

3           **SECTION 5829.** 217.19 (1) of the statutes is amended to read:

4           217.19 (1) The office division, prior to the issuance of any general order under  
5 this chapter, shall hold a public hearing.

6           **SECTION 5830.** 217.19 (2) of the statutes is amended to read:

7           217.19 (2) The office division, prior to the issuance of any special order, shall  
8 serve a complaint, prepared in the name of the office division, upon the person  
9 against whom the complaint is made and shall accompany such complaint by notice  
10 of a public hearing to be held in the matter not sooner than 10 days after such service.  
11 The person against whom the complaint is made shall be entitled to be heard in  
12 person, or by agent or attorney, and shall have the benefit of subpoena process to  
13 compel the attendance of witnesses.

14           **SECTION 5831.** 217.19 (4) of the statutes is amended to read:

15           217.19 (4) The office division shall serve a copy of any special order upon the  
16 person against whom the order is issued and such an order shall be effective upon  
17 such service, unless otherwise indicated in the order.

18           **SECTION 5832.** 217.19 (5) of the statutes is amended to read:

19           217.19 (5) A complaint, notice of hearing, subpoena, special order or any other  
20 process issued by the office division may be served in the same manner that process  
21 in a civil action is served.

22           **SECTION 5833.** 217.19 (6) of the statutes is amended to read:

23           217.19 (6) The office division shall make its own rules of practice and procedure  
24 for the conduct of hearings and other proceedings before it, not inconsistent with any

1 provision of this chapter or with any other provision of law governing such practice  
2 or procedure.

3 **SECTION 5834.** 217.20 of the statutes is amended to read:

4 **217.20 Court review.** Orders of the ~~office~~ division under this chapter shall  
5 be subject to review in the manner provided in ch. 227.

6 **SECTION 5835.** 217.21 (1) of the statutes is amended to read:

7 217.21 (1) The licensee shall keep and use in the licensee's business such books,  
8 accounts and records as the ~~office~~ division, by general or special order, may find to  
9 be necessary and require to enable it to determine whether such licensee is  
10 complying with this chapter and with the lawful orders issued hereunder.

11 **SECTION 5836.** 217.21 (2) of the statutes is amended to read:

12 217.21 (2) Each licensee shall annually, on or before March 15, file a report with  
13 the ~~office~~ division giving such reasonable and relevant information as the ~~office~~  
14 division may, by general or special order, require concerning the business and  
15 operations conducted by such licensee within the state. Such report shall be made  
16 under oath and shall be in the form prescribed by the ~~office~~ division and shall be  
17 subject to public inspection in the discretion of the ~~office~~ division. The ~~office~~ division  
18 shall make and publish annually an analysis and recapitulation of such reports.

19 **SECTION 5837.** 218.01 (1) (c) of the statutes is repealed.

20 **SECTION 5838.** 218.01 (1) (d) of the statutes is repealed.

21 **SECTION 5839.** 218.01 (1) (jm) of the statutes is amended to read:

22 218.01 (1) (jm) "License period" means the period during which a particular  
23 type of license described in sub. (2) (d) is effective, as established by the department  
24 of transportation or ~~commissioner~~ division of banking under sub. (2) (cm) 2, or 4.

25 **SECTION 5840.** 218.01 (1) (k) of the statutes is amended to read:

1           218.01 (1) (k) "Licensor" means the body, either the ~~commissioner~~ division of  
2 banking or the department of transportation or both, issuing a license hereunder.

3           **SECTION 5841.** 218.01 (1a) of the statutes is amended to read:

4           218.01 (1a) (title) ~~AUTHORITY OF DEPARTMENT AND COMMISSIONER~~ LICENSORS. The  
5 department of transportation shall issue the licenses provided for in sub. (2) (d) 1.  
6 to 6. and have supervision over the licensees thereunder in respect to all the  
7 provisions of this section, except only as to such matters as relate to the sale of motor  
8 vehicles on retail instalment contracts and the financing and servicing of such  
9 contracts, over which matter the ~~commissioner~~ division of banking shall have  
10 jurisdiction and control, and the ~~commissioner~~ division of banking shall issue the  
11 licenses to sales finance companies. Either licensor hereunder shall, upon request,  
12 furnish the other licensor with any information it may have in respect to any licensee  
13 or applicant for license or any transaction in which such licensee or applicant may  
14 be a party or be interested. No license shall be issued under sub. (2) (d) 1. and 8. until  
15 both licensors have approved the application. The suspension or revocation of either  
16 of such licenses shall automatically likewise suspend or revoke the other license; and  
17 such suspension or revocation shall be certified by the licensor ordering it to the other  
18 licensor.

19           **SECTION 5842.** 218.01 (2) (b) of the statutes is amended to read:

20           218.01 (2) (b) Application for license shall be made to the licensor, at such time,  
21 in such form and with such information as the licensor shall require and shall be  
22 accompanied by the required fee. fees. An applicant for a sales finance company  
23 license, other than a a motor vehicle dealer, shall pay to the commissioner a  
24 nonrefundable \$300 investigation fee in addition to the license fee under par. (dr).  
25 If the cost of an investigation exceeds \$300, the applicant shall, upon demand of the

1 commissioner, pay the amount by which the cost of the investigation exceeds the  
2 nonrefundable fee. A licensee is not required to pay an investigation fee for the  
3 renewal of a license. The licensor may require the applicant to provide information  
4 relating to any pertinent matter that is commensurate with the safeguarding of the  
5 public interest in the locality in which the applicant proposes to engage in business,  
6 except that information relating to the applicant's solvency and financial standing  
7 may not be required except as provided in par. (h) 1. The information provided may  
8 be considered by the licensor in determining the fitness of the applicant to engage  
9 in business as set forth in this section.

10 **SECTION 5843.** 218.01 (2) (b) of the statutes, as affected by 1995 Wisconsin Act  
11 .... (this act), is amended to read:

12 218.01 (2) (b) Application for license shall be made to the licensor, at such time,  
13 in such form and with such information as the licensor shall require and shall be  
14 accompanied by the required fees. An applicant for a sales finance company license,  
15 other than a a motor vehicle dealer, shall pay to the ~~commissioner~~ division of banking  
16 a nonrefundable \$300 investigation fee in addition to the license fee under par. (dr).  
17 If the cost of an investigation exceeds \$300, the applicant shall, upon demand of the  
18 ~~commissioner~~ division of banking, pay the amount by which the cost of the  
19 investigation exceeds the nonrefundable fee. A licensee is not required to pay an  
20 investigation fee for the renewal of a license. The licensor may require the applicant  
21 to provide information relating to any pertinent matter that is commensurate with  
22 the safeguarding of the public interest in the locality in which the applicant proposes  
23 to engage in business, except that information relating to the applicant's solvency  
24 and financial standing may not be required except as provided in par. (h) 1. The

1 information provided may be considered by the licensor in determining the fitness  
2 of the applicant to engage in business as set forth in this section.

3 **SECTION 5844.** 218.01 (2) (bb) of the statutes is amended to read:

4 218.01 (2) (bb) A motor vehicle dealer or an applicant for a motor vehicle dealer  
5 license shall provide and maintain in force a bond or irrevocable letter of credit of not  
6 less than \$25,000 or, if the dealer or applicant sells or proposes to sell motorcycles  
7 and not other types of motor vehicles, a bond or irrevocable letter of credit of not less  
8 than \$5,000. The bond or letter of credit shall be executed in the name of the  
9 department of transportation for the benefit of any person who sustains a loss  
10 because of an act of a motor vehicle dealer that constitutes grounds for the  
11 suspension or revocation of a license under this section.

12 **SECTION 5845.** 218.01 (2) (bc) of the statutes is amended to read:

13 218.01 (2) (bc) Except as provided in this subsection every dealer and  
14 distributor of new motor vehicles shall, at the time of application for a license, file  
15 with the department of transportation a certified copy of the applicant's written  
16 agreement and a certificate of appointment as dealer or distributor, respectively. The  
17 certificate of appointment shall be signed by an authorized agent of the  
18 manufacturer of domestic vehicles on direct manufacturer-dealer agreements; or,  
19 where the manufacturer is wholesaling through an appointed distributorship, by an  
20 authorized agent of the distributor on indirect distributor-dealer agreements. The  
21 certificate shall be signed by an authorized agent of the importer on direct  
22 importer-dealer agreements of foreign-made vehicles; or by an authorized agent of  
23 the distributor on indirect distributor-dealer agreements. The distributor's  
24 certificate of appointment shall be signed by an authorized agent of the

1 manufacturer; or by an agent of the manufacturer or importer of foreign  
2 manufactured vehicles.

3 **SECTION 5846.** 218.01 (2) (bd) 1. of the statutes is amended to read:

4 218.01 (2) (bd) 1. A written agreement need not be filed for each dealer or  
5 distributor if the manufacturer on direct dealerships or distributor on indirect  
6 dealerships or importer on direct dealerships utilizes the identical basic agreement  
7 for all its dealers or distributors in Wisconsin and certifies in the certificate of  
8 appointment that such blanket agreement is on file and such written agreement with  
9 such dealer or distributor, respectively, is identical with the filed blanket agreement,  
10 and has filed with the department of transportation one such agreement together  
11 with a list of authorized dealers or distributors. Such manufacturer, distributor or  
12 importer shall notify the department of transportation immediately of the  
13 appointment of any additional dealers or distributors, of any revisions of or additions  
14 to the basic agreement on file, or of any individual dealer or distributor supplements  
15 to such agreement. Except as provided in subd. 1g., the manufacturer, distributor  
16 or importer shall notify the dealer or distributor and forward a copy of such notice  
17 to the department of transportation of the discontinuation or cancellation of the  
18 agreement of any of its dealers or distributors at least 60 days before the effective  
19 date thereof together with the specific grounds for discontinuation or cancellation of  
20 the agreement, if discontinued or canceled. Agreements and certificates of  
21 appointment are deemed to be continuing unless the manufacturer, distributor or  
22 importer has notified the department of transportation of the discontinuation or  
23 cancellation of the agreement of any of its dealers or distributors, and annual  
24 renewal of certifications filed as provided in this subsection is not necessary.

25 **SECTION 5847e.** 218.01 (2) (bd) 1g. of the statutes is amended to read:



1           YOU HAVE THE RIGHT TO: 1) MEDIATE IF YOU OPPOSE THE  
2           PROPOSED TERMINATION OR NONRENEWAL OF YOUR FRANCHISE AND 2)  
3           A HEARING BY THE OFFICE OF THE COMMISSIONER OF TRANSPORTATION  
4           DIVISION OF HEARINGS AND APPEALS IF MEDIATION DOES NOT RESOLVE  
5           THE DISPUTE. TO PRESERVE THESE RIGHTS, YOU MUST TAKE CERTAIN  
6           STEPS ON OR BEFORE THE DATE THAT THE PROPOSED TERMINATION OR  
7           NONRENEWAL TAKES EFFECT. FOR FURTHER INFORMATION, CONSULT  
8           YOUR ATTORNEY OR CALL THE DEALER SECTION, WISCONSIN  
9           DEPARTMENT OF TRANSPORTATION, AT .... (insert area code and telephone  
10          number).

11          **SECTION 5848.** 218.01 (2) (bd) 2. of the statutes is amended to read:

12          218.01 (2) (bd) 2. Any dealer or distributor discontinued or canceled may, on  
13          or before the date on which the discontinuation or cancellation becomes effective, file  
14          with the department of transportation and division of hearings and appeals and  
15          serve upon the respondent a complaint for a determination of unfair discontinuation  
16          or cancellation under sub. (3) (a) 17. Allowing opportunity for an answer, the division  
17          of hearings and appeals shall thereafter schedule a hearing on and decide the matter.  
18          Agreements and certificates of appointment shall continue in effect until final  
19          determination of the issues raised in such complaint. If the complainant prevails he  
20          or she shall have a cause of action against the defendant for reasonable expenses and  
21          attorney fees incurred by him or her in such matter.

22          **SECTION 5849.** 218.01 (2) (bf) of the statutes is amended to read:

23          218.01 (2) (bf) Within 60 days after the department of transportation issues a  
24          declaratory ruling under s. 227.41 that an agreement is inconsistent with par. (bm),

1 a manufacturer, distributor or importer shall remove or revise any provision of the  
2 agreement declared to be inconsistent with par. (bm).

3 **SECTION 5850.** 218.01 (2) (bm) 1. a. of the statutes is amended to read:

4 218.01 (2) (bm) 1. a. Waive a remedy or defense available to a distributor or  
5 dealer or other provision protecting the interests of a distributor or dealer under this  
6 section or under rules promulgated by the department of transportation under this  
7 section.

8 **SECTION 5851.** 218.01 (2) (bm) 2. b. of the statutes is amended to read:

9 218.01 (2) (bm) 2. b. No finding of an arbitrator is binding upon any person who  
10 is not a party to the agreement. A finding of an arbitrator does not bind the  
11 department of transportation with respect to enforcement of this section.

12 **SECTION 5852.** 218.01 (2) (cm) 2. of the statutes is amended to read:

13 218.01 (2) (cm) 2. The department of transportation shall promulgate rules  
14 establishing the license period for each type of license described in par. (d) 1. to 6.

15 **SECTION 5853.** 218.01 (2) (cm) 3. of the statutes is amended to read:

16 218.01 (2) (cm) 3. The department of transportation may promulgate rules  
17 establishing expiration dates for the various types of licenses described in par. (d) 1.  
18 to 6.

19 **SECTION 5854.** 218.01 (2) (cm) 4. of the statutes is amended to read:

20 218.01 (2) (cm) 4. The ~~commissioner~~ division of banking shall promulgate rules  
21 establishing the license period for the license described in par. (d) 8.

22 **SECTION 5855.** 218.01 (2) (cm) 5. of the statutes is amended to read:

23 218.01 (2) (cm) 5. The ~~commissioner~~ division of banking may promulgate rules  
24 establishing expiration dates for licenses issued under par. (d) 8.

25 **SECTION 5856.** 218.01 (2) (d) 1. of the statutes is amended to read:

1           218.01 (2) (d) 1. For motor vehicle dealers, to the department of transportation,  
2           \$20 for each office or branch thereof, plus \$1 for a supplemental license for each used  
3           motor vehicle lot within the same municipality, but not immediately adjacent to the  
4           office or to a branch.

5           **SECTION 5857.** 218.01 (2) (d) 8. a. of the statutes is amended to read:

6           218.01 (2) (d) 8. a. Except as provided in subd. 8. b., for motor vehicle dealers,  
7           to the ~~commissioner~~ division of banking, \$10.

8           **SECTION 5858.** 218.01 (2) (d) 8. b. of the statutes is amended to read:

9           218.01 (2) (d) 8. b. For motor vehicle dealers that operate as a sales finance  
10          company or that carry or retain time sales contracts for more than 30 days, to the  
11          ~~commissioner~~ division of banking, the same as for sales finance companies under par.  
12          (dr), except for gross volume of \$100,000 or less, \$50.

13          **SECTION 5859.** 218.01 (2) (dm) 1. of the statutes is amended to read:

14          218.01 (2) (dm) 1. If the department of transportation or ~~commissioner~~ division  
15          of banking establishes a license period that is not evenly divisible into years, the  
16          department of transportation or ~~commissioner~~ division of banking shall prorate the  
17          remainder when determining the license fee under par. (d).

18          **SECTION 5860.** 218.01 (2) (dm) 2. of the statutes is amended to read:

19          218.01 (2) (dm) 2. If the department of transportation or ~~commissioner~~ division  
20          of banking grants a license described under par. (d) during the license period, the fee  
21          for the license shall equal the applicable dollar amount under par. (d) 1. to 8.,  
22          multiplied by the number of calendar years, including parts of calendar years, during  
23          which the license remains in effect. A fee determined under this subdivision may not  
24          exceed the license fee for an entire license period under par. (d).

25          **SECTION 5861.** 218.01 (2) (dr) of the statutes is amended to read:

1           218.01 (2) (dr) The fee for licenses for sales finance companies, except as  
2 provided in par. (d) 8., for each calendar year, or part of a calendar year, is based on  
3 the gross volume of purchases of retail sales contracts of motor vehicles sold in this  
4 state for the 12 months immediately preceding October 31 of the year in which the  
5 application ~~or~~ for license is made, as follows: On a gross volume of ~~\$25,000 or less,~~  
6 ~~\$25; on a gross volume of over \$25,000 and not over \$100,000 or less, \$50; and~~ on each  
7 \$100,000 or part thereof over \$100,000 ~~and up to \$500,000~~, an additional \$15; ~~and~~  
8 ~~on each \$100,000 over \$500,000, an additional \$10.~~ No extra charge shall be made  
9 for branch licenses for sales finance companies. Gross volume shall be based on the  
10 unpaid balance of the retail contracts.

11           **SECTION 5862.** 218.01 (2) (h) 2. of the statutes is amended to read:

12           218.01 (2) (h) 2. Provided the licensor has reasonable cause to doubt the  
13 financial responsibility of the applicant or licensee or the compliance by the  
14 applicant or licensee with this section, the licensor may require the applicant or  
15 licensee to furnish and maintain a bond in the form, amount and with the sureties  
16 it approves, but not less than \$5,000, nor more than \$100,000, conditioned upon the  
17 applicant or licensee complying with the statutes applicable to the licensee and as  
18 indemnity for any loss sustained by any person by reason of any acts of the licensee  
19 constituting grounds for suspension or revocation of the license under this section.  
20 The bonds shall be executed in the name of the department of transportation for the  
21 benefit of any aggrieved parties; provided that the aggregate liability of the surety  
22 to all such parties shall, in no event, exceed the amount of the bond. The bonding  
23 requirements in this subdivision shall not apply to manufacturers, factory branches,  
24 and their agents and is in addition to the bond or letter of credit required of a motor  
25 vehicle dealer under par. (bb).

1           **SECTION 5863.** 218.01 (2) (i) of the statutes is amended to read:

2           218.01 (2) (i) Application for dealers' licenses shall be submitted to the  
3 department of transportation in duplicate and shall contain such information as the  
4 licensors require. Application for sales finance company licenses shall contain such  
5 information as the ~~commissioner~~ division of banking requires. No motor vehicle  
6 dealer or sales finance company, unless so licensed, shall be permitted to register or  
7 receive or use registration plates under ss. 341.47 to 341.57. The department of  
8 transportation shall transmit the duplicate copy of each application for a dealer's  
9 license to the ~~commissioner~~ division of banking with the fee required under par. (d)  
10 8. The ~~commissioner~~ division of banking may not refund the fee required under par.  
11 (d) 8. The ~~commissioner~~ division of banking shall approve a sales finance company  
12 license for a dealer if no prior sales finance company license has been suspended or  
13 revoked, and if the applicant meets the requirements of this section relating to sales  
14 finance companies.

15           **SECTION 5864.** 218.01 (2) (k) (intro.) of the statutes is amended to read:

16           218.01 (2) (k) (intro.) After the receipt of an application in due form, properly  
17 verified and certified, and upon the payment of the \$5 examination fee, the secretary,  
18 deputy secretary or any salaried employe of the department of transportation  
19 designated by the secretary shall, within a reasonable time and in a place reasonably  
20 accessible to the applicant for a license, subject each first-time applicant for license  
21 and, if the secretary deems necessary, any applicant for renewal of license to a  
22 personal written examination as to competency to act as a motor vehicle salesperson.  
23 The secretary shall issue to an applicant a resident or nonresident motor vehicle  
24 salesperson's license if the application and examination show that the applicant  
25 meets all of the following requirements:

1           **SECTION 5865.** 218.01 (2a) (a) of the statutes is amended to read:

2           218.01 **(2a)** (a) Before changing the location of a place of business or opening  
3 a new place of business in a municipality in which authorized to do business, a  
4 licensed dealer, distributor, or manufacturer shall apply to the department of  
5 transportation for an amended license. The department of transportation shall issue  
6 such license without charge.

7           **SECTION 5866.** 218.01 (2a) (b) of the statutes is amended to read:

8           218.01 **(2a)** (b) Whenever a licensed dealer, distributor, manufacturer or  
9 transporter opens a new place of business, the licensee shall promptly report such  
10 fact, including the address thereof, to the department of transportation.

11           **SECTION 5867.** 218.01 (2a) (c) of the statutes is amended to read:

12           218.01 **(2a)** (c) Whenever a licensed dealer, distributor or manufacturer  
13 discontinues or disposes of his or her business, such person shall promptly report  
14 such fact to the department of transportation and return the license and registration  
15 plates issued. Whenever a licensed dealer, distributor or manufacturer discontinues  
16 business due to license suspension or revocation, such person shall surrender the  
17 licenses and registration plates to the department of transportation for such  
18 suspension or revocation period.

19           **SECTION 5867m.** 218.01 (2c) (c) of the statutes is amended to read:

20           218.01 **(2c)** (c) The ownership, operation or control of a dealership by a  
21 manufacturer, importer or distributor, or subsidiary thereof, which does not meet the  
22 conditions under par. (a) or (b), if the ~~office of the commissioner of transportation~~  
23 division of hearings and appeals determines, after a hearing on the matter at the  
24 request of any party, that there is no prospective independent dealer available to own  
25 and operate the dealership in a manner consistent with the public interest and that

1 meets the reasonable standard and uniformly applied qualifications of the  
2 manufacturer, importer or distributor.

3 **SECTION 5868.** 218.01 (2w) (b) of the statutes is amended to read:

4 218.01 (2w) (b) A manufacturer, importer or distributor shall, for the  
5 protection of the buying public, specify the delivery and preparation obligations of  
6 its dealers before delivery of new motor vehicles to retail buyers. A copy of the  
7 delivery and preparation obligations of its dealers shall be filed with the department  
8 of transportation by every licensed motor vehicle manufacturer, importer or  
9 distributor and shall constitute the dealer's only responsibility for product liability  
10 as between the dealer and the manufacturer, importer or distributor. Any  
11 mechanical, body or parts defects arising from any express or implied warranties of  
12 the manufacturer, importer or distributor shall constitute the manufacturer's,  
13 importer's or distributor's product or warranty liability. The manufacturer, importer  
14 or distributor shall reasonably compensate any authorized dealer who performs  
15 work to rectify the manufacturer's, importer's or distributor's product or warranty  
16 defects or delivery and preparation obligations or who performs any other work  
17 required, requested or approved by the manufacturer, importer or distributor or for  
18 which the manufacturer, importer or distributor has agreed to pay, including  
19 compensation for labor at a labor rate equal to the effective labor rate charged all  
20 customers and for parts at an amount not less than the amount the dealer charges  
21 its other retail service customers for parts used in performing similar work by the  
22 dealer.

23 **SECTION 5869.** 218.01 (3) (a) 17. of the statutes is amended to read:

24 218.01 (3) (a) 17. Subject to sub. (3n), being a manufacturer, importer or  
25 distributor who has unfairly, without due regard to the equities or without just

**SECTION 5869**

1 provocation, directly or indirectly canceled or failed to renew the franchise of any  
2 motor vehicle dealer; or being a manufacturer or importer, who has unfairly, without  
3 due regard to the equities or without just provocation, directly or indirectly canceled  
4 or failed to renew the franchise of any distributor. If there is a change in a  
5 manufacturer, importer or distributor, a motor vehicle dealer's franchise granted by  
6 the former manufacturer, importer or distributor shall continue in full force and  
7 operation under the new manufacturer, importer or distributor unless a mutual  
8 agreement of cancellation is filed with the department of transportation between the  
9 new manufacturer, importer or distributor and the dealer. In this subdivision, "due  
10 regard to the equities" means treatment in enforcing an agreement that is fair and  
11 equitable to a motor vehicle dealer or distributor and that is not discriminatory  
12 compared to similarly situated dealers or distributors; and "just provocation" means  
13 a material breach by a motor vehicle dealer or distributor, due to matters within the  
14 dealer's or distributor's control, of a reasonable and necessary provision of an  
15 agreement and the breach is not cured within a reasonable time after written notice  
16 of the breach has been received from the manufacturer, importer or distributor.

17 **SECTION 5869m.** 218.01 (3) (a) 24. of the statutes is amended to read:

18 218.01 (3) (a) 24. Being a manufacturer, importer or distributor who fails to  
19 comply with the procedures in sub. (3x) regarding a dealer's request for approval of  
20 a change of ownership or executive management, transfer of its dealership assets to  
21 another person, adding another franchise at the same location as its existing  
22 franchise, or relocation of a franchise or who fails to comply with an order of the ~~office~~  
23 ~~of the commissioner of transportation~~ division of hearings and appeals issued under  
24 sub. (3x).

25 **SECTION 5870.** 218.01 (3) (a) 36. a. of the statutes is amended to read:

1           218.01 (3) (a) 36. a. Fails to notify the department of transportation of any  
2 revision or addition to an agreement as required under sub. (2) (bd) 1.

3           **SECTION 5871.** 218.01 (3) (a) 36. b. of the statutes is amended to read:

4           218.01 (3) (a) 36. b. Fails to revise or remove portions of an agreement that the  
5 department of transportation declares to contain provisions which are inconsistent  
6 with sub. (2) (bm).

7           **SECTION 5872.** 218.01 (3) (bf) 1. of the statutes is amended to read:

8           218.01 (3) (bf) 1. The department of transportation shall not license as a dealer  
9 an applicant for the sale of motor vehicles at retail unless such applicant owns or  
10 leases a vehicle display lot and a permanent building wherein there are facilities to  
11 display automobiles and motorcycles and facilities to repair functional and  
12 nonfunctional parts of motor vehicles and where replacement parts, repair tools and  
13 equipment to service motor vehicles are kept, and at which place of business shall  
14 be kept and maintained the books, records and files necessary to conduct the  
15 business. A residence, tent or temporary stand is not a sufficiently permanent place  
16 of business within the meaning of this paragraph.

17           **SECTION 5873.** 218.01 (3) (c) 3. of the statutes is amended to read:

18           218.01 (3) (c) 3. Matters involving suspensions or revocations brought before  
19 the department of transportation shall be heard and decided upon by the division of  
20 hearings and appeals. If the department of transportation requests the division of  
21 hearings and appeals to hear a matter brought before the department of  
22 transportation under subd. 2., the division of hearings and appeals shall hear and  
23 decide the matter within 30 days after the date of the department's department of  
24 transportation's request.

25           **SECTION 5874.** 218.01 (3) (f) 1. of the statutes is amended to read:

1           218.01 (3) (f) 1. A manufacturer, importer or distributor who seeks to enter into  
2 a franchise agreement establishing or relocating a motor vehicle dealership, parts  
3 outlet or service outlet within the relevant market area of an existing enfranchised  
4 dealer of the line make of motor vehicle shall first notify in writing the department  
5 of transportation and each such existing enfranchised dealer of its intention to  
6 establish or relocate a dealership or outlet. Within 30 days of receiving the notice or  
7 within 30 days after the end of any appeal procedure provided by the manufacturer,  
8 importer or distributor, whichever is later, any existing enfranchised dealer of the  
9 same line make to whom the manufacturer, importer or distributor is required to give  
10 notice under this subdivision may file with the department of transportation and the  
11 division of hearings and appeals a complaint protesting the proposed establishment  
12 or relocation of the dealership or outlet within the relevant market area of the  
13 existing enfranchised dealer. If a complaint is filed, the department of  
14 transportation shall inform the manufacturer, importer or distributor that a timely  
15 complaint has been filed, that a hearing is required, and that the proposed franchise  
16 agreement may not be entered into until the division of hearings and appeals has  
17 held a hearing, nor thereafter, if the division of hearings and appeals determines that  
18 there is good cause for not permitting the proposed establishment or relocation of the  
19 dealership or outlet. In the event of multiple complaints, hearings shall be  
20 consolidated to expedite the disposition of the issue.

21           **SECTION 5875.** 218.01 (3) (fm) 1. of the statutes is amended to read:

22           218.01 (3) (fm) 1. A manufacturer or distributor may not modify a motor vehicle  
23 dealer agreement during the term of the agreement or upon its renewal if the  
24 modification substantially and adversely affects the motor vehicle dealer's rights,  
25 obligations, investment or return on investment without giving 60 days written

1 notice of the proposed modification to the motor vehicle dealer unless the  
2 modification is required by law, court order or the licensor. Within the 60-day notice  
3 period the motor vehicle dealer may file with the department of transportation and  
4 the division of hearings and appeals and serve upon the respondent a complaint for  
5 a determination of whether there is good cause for permitting the proposed  
6 modification. The division of hearings and appeals shall promptly schedule a  
7 hearing and decide the matter. Multiple complaints pertaining to the same proposed  
8 modification shall be consolidated for hearing. The proposed modification may not  
9 take effect pending the determination of the matter.

10 **SECTION 5876.** 218.01 (3) (g) of the statutes is amended to read:

11 218.01 (3) (g) Any person in interest aggrieved by a decision of the division of  
12 hearings and appeals may have a review thereof as provided in ch. 227 or aggrieved  
13 by an order of the ~~commissioner~~ division of banking may have a review thereof as  
14 provided in s. 220.037.

15 **SECTION 5877.** 218.01 (3) (h) of the statutes is amended to read:

16 218.01 (3) (h) In addition to the licensor's authority to deny, suspend or revoke  
17 a license under this section, the ~~commissioner~~ division of banking, after public  
18 hearing, may issue a special order enjoining any licensee from engaging in any act  
19 or practice which is determined by the ~~commissioner~~ division of banking to be in  
20 violation of any provision of par. (a), and the division of hearings and appeals may  
21 be petitioned to issue such a special order after notice and hearing thereon.

22 **SECTION 5878.** 218.01 (3a) (title) of the statutes is amended to read:

23 218.01 (3a) (title) ~~WHEN DEPARTMENT TO REVOKE~~ REVOCATION OF LICENSE OF  
24 DEALER, DISTRIBUTOR, MANUFACTURER, OR TRANSPORTER.

25 **SECTION 5879.** 218.01 (3a) (a) of the statutes is amended to read:

1           218.01 **(3a)** (a) If a dealer, distributor or manufacturer is convicted under s.  
2 341.55 (1) a second or subsequent time within the same registration year, the  
3 department of transportation shall revoke the license of such dealer, distributor or  
4 manufacturer for a period not to exceed one year. For the purposes of this paragraph,  
5 the conviction of the employe of a dealer, distributor or manufacturer shall be  
6 counted as a conviction of the employer.

7           **SECTION 5880.** 218.01 (3a) (b) of the statutes is amended to read:

8           218.01 **(3a)** (b) If a transporter is convicted under s. 341.55 (3) a 2nd or  
9 subsequent time within the same license period, the department of transportation  
10 shall revoke the license of such transporter for a period not to exceed one year.

11           **SECTION 5881.** 218.01 (3a) (c) of the statutes is amended to read:

12           218.01 **(3a)** (c) A dealer, distributor, manufacturer or transporter whose license  
13 has been revoked shall forthwith surrender its registration plates to a traffic officer  
14 or peace officer designated by the department of transportation. A dealer,  
15 distributor, manufacturer or transporter who fails to return the plates as required  
16 by this subsection may be fined not more than \$200 or imprisoned not more than 6  
17 months or both.

18           **SECTION 5882.** 218.01 (3c) (c) of the statutes is amended to read:

19           218.01 **(3c)** (c) If a manufacturer, factory branch or distributor believes it has  
20 good cause for refusing to honor the succession to the ownership and operation of a  
21 dealership by a family member of a deceased or incapacitated dealer under the  
22 existing franchise agreement, such manufacturer, factory branch or distributor may,  
23 within 30 days of receipt of notice of the designated family member's intent to  
24 succeed the dealer in the ownership and operation of the dealership, serve upon such  
25 designated family member and the department of transportation notice of its refusal

1 to honor the succession and of its intent to discontinue the existing franchise  
2 agreement with the dealership no sooner than 60 days from the date such notice is  
3 served. Such notice shall state the specific grounds for the refusal to honor the  
4 succession and the discontinuance of the franchise agreement. If no notice of such  
5 refusal and discontinuance is timely served upon the family member and  
6 department of transportation, or if the division of hearings and appeals rules in favor  
7 of the complainant in a hearing held under par. (d), the franchise agreement shall  
8 continue in effect subject to termination only in the manner prescribed in this  
9 subchapter.

10 **SECTION 5883.** 218.01 (3c) (d) of the statutes is amended to read:

11 218.01 (3c) (d) Any designated family member who receives a notice of the  
12 manufacturer's, factory branch's or distributor's refusal to honor his or her  
13 succession to the ownership and operation of the dealership may, within the 60-day  
14 notice period, serve on the respondent and file in triplicate with the division of  
15 hearings and appeals a verified complaint for a hearing and determination by the  
16 division of hearings and appeals on whether good cause exists for such refusal and  
17 discontinuance. The division of hearings and appeals shall forward a copy of the  
18 complaint to the department of transportation. The manufacturer, factory branch  
19 or distributor shall have the burden of establishing good cause for such refusal by  
20 showing that the succession would be detrimental to the public interest or to the  
21 representation of the manufacturer, factory branch or distributor. The franchise  
22 agreement shall continue in effect until the final determination of the issues raised  
23 in such complaint. If the complainant prevails he or she shall have a cause of action  
24 against the defendant for reasonable expenses and attorney fees incurred in such  
25 matter. If the manufacturer, factory branch or distributor prevails, the division of

1 hearings and appeals shall include in its order approving the termination of the  
2 franchise agreement such conditions as are reasonable and adequate to afford the  
3 complainant an opportunity to receive fair and reasonable compensation for the  
4 value of the dealership.

5 **SECTION 5884.** 218.01 (3x) (b) 1. of the statutes is amended to read:

6 218.01 (3x) (b) 1. If a motor vehicle dealer's agreement with an affected grantor  
7 requires the grantor's prior approval of an action proposed to be undertaken by the  
8 dealer under this subsection, a dealer may not voluntarily change its ownership or  
9 executive management, transfer its dealership assets to another person, add another  
10 franchise at the same location as its existing franchise or relocate a franchise without  
11 giving prior written notice of the proposed action to the affected grantor and to the  
12 department of transportation. Within 20 days after receiving the notice, the affected  
13 grantor may serve the dealer with a written list of the information not already known  
14 or in the possession of the grantor that is reasonably necessary in order for the  
15 grantor to determine whether the proposed action should be approved. The grantor  
16 shall, in good faith, confirm in writing to the dealer the date on which it has received  
17 from the dealer or from other sources all the information specified on the list.

18 **SECTION 5885g.** 218.01 (3x) (b) 2. of the statutes is amended to read:

19 218.01 (3x) (b) 2. An affected grantor who does not approve of the proposed  
20 action shall, within 30 days after receiving the dealer's written notice of the proposed  
21 action or within 30 days after receiving all the information specified in a written list  
22 served on the dealer under subd. 1., whichever is later, file with the department and  
23 serve upon the dealer a written statement of the reasons for its disapproval. The  
24 reasons given for the disapproval or any explanation of those reasons by the  
25 manufacturer, distributor or importer shall not subject the manufacturer,

1 distributor or importer to any civil liability unless the reasons given or explanations  
2 made are malicious and published with the sole intent to cause harm to the dealer  
3 or a transferee of the dealer. Failure to file and serve a statement within the  
4 applicable period shall, notwithstanding the terms of any agreement, constitute  
5 approval of the proposed action by the grantor. If an affected grantor files a written  
6 statement within the applicable period, the dealer may not voluntarily undertake  
7 the proposed action unless it receives an order permitting it to do so from the office  
8 of the commissioner of transportation division of hearings and appeals under par. (c)  
9 2.

10 **SECTION 5885m.** 218.01 (3x) (b) 2. of the statutes, as affected by 1995 Wisconsin  
11 Act .... (this act), is repealed and recreated to read:

12 218.01 (3x) (b) 2. An affected grantor who does not approve of the proposed  
13 action shall, within 30 days after receiving the dealer's written notice of the proposed  
14 action or within 30 days after receiving all the information specified in a written list  
15 served on the dealer under subd. 1., whichever is later, file with the department of  
16 transportation and serve upon the dealer a written statement of the reasons for its  
17 disapproval. The reasons given for the disapproval or any explanation of those  
18 reasons by the manufacturer, distributor or importer shall not subject the  
19 manufacturer, distributor or importer to any civil liability unless the reasons given  
20 or explanations made are malicious and published with the sole intent to cause harm  
21 to the dealer or a transferee of the dealer. Failure to file and serve a statement within  
22 the applicable period shall, notwithstanding the terms of any agreement, constitute  
23 approval of the proposed action by the grantor. If an affected grantor files a written  
24 statement within the applicable period, the dealer may not voluntarily undertake

1 the proposed action unless it receives an order permitting it to do so from the division  
2 of hearings and appeals under par. (c) 2.

3 **SECTION 5886d.** 218.01 (3x) (b) 3. of the statutes is amended to read:

4 218.01 (3x) (b) 3. A dealer who is served with a written statement by an affected  
5 grantor under subd. 2 may file with the department and the ~~office of the~~  
6 ~~commissioner of transportation~~ division of hearings and appeals and serve upon the  
7 affected grantor a complaint for the determination of whether there is good cause for  
8 permitting the proposed action to be undertaken. ~~The office of the commissioner of~~  
9 ~~transportation~~ division of hearings and appeals shall promptly schedule a hearing  
10 and decide the matter. The proposed action may not be undertaken pending the  
11 determination of the matter.

12 **SECTION 5886g.** 218.01 (3x) (b) 3. of the statutes, as affected by 1995 Wisconsin  
13 Act .... (this act), is repealed and recreated to read:

14 218.01 (3x) (b) 3. A dealer who is served with a written statement by an affected  
15 grantor under subd. 2. may file with the department of transportation and the  
16 division of hearings and appeals and serve upon the affected grantor a complaint for  
17 the determination of whether there is good cause for permitting the proposed action  
18 to be undertaken. The division of hearings and appeals shall promptly schedule a  
19 hearing and decide the matter. The proposed action may not be undertaken pending  
20 the determination of the matter.

21 **SECTION 5886j.** 218.01 (3x) (c) 1. (intro.) of the statutes is amended to read:

22 218.01 (3x) (c) 1. (intro.) In determining if there is good cause for permitting  
23 a proposed action to be undertaken, the ~~office of the commissioner of transportation~~  
24 division of hearings and appeals may consider any relevant factor including:

25 **SECTION 5886m.** 218.01 (3x) (c) 2. of the statutes is amended to read:

**SECTION 5886m**

1           218.01 ~~(3x)~~ (c) 2. The decision of the ~~office of the commissioner of~~  
2 ~~transportation~~ division of hearings and appeals shall be in writing and shall contain  
3 findings of fact and a determination of whether there is good cause for permitting the  
4 proposed action to be undertaken. The decision shall include an order that the dealer  
5 be allowed or is not allowed to undertake the proposed action, as the case may be.  
6 The order may require fulfillment of appropriate conditions before and after the  
7 proposed action is undertaken.

8           **SECTION 5887.** 218.01 (5) (b) 1. of the statutes is amended to read:

9           218.01 ~~(5)~~ (b) 1. The ~~commissioner~~ division of banking, department of of  
10 transportation and division of hearings and appeals shall have the power in hearings  
11 arising under this chapter to determine the place, in this state, where they shall be  
12 held; to subpoena witnesses and documents; to take and permit the taking of  
13 depositions of witnesses residing in or outside of this state and to otherwise permit  
14 the discovery and preservation of evidence before hearing, in the manner provided  
15 for in civil actions in courts of record; to pay such witnesses the fees and mileage for  
16 their attendance as is provided for witnesses in civil actions in courts of record; and  
17 to administer oaths.

18           **SECTION 5888.** 218.01 (5) (b) 3. of the statutes is amended to read:

19           218.01 ~~(5)~~ (b) 3. A person providing information under this paragraph may  
20 request that the information be designated as a trade secret, as defined in s. 134.90  
21 (1) (c), or as confidential business information. The ~~commissioner~~, division of  
22 hearings and appeals or licensor shall approve the designation if the person  
23 providing the information demonstrates that the release of the information would  
24 adversely affect the person's competitive position. At least 15 days before any  
25 information designated as a trade secret or as confidential business information is

1 disclosed to any other person, the ~~commissioner~~, division of hearings and appeals or  
2 licensor shall notify the person providing the information. The person providing the  
3 information may seek a court order limiting or prohibiting the disclosure. In such  
4 cases, the court shall weigh the need for confidentiality of the information against  
5 the public interest in disclosure. Confidentiality is waived if the person providing  
6 the information consents in writing to disclosure.

7 **SECTION 5889.** 218.01 (6) (b) (intro.) of the statutes is amended to read:

8 218.01 **(6)** (b) (intro.) Prior to or concurrent with any instalment sale, the seller  
9 shall deliver to the buyer a written statement describing clearly the motor vehicle  
10 sold to the buyer, the cash sale price, the cash paid down by the buyer, the amount  
11 credited the buyer for any trade-in and a description of the trade-in, the cost to the  
12 retail buyer of any insurance, the amount financed which may include the cost of  
13 insurance, sales and use taxes, the amount of the finance charge, the amount of any  
14 other charge specifying its purpose, the total of payments due from the buyer, the  
15 terms of the payment of such total, the amount and date of each payment necessary  
16 finally to pay the total and a summary of any insurance coverage to be effected. The  
17 ~~commissioner~~ division of banking may determine the form of the statement. If a  
18 written order is taken from a prospective purchaser in connection with any  
19 instalment sale, the written statement shall be given to the purchaser prior to or  
20 concurrent with the signing of the order by the purchaser. The finance charge in a  
21 retail instalment sale made prior to April 6, 1980, however computed, excluding the  
22 cost of insurance shall not exceed the amount computed on the basis of the following  
23 annual percentage rates:

24 **SECTION 5890.** 218.01 (6) (em) of the statutes is amended to read:

**SECTION 5890**

1           218.01 (6) (em) In event the dealer shall finance the instalment sale contract,  
2           the commissioner division of banking may permit the dealer to combine the  
3           information required by pars. (b) and (e) last above in one statement under such rules  
4           and regulations as the commissioner division of banking may from time to time  
5           prescribe.

6           **SECTION 5891.** 218.01 (7a) (a) of the statutes is amended to read:

7           218.01 (7a) (a) A motor vehicle may not be offered for sale by any motor vehicle  
8           dealer or motor vehicle salesperson unless the mileage on the motor vehicle is  
9           disclosed in writing by the transferor on the certificate of title or on a form authorized  
10          by the department of transportation to reassign the title to the dealer and the  
11          disclosure is subsequently shown to the retail purchaser by the dealer or salesperson  
12          prior to sale. The department of transportation may promulgate rules to exempt  
13          types of motor vehicles from this mileage disclosure requirement and shall  
14          promulgate rules for making the disclosure requirement on a form other than the  
15          certificate of title.

16          **SECTION 5892.** 218.01 (7a) (b) of the statutes is amended to read:

17          218.01 (7a) (b) It shall be unlawful for any motor vehicle dealer or motor vehicle  
18          salesperson to fail to provide, upon request of a prospective purchaser, the name and  
19          address of the most recent titled owner and of all subsequent nontitled owners,  
20          unless exempted from this requirement by rule of the department of transportation,  
21          of any motor vehicle offered for sale. If the most recent titled owner of the motor  
22          vehicle is the motor vehicle dealer, the dealer or salesperson shall also provide the  
23          name and address of the previous titled owner.

24          **SECTION 5893.** 218.01 (7b) of the statutes is amended to read:

1           218.01 (7b) PURCHASE OF MOTOR VEHICLE BY MINOR. No minor shall purchase any  
2 motor vehicle unless the minor, at the time of purchase, submits to the seller a  
3 statement verified before a person authorized to administer oaths and made and  
4 signed by either parent of the purchaser, if such parent has custody of the minor or,  
5 if neither parent has custody, then by the person having custody, setting forth that  
6 the purchaser has consent to purchase the vehicle. The signature on the statement  
7 shall not impute any liability for the purchase price of the motor vehicle to the  
8 consenting person. The statement shall not adversely affect any other arrangement  
9 for the assumption of liability for the purchase price which the consenting person  
10 may make. The signed statement shall accompany the application for a certificate  
11 of title and shall be filed by the department of transportation with the application.  
12 Failure to obtain the consent or to forward it with the application for a certificate of  
13 title shall not void the contract of sale of a motor vehicle in the hands of an innocent  
14 holder, without notice, for value and in the ordinary course of business. Any person  
15 who sells a motor vehicle to a minor with knowledge of such fact without procuring  
16 such a statement may be fined not more than \$200 or imprisoned not more than 6  
17 months or both.

18           **SECTION 5893g.** 218.01 (7m) (a) of the statutes is amended to read:

19           218.01 (7m) (a) A licensee may not file a complaint or petition with the office  
20 ~~of the commissioner of transportation~~ division of hearings and appeals or bring an  
21 action under sub. (9) (a), based on an alleged violation of this section by any other  
22 licensee or pursuant to sub. (3) (f) or (fm), (3c) or (3x), unless the licensee serves a  
23 demand for mediation upon the other licensee before or contemporaneous with the  
24 filing of the complaint or petition or the bringing of the action. A demand for  
25 mediation shall be in writing and served upon the other licensee by certified mail at

1 an address designated for that licensee in the licensor's records. The demand for  
2 mediation shall contain a brief statement of the dispute and the relief sought by the  
3 licensee filing the demand.

4 **SECTION 5893m.** 218.01 (7m) (c) of the statutes is amended to read:

5 218.01 (7m) (c) The service of a demand for mediation under par. (a) shall stay  
6 the time for the filing of any complaint or petition with the ~~office of the commissioner~~  
7 ~~of transportation~~ division of hearings and appeals or for bringing an action under  
8 sub. (9) (a), based on an alleged violation of this section by the other licensee or  
9 pursuant to sub. (3) (f) or (fm), (3c) or (3x), until the representatives of both licensees  
10 have met with a mutually selected mediator for the purpose of attempting to resolve  
11 the dispute. If a complaint or petition is filed before the meeting, the ~~office of the~~  
12 ~~commissioner of transportation~~ division of hearings and appeals or the court shall  
13 enter an order suspending the proceeding or action until the meeting has occurred  
14 and may, upon the written stipulation of all parties to the proceeding or action that  
15 they wish to continue to mediate under this subsection, enter an order suspending  
16 the proceeding or action for as long a period as the ~~commissioner of transportation~~  
17 division of hearings and appeals or court considers to be appropriate. A suspension  
18 order issued under this paragraph may be revoked upon motion of any party or upon  
19 motion of the ~~office of the commissioner of transportation~~ division of hearings and  
20 appeals or the court.

21 **SECTION 5894.** 218.02 (1) (b) of the statutes is repealed.

22 **SECTION 5895.** 218.02 (1) (d) of the statutes is created to read:

23 218.02 (1) (d) "Division" means the division of banking.

24 **SECTION 5896.** 218.02 (2) (a) of the statutes is amended to read:

1           218.02 (2) (a) Each adjustment service company shall apply to the  
2 ~~commissioner of banking~~ division for a license to engage in such business.  
3 Application for a separate license for each office of a company to be operated under  
4 this section shall be made to the ~~commissioner~~ division in writing, under oath, in a  
5 form to be prescribed by the ~~commissioner~~ division. The ~~commissioner~~ division may  
6 issue more than one license to the same licensee.

7           **SECTION 5897.** 218.02 (2) (b) of the statutes is amended to read:

8           218.02 (2) (b) At the time of making application and before engaging in  
9 business, every applicant for an adjustment service company license shall pay a  
10 nonrefundable \$200 fee ~~of \$100~~ to the commissioner for investigating the application  
11 and ~~the sum of \$100 as an a \$200~~ annual license fee. If the cost of an investigation  
12 exceeds \$100 \$200, the applicant shall, upon demand of the commissioner, pay the  
13 excess cost. No investigation fee shall be required on the renewal of a license.

14           **SECTION 5898.** 218.02 (2) (b) of the statutes, as affected by 1995 Wisconsin Act  
15 .... (this act), is amended to read:

16           218.02 (2) (b) At the time of making application and before engaging in  
17 business, every applicant for an adjustment service company license shall pay a  
18 nonrefundable \$200 fee to the ~~commissioner~~ division for investigating the  
19 application and a \$200 annual license fee. If the cost of an investigation exceeds  
20 \$200, the applicant shall, upon demand of the ~~commissioner~~ division, pay the excess  
21 cost. No investigation fee shall be required on the renewal of a license.

22           **SECTION 5899.** 218.02 (2) (c) of the statutes is amended to read:

23           218.02 (2) (c) The ~~commissioner~~ division may require any licensee either before  
24 or after the issuance of the license to file and maintain in force a bond in a form to  
25 be prescribed by and acceptable to the ~~commissioner~~ division, in such sum as the

1 ~~commissioner~~ division may deem necessary to safeguard the interest of the  
2 borrowers and the public, not exceeding, however, the sum of \$5,000.

3 **SECTION 5900.** 218.02 (3) (intro.) of the statutes is amended to read:

4 218.02 (3) CONDITIONS OF THE ISSUANCE OF LICENSES. (intro.) The ~~commissioner~~  
5 division shall issue a license to the applicant to conduct such business at the office  
6 specified in the application in accordance with the provisions of this section, if the  
7 ~~commissioner~~ division shall find:

8 **SECTION 5901.** 218.02 (4) of the statutes is amended to read:

9 218.02 (4) ORDER DENYING APPLICATION. If the ~~commissioner~~ division is not  
10 satisfied as to all of the matters specified in sub. (3) the ~~commissioner~~ division shall  
11 enter a special order denying the application for a license and shall return the  
12 applicant's license fee. The ~~commissioner~~ division shall make findings of fact as part  
13 of and in support of the ~~commissioner's~~ division's order denying any application for  
14 a license.

15 **SECTION 5902.** 218.02 (5) (b) of the statutes is amended to read:

16 218.02 (5) (b) Whenever a licensee shall contemplate a change of the licensee's  
17 place of business to another location within the same city, village or town, the  
18 licensee shall give written notice thereof to the ~~commissioner, who~~ division, which  
19 shall attach to the license the ~~commissioner's~~ division's authorization of such  
20 removal, specifying the date thereof and the new location. Such authorization shall  
21 be authority for the operation of such business under the same license at the specified  
22 new location. No change in the place of business of a licensee to a location outside  
23 of the original city, village or town shall be permitted under the same license.

24 **SECTION 5903.** 218.02 (5) (c) of the statutes is amended to read:

1           218.02 (5) (c) Every licensee shall, on or before the tenth day of each December,  
2 pay to the ~~commissioner~~ division the annual license fee for the next succeeding  
3 calendar year.

4           **SECTION 5904.** 218.02 (6) (intro.) of the statutes is amended to read:

5           218.02 (6) REVOCATION; SUSPENSION; REINSTATEMENT AND TERM OF LICENSES.  
6 (intro.) The ~~commissioner~~ division, after complaint, notice and hearings as provided  
7 in s. 217.19, shall revoke any license in the following cases:

8           **SECTION 5905.** 218.02 (6) (c) of the statutes is amended to read:

9           218.02 (6) (c) If any fact or condition exists which, if it had existed at the time  
10 of the original application for such license, clearly would have warranted the  
11 ~~commissioner~~ division in refusing to issue such license;

12           **SECTION 5906.** 218.02 (7) (intro.) of the statutes is amended to read:

13           218.02 (7) (title) POWERS OF ~~COMMISSIONER~~ DIVISION. (intro.) It shall be the duty  
14 of the ~~commissioner~~ division and the ~~commissioner~~ division shall have power,  
15 jurisdiction and authority to investigate the conditions and ascertain the facts with  
16 reference to such companies and upon the basis thereof:

17           **SECTION 5907.** 218.02 (7) (c) of the statutes is amended to read:

18           218.02 (7) (c) At any time and so often as the ~~commissioner~~ division may  
19 determine to investigate the business and examine the books, accounts, records and  
20 files used therein of every licensee. The cost of an examination shall be determined  
21 by the ~~commissioner~~ division and shall be paid to the ~~commissioner~~ division by every  
22 licensee so examined within 30 days after demand therefor by the ~~commissioner~~  
23 division, and the state may maintain an action for the recovery of such costs in any  
24 court of competent jurisdiction;

25           **SECTION 5908.** 218.02 (9) (a) of the statutes is amended to read:

1           218.02 (9) (a) The ~~commissioner~~ division may make such rules and require  
2 such reports as the ~~commissioner~~ division deems necessary for the enforcement of  
3 this section. Sections 217.17, 217.18 and 217.21 (1) and (2) apply to and are available  
4 for the purposes of this section. Orders of the ~~commissioner~~ division under this  
5 section are subject to review by the consumer credit review board under s. 220.037.

6           **SECTION 5909.** 218.02 (9) (b) of the statutes is amended to read:

7           218.02 (9) (b) All fees and moneys received by the ~~commissioner~~ division under  
8 authority of this chapter shall be paid by the ~~commissioner~~ division into the state  
9 treasury within one week after the receipt thereof.

10          **SECTION 5910.** 218.02 (9) (c) of the statutes is amended to read:

11          218.02 (9) (c) The ~~commissioner~~ division shall investigate, ascertain and  
12 determine whether this chapter or the lawful orders issued hereunder are being  
13 violated and for such purposes the ~~commissioner~~ division shall have all of the powers  
14 conferred by ss. 217.17 and 217.18. The ~~commissioner~~ division shall report all  
15 violations to the district attorney of the proper county for prosecution.

16          **SECTION 5911.** 218.04 (1) (c) of the statutes is amended to read:

17          218.04 (1) (c) “~~Commissioner~~” “Division” means the ~~commissioner~~ division of  
18 banking.

19          **SECTION 5912.** 218.04 (3) (a) of the statutes is amended to read:

20          218.04 (3) (a) Application for licenses under the provisions of this section shall  
21 be made to the ~~commissioner~~ division in writing, under oath, on a form to be  
22 prescribed by the ~~commissioner~~ division. All licenses shall expire on June thirtieth  
23 next following their date of issue.

24          **SECTION 5913.** 218.04 (3) (b) of the statutes is amended to read:

1           218.04 (3) (b) At the time of making application, every applicant for a collection  
2 agency license shall pay a nonrefundable fee of \$100 ~~\$100~~ \$1,000 to the commissioner for  
3 investigating the application, unless the applicant is already licensed under this  
4 section, and the sum of \$100 ~~\$100~~ \$200 as an annual license fee. If the cost of investigation  
5 exceeds \$100 ~~\$100~~ \$1,000, the applicant shall, upon demand of the commissioner, pay the  
6 excess cost. No investigation fee is required on the renewal of a license.

7           **SECTION 5914.** 218.04 (3) (b) of the statutes, as affected by 1995 Wisconsin Act  
8 .... (this act), is amended to read:

9           218.04 (3) (b) At the time of making application, every applicant for a collection  
10 agency license shall pay a nonrefundable fee of \$1,000 to the ~~commissioner~~ division  
11 for investigating the application, unless the applicant is already licensed under this  
12 section, and the sum of \$200 as an annual license fee. If the cost of investigation  
13 exceeds \$1,000, the applicant shall, upon demand of the ~~commissioner~~ division, pay  
14 the excess cost. No investigation fee is required on the renewal of a license.

15           **SECTION 5915.** 218.04 (3) (c) of the statutes is amended to read:

16           218.04 (3) (c) The license fee for a collector or solicitor shall be \$2 ~~\$2~~ \$15. This  
17 license shall be carried as a means of identification whenever the collector is engaged  
18 in business. The license shall state the name of the employer and ~~in case of a change~~  
19 ~~of employer the commissioner shall indorse such change on the license without~~  
20 ~~charge shall be surrendered to the commissioner upon termination of employment.~~  
21 A new license is required for a change of employment.

22           **SECTION 5916.** 218.04 (3) (c) of the statutes, as affected by 1995 Wisconsin Act  
23 .... (this act), is amended to read:

24           218.04 (3) (c) The license fee for a collector or solicitor shall be \$15. This license  
25 shall be carried as a means of identification whenever the collector is engaged in

1 business. The license shall state the name of the employer and shall be surrendered  
2 to the ~~commissioner~~ division upon termination of employment. A new license is  
3 required for a change of employment.

4 **SECTION 5917.** 218.04 (3) (d) of the statutes is amended to read:

5 218.04 (3) (d) The ~~commissioner~~ division may require any licensee to file and  
6 maintain in force a bond, in a form to be prescribed by and acceptable to the  
7 ~~commissioner~~ division, and in such sum as the ~~commissioner~~ division may deem  
8 reasonably necessary to safeguard the interests of the public.

9 **SECTION 5918.** 218.04 (4) (a) of the statutes is amended to read:

10 218.04 (4) (a) Upon the filing of such application and the payment of such fee,  
11 the ~~commissioner~~ division shall make an investigation, and if the ~~commissioner~~  
12 division finds that the character and general fitness and the financial responsibility  
13 of the applicant, and the members thereof if the applicant is a partnership, limited  
14 liability company or association, and the officers and directors thereof if the  
15 applicant is a corporation, warrant the belief that the business will be operated in  
16 compliance with this section the ~~commissioner~~ division shall thereupon issue a  
17 license to said applicant. Such license is not assignable and shall permit operation  
18 under it only at or from the location specified in the license. A nonresident of this  
19 state may, upon complying with all other provisions of this section, secure a collection  
20 agency license provided the nonresident maintains an active office in this state.

21 **SECTION 5919.** 218.04 (4) (b) of the statutes is amended to read:

22 218.04 (4) (b) No licensee shall conduct a collection agency business within any  
23 office, room or place of business in which any other business is solicited or engaged  
24 in, or in association or conjunction therewith, except as may be authorized in writing  
25 by the ~~commissioner~~ division upon finding that the character of such other business

1 is such that the granting of such authority would not facilitate evasion of this section  
2 or the lawful orders issued thereunder.

3 **SECTION 5920.** 218.04 (5) (a) (intro.) of the statutes is amended to read:

4 218.04 (5) (a) (intro.) The ~~commissioner~~ division may suspend or revoke any  
5 license issued under this section if the ~~commissioner~~ division finds that:

6 **SECTION 5921.** 218.04 (5) (a) 1. of the statutes is amended to read:

7 218.04 (5) (a) 1. The licensee has violated any of the provisions of this section  
8 or any lawful order of the ~~commissioner~~ division made thereunder;

9 **SECTION 5922.** 218.04 (5) (a) 2. of the statutes is amended to read:

10 218.04 (5) (a) 2. Any fact or condition exists which, if it had existed at the time  
11 of the original application for such license, would have warranted the ~~commissioner~~  
12 division in refusing to issue such license;

13 **SECTION 5923.** 218.04 (5) (c) of the statutes is amended to read:

14 218.04 (5) (c) In the event of the death of a licensee, if the licensee is an  
15 individual, or of the partners, if the licensee is a partnership, the license of the agency  
16 shall terminate as of the date of death of said licensee, except the ~~commissioner~~  
17 division may reinstate a license if the estate of the former licensee signifies to the  
18 ~~commissioner~~ division within 45 days its intention to continue the business of the  
19 agency.

20 **SECTION 5924.** 218.04 (6) (a) of the statutes is amended to read:

21 218.04 (6) (a) Whenever a collection agency shall contemplate a change of its  
22 place of business to another location within the same city or village, it shall give  
23 written notice thereof to the ~~commissioner~~, who division, which shall attach to the  
24 license the ~~commissioner's~~ division's authorization of such removal, specifying the  
25 date thereof and the new location. Such authorization shall be authority for the

1 operation of such business under the same license at the specified new location. All  
2 collection agency licenses shall be conspicuously posted in the office of the licensee.

3 **SECTION 5925.** 218.04 (6) (b) of the statutes is amended to read:

4 218.04 (6) (b) Every licensee applying for a renewal of a license shall, on or  
5 before the first day of June, pay in advance to the ~~commissioner~~ division the annual  
6 license fee.

7 **SECTION 5926.** 218.04 (6) (c) (intro.) of the statutes is amended to read:

8 218.04 (6) (c) (intro.) Before discontinuing operating as a collection agency  
9 under the provisions of this section, every licensee shall furnish the ~~commissioner~~  
10 division with proof in a form to be determined by the ~~commissioner~~ division and  
11 approved by the advisory committee that:

12 **SECTION 5927.** 218.04 (7) (intro.) of the statutes is amended to read:

13 218.04 (7) (title) POWERS OF ~~COMMISSIONER~~ DIVISION; ADVISORY COMMITTEES.  
14 (intro.) It shall be the duty of the ~~commissioner~~ division and the ~~commissioner~~  
15 division shall have power, jurisdiction and authority to investigate the conditions  
16 and ascertain the facts with reference to the collection of accounts and upon the basis  
17 thereof:

18 **SECTION 5928.** 218.04 (7) (b) of the statutes is amended to read:

19 218.04 (7) (b) For the purpose of discovering violations of this section the  
20 ~~commissioner~~ division may cause an investigation to be made of the business of the  
21 licensee transacted under the provisions of this section, and shall cause an  
22 investigation to be made of convictions reported to the ~~commissioner~~ division by any  
23 district attorney for violation by a licensee of any of the provisions of this section.  
24 The place of business, books of accounts, papers, records, safes and vaults of said  
25 licensee shall be open to inspection and examination by the ~~commissioner~~ or the

1 commissioner's representative division for the purpose of such investigation and the  
2 commissioner division shall have authority to examine under oath all persons whose  
3 testimony is required relative to said investigation. The cost of the first investigation  
4 or examination during any licensing year shall be paid by the licensee, but the cost  
5 of additional investigation or examination during such year shall be paid by the  
6 licensee only if such examination discloses violation of sub. (5) (a) 4. The  
7 commissioner division shall determine the cost of an investigation or examination.  
8 The licensee shall pay the cost of any hearing including witness fees, unless it be  
9 found by the commissioner division, board of review or court that licensee has not  
10 violated any provision of this section. All said costs shall be paid by the licensee  
11 within 30 days after demand therefor by the commissioner division. The state may  
12 maintain an action for the recovery of such costs and expenses in any court of  
13 competent jurisdiction.

14 **SECTION 5929.** 218.04 (7) (c) of the statutes is amended to read:

15 218.04 (7) (c) To appoint advisers from the individuals engaged in the collection  
16 business in the state and in any locality, which advisers shall be consulted by and  
17 shall assist the commissioner division in the execution of the commissioner's  
18 division's duties under the provisions of this section. ~~The commissioner may appoint~~  
19 ~~such advisers as deputies.~~ Such persons, ~~either as advisers or deputies,~~ shall receive  
20 no compensation for their services but may be reimbursed for their actual and  
21 necessary traveling expenses. Such expenses shall be audited and paid and charged  
22 to the commissioner division for the administration of this chapter.

23 **SECTION 5930.** 218.04 (8) of the statutes is amended to read:

1           218.04 (8) HEARINGS AND ORDERS. The ~~commissioner~~ division shall have the  
2 same power to conduct hearings, take testimony and secure evidence as is provided  
3 in ss. 217.17, 217.18 and 217.19.

4           **SECTION 5931.** 218.04 (9) of the statutes is amended to read:

5           218.04 (9) ADMINISTRATIVE REVIEW. Any licensee or other person in interest  
6 being dissatisfied with any order of the ~~commissioner~~ division made under this  
7 section may have a review thereof as provided in s. 220.037.

8           **SECTION 5932.** 218.04 (9g) (b) of the statutes is amended to read:

9           218.04 (9g) (b) A licensee shall establish a trust account with a financial  
10 institution. The licensee shall notify the ~~commissioner~~ division of the name of the  
11 financial institution that maintains the trust account. The ~~commissioner~~ division  
12 may prohibit a licensee from establishing or maintaining a trust account in a  
13 financial institution if the ~~commissioner~~ division believes that the financial  
14 institution is operating in an unsafe or unsound manner.

15           **SECTION 5933.** 218.04 (9m) (title) of the statutes is amended to read:

16           218.04 (9m) (title) DELINQUENT COLLECTION AGENCIES; ~~COMMISSIONER~~ DIVISION  
17 MAY TAKE POSSESSION.

18           **SECTION 5934.** 218.04 (9m) (a) of the statutes is amended to read:

19           218.04 (9m) (a) If the ~~commissioner~~ division finds that a licensee is insolvent  
20 or that the licensee has collected accounts but has failed to remit money due to any  
21 claimant or forwarder within 30 days from the end of the month in which collection  
22 was made, and it is necessary to protect the interest of the public or when the license  
23 of a collection agency has expired or has terminated for any reason whatsoever, the  
24 ~~commissioner~~ division may take possession of the assets and the books and records  
25 of the licensee for the purpose of liquidating its business, and for such other relief as

1 the nature of the case and the interest of the claimants or forwarders may require.  
2 The liquidation of business shall be made by and under the supervision of the  
3 ~~commissioner~~ division either in the name of the ~~commissioner~~ division or in the name  
4 of the licensee and the ~~commissioner or the commissioner's successor~~ division shall  
5 be vested with title to all of the assets including the proceeds of the bond or bonds  
6 which have been filed with the ~~commissioner~~ division as provided for under sub. (3)  
7 (d), and the proceeds of any and all money paid direct to the claimant or forwarder  
8 by the debtor prior to the date said license has terminated. Money paid to the licensee  
9 or to the ~~commissioner~~ division after the termination of the license shall be disposed  
10 of by the ~~commissioner~~ division with the approval of the circuit court.

11 **SECTION 5935.** 218.04 (9m) (b) of the statutes is amended to read:

12 218.04 **(9m)** (b) In taking possession of the property and business of any such  
13 collection agency, the ~~commissioner~~ division shall forthwith give notice to any and  
14 all banks or other financial institutions holding or in possession of any bank balances  
15 or assets of such agency and thereafter such assets shall be held subject to the order  
16 of the ~~commissioner~~ division.

17 **SECTION 5936.** 218.04 (9m) (c) of the statutes is amended to read:

18 218.04 **(9m)** (c) In addition to the authority conferred by par. (b), the  
19 ~~commissioner~~ division may, with the approval of the circuit court for the county  
20 wherein the main office is located, for the purposes of collection or liquidation, sell,  
21 assign, convey and transfer or approve the sale, assignment, conveyance and  
22 transfer of the assets of such collection agency under such terms and conditions as  
23 the ~~commissioner~~ division may deem for the best interests of the claimants of such  
24 collection agency.

25 **SECTION 5937.** 218.04 (9m) (e) of the statutes is amended to read:

1           218.04 (9m) (e) The ~~commissioner~~ division shall cause notice to be given by  
2 publication of a class 3 notice, under ch. 985, if no action has been commenced under  
3 par. (f), calling on all persons who may have claims against such licensee, to present  
4 the same to the ~~commissioner~~ division, and make legal proof thereof at a place and  
5 within a time, to be therein specified. The ~~commissioner~~ division may mail a similar  
6 notice to all persons whose names appear as claimants or forwarders upon the books  
7 and records of the licensee or as may appear in the records of the ~~commissioner~~  
8 division on the sworn reports required to be furnished the ~~commissioner~~ division  
9 according to the provisions of sub. (10). Any claimant or forwarder whose portion of  
10 the collection or collections has not been properly remitted shall file a claim which  
11 shall be considered as a preferred claim for the amount actually due the claimant or  
12 forwarder after deducting any commission or fee that may be due and owing the  
13 licensee. If the ~~commissioner~~ division doubts the justice and validity of any claim,  
14 the ~~commissioner~~ division may reject the same and serve notice of such rejection  
15 upon the claimant either by mail or personally. An affidavit of the service of such  
16 notice, which shall be prima facie evidence thereof, shall be filed with the  
17 ~~commissioner~~ division. An action upon a claim so rejected must be brought in the  
18 circuit court for the county wherein the licensee is located within 30 days after such  
19 service of such notice of rejection of claim has been filed. Claims presented after the  
20 expiration of the time fixed in the notice to the claimants or forwarders shall be  
21 entitled to receive only liquidating dividends declared after presentation, unless  
22 otherwise ordered by the court. The court may fix a date after which all claims shall  
23 be barred.

24           **SECTION 5938.** 218.04 (9m) (f) of the statutes is amended to read:

1           218.04 (9m) (f) Whenever any agency, of whose assets and business the  
2 commissioner division has taken possession, as aforesaid, deems itself aggrieved  
3 thereby, it may, at any time within 10 days after such taking possession, apply to the  
4 circuit court for the county in which the main office of such agency is located to enjoin  
5 further proceedings; and such court, after citing the commissioner division to show  
6 cause why further proceedings should not be enjoined and hearing the allegations  
7 and proofs of the parties and determining the facts, may, upon the merits dismiss  
8 such application or enjoin the commissioner division from further proceedings, and  
9 direct the commissioner division to surrender such business and property to such  
10 agency.

11           **SECTION 5939.** 218.04 (9m) (g) of the statutes is amended to read:

12           218.04 (9m) (g) Whenever the commissioner division shall have paid to each  
13 and every claimant or forwarder of such collection agency whose claims as such  
14 claimant or forwarder have been duly proved and allowed the full amount of such  
15 claims and shall have made proper provisions for unclaimed and unpaid collections  
16 and shall have paid all the expenses of the liquidation, the commissioner division  
17 shall liquidate the remaining assets exclusive of the proceeds of the bond or bonds  
18 for the benefit of the general creditors; or if no claims have been filed by or in behalf  
19 of the general creditors, the commissioner division shall turn over the remaining  
20 assets to the circuit court for further disposition.

21           **SECTION 5940.** 218.04 (9m) (h) of the statutes is amended to read:

22           218.04 (9m) (h) All accounts and valuable papers given to the agency by the  
23 claimant or forwarder in possession of the commissioner division, pertaining to  
24 accounts placed with the agency for collection shall be returned to the claimant or

1 forwarded by the ~~commissioner~~ division within 30 days after verification of the claim  
2 has been made.

3 **SECTION 5941.** 218.04 (10) (a) of the statutes is amended to read:

4 218.04 (10) (a) Each licensee shall annually, on or before the fifteenth day of  
5 March, file a report with the ~~commissioner~~ division giving such reasonable and  
6 relevant information as the ~~commissioner~~ division may, by general or special order,  
7 require concerning the business and operations conducted by such licensee within  
8 the state. Such report shall be made under oath and shall be in the form prescribed  
9 by the ~~commissioner~~ division.

10 **SECTION 5942.** 218.04 (10) (b) of the statutes is amended to read:

11 218.04 (10) (b) The ~~commissioner~~ division shall require the licensee to keep  
12 such books and records in the licensee's place of business as will enable the  
13 ~~commissioner~~ division to determine whether the provisions of this section are being  
14 complied with. Every such licensee shall preserve the records of final entry used in  
15 such business for a period of at least 6 years after final remittance is made on any  
16 account placed with the licensee for collection or after any account has been returned  
17 to the claimant on which one or more payments have been paid.

18 **SECTION 5943.** 218.04 (13) of the statutes is amended to read:

19 218.04 (13) ENFORCEMENT. The ~~commissioner~~ division shall have the duty,  
20 power, jurisdiction and authority to investigate, ascertain and determine whether  
21 this section or the lawful orders issued hereunder are being violated and for such  
22 purposes the ~~commissioner~~ division shall have all the powers conferred by subs. (4)  
23 and (5). The ~~commissioner~~ division shall report all violations to the district attorney  
24 of the proper county for prosecution.

25 **SECTION 5944.** 218.05 (1) (a) of the statutes is repealed.

1           **SECTION 5945.** 218.05 (1) (d) of the statutes is created to read:

2           218.05 (1) (d) "Division" means the division of banking.

3           **SECTION 5946.** 218.05 (2) of the statutes is amended to read:

4           218.05 (2) LICENSES REQUIRED. After July 1, 1945, no person, firm, association,  
5           partnership or corporation shall engage in the business of a community currency  
6           exchange without first securing a license to do so from the commissioner division as  
7           required by this section.

8           **SECTION 5947.** 218.05 (3) (a) (intro.) of the statutes is amended to read:

9           218.05 (3) (a) (intro.) Application for such license shall be in writing, under  
10          oath, on a form to be prescribed by the commissioner division. Each application shall  
11          contain the following information:

12          **SECTION 5948.** 218.05 (3) (a) 3. of the statutes is amended to read:

13          218.05 (3) (a) 3. Such other information as the commissioner division may  
14          require.

15          **SECTION 5949.** 218.05 (3) (b) of the statutes is amended to read:

16          218.05 (3) (b) ~~Such~~ An application shall be accompanied by a nonrefundable  
17          fee of ~~\$100~~ \$300 for the cost of investigating the applicant. ~~When the application has~~  
18          ~~been approved by the commissioner and the applicant so advised~~ If the cost of an  
19          investigation exceeds \$300, the applicant shall, upon demand of the commissioner,  
20          pay the excess cost. At the time of the application, the applicant shall pay an  
21          additional ~~\$100~~ \$300 as an annual license fee for a period ~~terminating~~ ending on the  
22          last day of the current calendar year.

23          **SECTION 5950.** 218.05 (3) (b) of the statutes, as affected by 1995 Wisconsin Act  
24          .... (this act), is amended to read:

1           218.05 (3) (b) An application shall be accompanied by a nonrefundable fee of  
2           \$300 for the cost of investigating the applicant. If the cost of an investigation exceeds  
3           \$300, the applicant shall, upon demand of the ~~commissioner~~ division, pay the excess  
4           cost. At the time of the application, the applicant shall pay an additional \$300 as an  
5           annual license fee for a period ending on the last day of the current calendar year.

6           **SECTION 5951.** 218.05 (3) (c) of the statutes is amended to read:

7           218.05 (3) (c) Before any license is issued to a community currency exchange  
8           the applicant shall file annually with and have approved by the ~~commissioner~~  
9           division a surety bond in the principal sum of \$5,000, issued by an insurer authorized  
10          to do business in this state. The bond shall run to the state of Wisconsin and shall  
11          be for the benefit of any creditors of the community currency exchange for any  
12          liability incurred for any sum due to any payee of any check, draft or money order  
13          left with the community currency exchange for collection, and also for any penalties  
14          that may be imposed under this section. If the ~~commissioner~~ division finds at any  
15          time the bond is insecure or exhausted or otherwise doubtful, an additional bond in  
16          like amount to be approved by the ~~commissioner~~ division shall be filed by the licensee  
17          within 30 days after written demand by the ~~commissioner~~ division.

18          **SECTION 5952.** 218.05 (4) of the statutes is amended to read:

19          218.05 (4) LICENSES; ISSUANCE; DENIAL. If the ~~commissioner~~ division shall find  
20          after investigation that the applicant (a) is trustworthy and reputable, (b) has  
21          business experience qualifying the applicant to competently conduct, operate, own,  
22          or become associated with a community currency exchange, and (c) has a good  
23          business reputation and is worthy of a license, the ~~commissioner~~ division shall issue  
24          to the applicant qualifying hereunder, a license to operate a community currency  
25          exchange at the location specified in the application, which license shall remain in

1 full force and effect until it is surrendered by the licensee or revoked by the  
2 commissioner division. If the commissioner division shall not so find, the  
3 commissioner division shall not issue such license and shall notify the applicant of  
4 such denial, retaining the investigation fee to cover the cost of investigating the  
5 applicant. The commissioner division shall approve or deny every application within  
6 30 days from the filing thereof. No application shall be denied unless the applicant  
7 has had notice of a hearing on said application and an opportunity to be heard  
8 thereon. If the application is denied, the commissioner division shall, within 20 days  
9 thereafter, prepare and keep on file in the commissioner's office with the division a  
10 written order of denial which shall contain the commissioner's division's findings  
11 with respect thereto and the reasons supporting the denial, and shall mail a copy  
12 thereof to the applicant at the address set forth in the application, within 5 days after  
13 the filing of such order.

14 **SECTION 5953.** 218.05 (6) of the statutes is amended to read:

15 218.05 (6) INSURANCE. Every applicant for a license under this section shall,  
16 after the application for a license has been approved, submit a policy or policies of  
17 insurance to be approved by the commissioner division, issued by an insurer  
18 authorized to do business in this state, which insures the applicant against loss by  
19 burglary, larceny, robbery, forgery or embezzlement in a principal sum determined  
20 by the commissioner division. Any such policy, with respect to forgery, may carry a  
21 condition that the community currency exchange assumes the first \$50 of each claim  
22 thereunder.

23 **SECTION 5954.** 218.05 (8) of the statutes is amended to read:

24 218.05 (8) OTHER BUSINESS FORBIDDEN. A community currency exchange shall  
25 not be conducted as a ~~department~~ unit of another business. It must be an entity,

1 financed and conducted as a separate business unit. This shall not prevent a  
2 community currency exchange from leasing a part of the premises of another  
3 business for the conduct of this business on the same premises; provided, that no  
4 community currency exchange shall be conducted on the same premises with a  
5 business whose chief source of revenue is derived from the sale of alcohol beverages  
6 for consumption on the premises. This subsection shall not apply when such other  
7 business is subject to any statute which provides for supervision and examination  
8 by the ~~commissioner~~ division.

9 **SECTION 5955.** 218.05 (10) (b) of the statutes is amended to read:

10 218.05 (10) (b) No more than one place of business shall be maintained under  
11 the same license, but the ~~commissioner~~ division may issue more than one license to  
12 the same licensee upon the compliance with the provisions of this section governing  
13 an original issuance of a license, for each new license.

14 **SECTION 5956.** 218.05 (10) (c) of the statutes is amended to read:

15 218.05 (10) (c) Whenever a licensee shall wish to change the licensee's place  
16 of business to any location other than that originally set forth in the license, the  
17 licensee shall give written notice thereof to the ~~commissioner~~ division and if the  
18 change is approved the ~~commissioner~~ division shall attach to the license, in writing,  
19 a rider stating the new address or location of the community currency exchange.

20 **SECTION 5957.** 218.05 (11) of the statutes is amended to read:

21 218.05 (11) RENEWAL. Every licensee shall, on or before December 20, pay to  
22 the commissioner the sum of \$50 \$300 as an annual license fee for the next  
23 succeeding calendar year and ~~shall~~, at the same time, shall file with the  
24 commissioner the annual bond and insurance policy or policies in the same amount  
25 and of the same character as required by subs. (3) (c) and (6).

1           **SECTION 5958.** 218.05 (11) of the statutes, as affected by 1995 Wisconsin Act  
2 .... (this act), is amended to read:

3           218.05 (11) RENEWAL. Every licensee shall, on or before December 20, pay to  
4 the ~~commissioner~~ division the sum of \$300 as an annual license fee for the next  
5 succeeding calendar year and, at the same time, shall file with the ~~commissioner~~  
6 division the annual bond and insurance policy or policies in the same amount and  
7 of the same character as required by subs. (3) (c) and (6).

8           **SECTION 5959.** 218.05 (12) (a) (intro.) of the statutes is amended to read:

9           218.05 (12) (a) (intro.) The ~~commissioner~~ division may, upon 10 days' notice to  
10 the licensee by mail directed to the licensee at the address set forth in the license,  
11 stating the contemplated action and in general the grounds therefor, and upon  
12 reasonable opportunity to be heard prior to such action, revoke any license issued  
13 hereunder if the ~~commissioner~~ division shall find that:

14           **SECTION 5960.** 218.05 (12) (a) 1. of the statutes is amended to read:

15           218.05 (12) (a) 1. The licensee has failed to pay the annual license fee or to  
16 maintain in effect the required bond or insurance policy or policies or to comply with  
17 any order, decision or finding of the ~~commissioner~~ division made pursuant to this  
18 section.

19           **SECTION 5961.** 218.05 (12) (a) 2. of the statutes is amended to read:

20           218.05 (12) (a) 2. The licensee has violated any provision of this section or any  
21 regulation or direction made by the ~~commissioner~~ division under this section.

22           **SECTION 5962.** 218.05 (12) (a) 3. of the statutes is amended to read:

23           218.05 (12) (a) 3. Any fact or condition exists which, if it had existed at the time  
24 of the original application for such license, would have warranted the ~~commissioner~~  
25 division in refusing the issuance of the license.

1           **SECTION 5963.** 218.05 (12) (b) of the statutes is amended to read:

2           218.05 (12) (b) The ~~commissioner~~ division may revoke only the particular  
3 license with respect to which grounds for revocation may occur or exist, or if the  
4 ~~commissioner~~ division shall find that such grounds for revocation are of general  
5 application to all offices or to more than one office operated by such licensee, the  
6 ~~commissioner~~ division may revoke all of the licenses issued to such licensee or such  
7 number of licenses to which such grounds apply.

8           **SECTION 5964.** 218.05 (12) (c) of the statutes is amended to read:

9           218.05 (12) (c) A licensee may surrender any license by delivering to the  
10 ~~commissioner~~ division written notice that the licensee surrenders such license, but  
11 such surrender shall not affect such licensee's civil or criminal liability for acts  
12 committed prior to such surrender, or affect the licensee's bond, or entitle such  
13 licensee to a return of any part of the annual license fee.

14           **SECTION 5965.** 218.05 (12) (d) of the statutes is amended to read:

15           218.05 (12) (d) Every license issued hereunder shall remain in force until the  
16 same has been surrendered or revoked in accordance with this section, but the  
17 ~~commissioner~~ division may on the ~~commissioner's~~ division's own motion issue new  
18 licenses to a licensee whose license or licenses shall have been revoked if no fact or  
19 condition then exists which clearly would have warranted the ~~commissioner~~ division  
20 in refusing originally the issuance of such license under this section.

21           **SECTION 5966.** 218.05 (12) (e) of the statutes is amended to read:

22           218.05 (12) (e) No license shall be revoked until the licensee has had notice of  
23 a hearing thereon and an opportunity to be heard. When any license is so revoked,  
24 the ~~commissioner~~ division shall within 20 days thereafter, prepare and keep on file  
25 ~~in the commissioner's office~~ with the division, a written order or decision of

1 revocation which shall contain the ~~commissioner's~~ division's findings with respect  
2 thereto and the reasons supporting the revocation and shall send by mail a copy  
3 thereof to the licensee at the address set forth in the license within 5 days after the  
4 filing ~~in the commissioner's office~~ with the division of such order, finding or decision.

5 **SECTION 5967.** 218.05 (13) of the statutes is amended to read:

6 218.05 (13) REVIEW OF ORDERS. Any person aggrieved by any order of the  
7 ~~commissioner~~ division made under this section may have a review thereof by the  
8 consumer credit review board under s. 220.037.

9 **SECTION 5968.** 218.05 (14) (a) of the statutes is amended to read:

10 218.05 (14) (a) A licensee shall annually, on or before February 15, file a report  
11 with the ~~commissioner~~ division that shall be used only for the official purposes of the  
12 ~~commissioner~~ division giving relevant information that the ~~commissioner~~ division  
13 may reasonably require concerning, and for the purpose of examining, the business  
14 and operations during the preceding calendar year of each licensed place of business  
15 conducted by the licensee within this state. The report shall be made under oath and  
16 shall be in the form prescribed by the ~~commissioner~~ division.

17 **SECTION 5969.** 218.05 (14) (b) 1. of the statutes is amended to read:

18 218.05 (14) (b) 1. A licensee shall keep books, accounts and records to enable  
19 the ~~commissioner~~ division to determine if the licensee is complying with this section  
20 and with rules promulgated by and orders issued by the ~~commissioner~~ division.

21 **SECTION 5970.** 218.05 (14) (b) 2. of the statutes is amended to read:

22 218.05 (14) (b) 2. A licensee shall keep within this state the books, accounts and  
23 records required by this paragraph at the licensee's place of business or a place  
24 readily accessible to the ~~commissioner or examiners~~ division.

25 **SECTION 5971.** 218.05 (14) (c) 1. of the statutes is amended to read:

1           218.05 (14) (c) 1. The ~~commissioner~~ division may investigate the business and  
2           examine the books, accounts and records of a licensee at any time. For that purpose,  
3           the ~~commissioner~~ division shall have free access to the offices and places of business  
4           and to the books, accounts and records of a licensee. The ~~commissioner~~ division may  
5           examine any person under oath or affirmation whose testimony the ~~commissioner~~  
6           division requires relative to the licensee. ~~The commissioner or a designated~~  
7           representative An employe of the division may administer an oath or affirmation to  
8           a person called as a witness. ~~The commissioner or the commissioner's representative~~  
9           An employe of the division may conduct the examination.

10           **SECTION 5972.** 218.05 (14) (c) 2. of the statutes is amended to read:

11           218.05 (14) (c) 2. The ~~commissioner~~ division shall determine the cost of an  
12           examination. A licensee shall pay the cost of an examination within 30 days after  
13           the ~~commissioner~~ division demands payment.

14           **SECTION 5973.** 218.14 (1) (a) of the statutes is amended to read:

15           218.14 (1) (a) That the primary housing unit meets those standards prescribed  
16           by law or administrative rule of the department of administration or of the  
17           department of ~~industry, labor and human relations~~ development, which are in effect  
18           at the time of its manufacture.

19           **SECTION 5974b.** 218.165 (1) of the statutes is amended to read:

20           218.165 (1) The importation of a primary housing unit for sale in this state by  
21           an out-of-state manufacturer is deemed an irrevocable appointment by that  
22           manufacturer of the ~~secretary of state~~ department of financial institutions to be that  
23           manufacturer's true and lawful attorney upon whom may be served all legal  
24           processes in any action or proceeding against such manufacturer arising out of the  
25           importation of such primary housing unit into this state.

1           **SECTION 5975b.** 218.165 (2) of the statutes is amended to read:

2           218.165 (2) The ~~secretary of state~~ department of financial institutions upon  
3 whom processes and notices may be served under this section shall, upon being  
4 served with such process or notice, mail a copy by registered mail to the out-of-state  
5 manufacturer at the nonresident address given in the papers so served. The original  
6 shall be returned with proper certificate of service attached for filing in court as proof  
7 of service. The service fee shall be \$4 for each defendant so served. The ~~secretary~~  
8 ~~of state~~ department of financial institutions shall keep a record of all such processes  
9 and notices, which record shall show the day and hour of service.

10           **SECTION 5976.** 219.09 of the statutes is amended to read:

11           **219.09** (title) ~~Local exposition~~ Certain district and authority bonds as  
12 **legal investments and security.** (1) A bank, trust company, savings bank or  
13 institution, savings and loan association, credit union or investment company or a  
14 personal representative, guardian, trustee or other fiduciary may legally invest any  
15 moneys or funds belonging to or within that person's control in bonds issued by a any  
16 of the following:

17           (a) A local exposition district under subch. II of ch. 229.

18           (2) This section shall not be construed as relieving any person of any duty of  
19 exercising any required level of care in selecting securities.

20           **SECTION 5977.** 219.09 (1) (b) of the statutes is created to read:

21           219.09 (1) (b) The University of Wisconsin Hospitals and Clinics Authority.

22           **SECTION 5978.** 220.01 (1m) of the statutes is created to read:

23           220.01 (1m) "Division" means the division of banking.

24           **SECTION 5979.** 220.02 (title) of the statutes is amended to read:

25           **220.02** (title) ~~Commissioner of banking~~ Division; duties.

1           **SECTION 5980.** 220.02 (1) of the statutes is repealed.

2           **SECTION 5981.** 220.02 (2) (intro.) of the statutes is amended to read:

3           220.02 (2) (intro.) The ~~commissioner of banking~~ division shall enforce all laws  
4 relating to banks and banking in this state, and shall enforce and cause to be enforced  
5 every law relating to the supervision and control thereof, including those relating to:

6           **SECTION 5982.** 220.02 (3) of the statutes is amended to read:

7           220.02 (3) It is the intent of sub. (2) to give the ~~commissioner of banking~~ division  
8 jurisdiction to enforce and carry out all laws relating to banks or banking in this  
9 state, including those relating to state banks, trust company banks, and also all laws  
10 relating to small loan companies or other loan companies or agencies, finance  
11 companies, motor vehicle dealers, adjustment service companies, community  
12 currency exchanges and collection agencies and those relating to sellers of checks  
13 under ch. 217, whether doing business as corporations, individuals or otherwise, but  
14 to exclude laws relating to credit unions, ~~savings banks and savings and loan~~  
15 ~~associations.~~

16           **SECTION 5983.** 220.02 (5) of the statutes is amended to read:

17           220.02 (5) Except as otherwise provided in s. 220.037, any interested person  
18 or any bank or banking corporation aggrieved by an act, order or determination of  
19 the ~~commissioner~~ division may, within 10 days from the date thereof, apply to the  
20 banking review board to review the same. All such applications for review shall be  
21 considered and disposed of as speedily as possible. The banking review board may  
22 require the ~~commissioner~~ division to submit any of the ~~commissioner's official~~  
23 division's actions subject to such review to said board for its approval.

24           **SECTION 5984.** 220.02 (6) of the statutes is repealed.

25           **SECTION 5985.** 220.035 (1) (a) of the statutes is amended to read:

1           220.035 (1) (a) The banking review board shall advise the ~~commissioner of~~  
2 ~~banking~~ division and others in respect to improvement in the condition and service  
3 of banks and banking business in this state and shall review the acts and decisions  
4 of the ~~commissioner of banking~~ division with respect to banks, except for such acts  
5 and decisions subject to review under s. 220.037, and shall perform such other review  
6 functions in relation to banking as are provided by law. The banking review board  
7 may require the ~~commissioner of banking~~ division to submit any of the  
8 ~~commissioner's official~~ division's actions to it for its approval. The board may make  
9 rules of procedure as provided in ch. 227.

10           **SECTION 5986.** 220.035 (1) (b) of the statutes is amended to read:

11           220.035 (1) (b) Any interested person aggrieved by any act, order or  
12 determination of the ~~commissioner of banking~~ division may apply for review thereof  
13 by filing a petition with the secretary of the board within 10 days after the act, order  
14 or determination to be reviewed, which petition shall state the nature of the  
15 petitioner's interest, facts showing that petitioner is aggrieved and directly affected  
16 by the act, order or determination to be reviewed and the ground or grounds upon  
17 which petitioner claims that the act, order or determination should be modified or  
18 reversed. The issues raised by the petition for review shall be considered by the  
19 board upon giving at least 10 days' written notice of the time and place when said  
20 matter will be heard to the ~~commissioner~~ division and the person applying for review  
21 or that person's attorney and upon any other person who participated in the  
22 proceedings before the ~~commissioner~~ division or that other person's attorney. Notice  
23 of hearing may be given by registered mail, return receipt requested, and the return  
24 receipt signed by the addressee or the addressee's agent shall be presumptive  
25 evidence that such notice was received by the addressee on the day stated on the

1 receipt. Any other interested party shall have the right to appear in any proceeding  
2 before the board.

3 **SECTION 5987.** 220.035 (1) (c) of the statutes is amended to read:

4 220.035 (1) (c) The board shall base its determination upon the record made  
5 by the ~~commissioner~~ division and may also receive additional evidence to  
6 supplement such record if it finds it necessary. The board shall affirm, modify or  
7 reverse the act, order or determination under review. The burden of overcoming the  
8 act, order or determination of the ~~commissioner~~ division under review shall be on the  
9 person seeking the review. Any findings of fact made by the ~~commissioner~~ division  
10 shall be sustained if supported by substantial evidence in the record made by the  
11 ~~commissioner~~ division or in such record supplemented by evidence taken by the  
12 board. The board shall have the powers granted by s. 885.01 (4). Any person causing  
13 a witness to be subpoenaed shall advance and pay the fees and mileage of such  
14 witness which shall be the same as in circuit court. The fees and mileage of witnesses  
15 who are called at the instance of the ~~commissioner~~ division shall be paid by the state  
16 in the same manner that other expenses are audited and paid upon presentation of  
17 properly verified vouchers approved by at least one member of the board and charged  
18 to the appropriation of the ~~office of the commissioner of banking~~ division.

19 **SECTION 5988.** 220.035 (1) (d) of the statutes is amended to read:

20 220.035 (1) (d) Each member of the board and all employes of the board shall,  
21 with respect to the disclosure of information concerning banks, be subject to the same  
22 requirements and penalties as the ~~commissioner of banking~~ employes of the division.

23 **SECTION 5989.** 220.035 (4) of the statutes is amended to read:

24 220.035 (4) The board shall have an office in the quarters of the ~~commissioner~~  
25 ~~of banking~~ division. The board's secretary shall keep a record of the meetings of the

1 board and of all hearings, decisions, orders and determinations of the board. The  
2 board may make reasonable rules not inconsistent with law as to the time of  
3 meetings, time of hearings, notice of hearings and manner of conducting same and  
4 of deciding the matters presented. The board may direct that hearings and  
5 testimony be taken by any member of the board or by an examiner designated by the  
6 board.

7 **SECTION 5990.** 220.037 (1) of the statutes is amended to read:

8 220.037 (1) ~~The commissioner shall delegate a~~ A department employe to shall  
9 keep and preserve the records of the consumer credit review board. The division  
10 administrator may call a special meeting of the consumer credit review board.

11 **SECTION 5991.** 220.037 (2) of the statutes is amended to read:

12 220.037 (2) The consumer credit review board shall counsel, advise with and  
13 review the acts and decisions of the ~~commissioner of banking~~ division under chs. 138,  
14 217 and 218. In performing such review functions, the board shall have all the  
15 powers granted to the banking review board under s. 220.035 (1) and its final orders  
16 and determinations shall be subject to judicial review under ch. 227. The board may  
17 establish rules of procedure in accordance with ch. 227.

18 **SECTION 5992.** 220.04 (title) of the statutes is amended to read:

19 **220.04 (title) Powers of ~~commissioner~~ division.**

20 **SECTION 5993.** 220.04 (1) (a) of the statutes is amended to read:

21 220.04 (1) (a) ~~The commissioner of banking or any deputy or examiner~~ division  
22 shall examine at least once in each year the cash, bills, collaterals, securities, assets,  
23 books of account, condition and affairs of each bank and trust company bank doing  
24 business in this state, except national banks. For that purpose the ~~commissioner~~  
25 division may examine on oath any of the officers, agents, directors, clerks,

1 stockholders, customers or depositors thereof, touching the affairs and business of  
2 such institution. In making such examinations of banks, the ~~commissioner~~ division  
3 shall determine the fair valuation of all assets in accordance with the schedules,  
4 rules and regulations prescribed by the banking review board.

5 **SECTION 5994.** 220.04 (1) (b) of the statutes is amended to read:

6 220.04 (1) (b) In lieu of any examination required to be made by the  
7 ~~commissioner~~ division, the ~~commissioner~~ division may accept any examination that  
8 may have been made of any bank or trust company bank within a reasonable period  
9 by the federal deposit insurance corporation or a federal reserve bank, provided a  
10 copy of the examination is furnished the ~~commissioner~~ division.

11 **SECTION 5995.** 220.04 (2) of the statutes is amended to read:

12 220.04 (2) The ~~commissioner~~ division shall examine, or cause to be examined,  
13 any bank when requested by the board of directors of such bank. The ~~commissioner~~  
14 division shall also ascertain whether such bank transacts its business at the place  
15 designated in the articles of incorporation, and whether its business is conducted in  
16 the manner prescribed by law.

17 **SECTION 5996.** 220.04 (3) of the statutes is amended to read:

18 220.04 (3) The ~~commissioner or deputy commissioner~~ division may, in the  
19 performance of ~~his or her~~ official duties, issue subpoenas and administer oaths. In  
20 case of any refusal to obey a subpoena issued by the ~~commissioner or deputy~~  
21 ~~commissioner~~ division, the refusal shall be reported at once to the circuit court of the  
22 circuit in which the bank is located. The court shall enforce obedience to the  
23 subpoena in the manner provided by law for enforcing obedience to subpoenas of the  
24 court.

25 **SECTION 5997.** 220.04 (4) of the statutes is amended to read:

1           220.04 (4) Whenever the ~~commissioner~~ division is of the opinion that the  
2    loaning, investing or other banking policies or practices of any officer or director of  
3    any bank have been prejudicial to the best interests of such bank or its depositors,  
4    or that such policies or practices, if put into operation or continued, will endanger the  
5    safety or solvency of said bank or impair the interests of its depositors, the  
6    ~~commissioner~~ division may, with the approval of the banking review board, request  
7    the removal of such officer or director. Such request shall be served on the bank and  
8    on such officer or director in the manner provided by law for serving a summons in  
9    a court of record or shall be transmitted to said bank and officer or director by  
10   registered mail with return receipt requested. If such request for removal is not  
11   complied with within a reasonable time fixed by the ~~commissioner~~ division, the  
12   ~~commissioner~~ division may by order, with like approval of the banking review board,  
13   remove such officer or director, but no order of removal shall be entered until after  
14   an opportunity for hearing before the banking review board is given to such officer  
15   or director upon not less than 10 days' notice. An order of removal shall take effect  
16   as of the date issued. A copy of such order shall be served upon the bank and upon  
17   such officer or director in the manner provided by law for service of a summons in  
18   a court of record or by mailing such copy to the bank or officer or director at the bank's  
19   or officer's or director's last-known post-office address. Any removal under this  
20   subsection shall be effective in all respects the same as if made by the board of  
21   directors or stockholders of said bank. Any officer or director removed from office  
22   under the provisions of this subsection shall not be reelected as an officer or director  
23   of any bank without the approval of the ~~commissioner~~ division and the banking  
24   review board. An order of removal under this subsection shall be deemed a final

1 order or determination of the banking review board within the meaning and  
2 contemplation of s. 220.035 (3).

3 **SECTION 5998.** 220.04 (5) of the statutes is amended to read:

4 220.04 (5) The ~~commissioner~~ division, in connection with the liquidation of any  
5 bank or banking corporation or when called upon to approve any plan of  
6 reorganization and stabilization thereof or when the ~~commissioner~~ division is  
7 satisfied the interests of the depositors and creditors in assets held under any trust  
8 arrangement so require in connection with such reorganization and stabilization,  
9 may cause the bank or banking corporation or trust to be audited. The expense of  
10 the audit shall, upon the certificate of the ~~commissioner~~ division, be refunded  
11 forthwith to the ~~office of the commissioner of banking~~ division by the bank, banking  
12 corporation or the trustees out of the assets of the bank, banking corporation or trust.  
13 Such charges shall be a preferred claim against the assets.

14 **SECTION 5999.** 220.04 (6) (a) of the statutes is amended to read:

15 220.04 (6) (a) The ~~commissioner~~ division, with the approval of the banking  
16 review board, may establish uniform savings rules which shall be adopted by every  
17 bank and trust company bank. Such rules may provide the conditions under which  
18 banks or trust company banks may accept time deposits and the methods of figuring  
19 interest. Such rules may also provide the term of notice of withdrawal and the  
20 amounts which may be withdrawn by depositors, which conditions the bank may put  
21 in force in times of financial stress by action of its board of directors. The maximum  
22 rate of interest on deposits paid by banks whose deposits are not insured by the  
23 federal deposit insurance corporation, whether certificates of deposit or book savings  
24 deposits, shall be the same as the rate set by the federal deposit insurance  
25 corporation for banks whose deposits are insured by it.

1           **SECTION 6000.** 220.04 (6) (d) of the statutes is amended to read:

2           220.04 (6) (d) The ~~commissioner of banking~~ division, with the approval of the  
3 banking review board, may establish rules regulating the kind and amount of foreign  
4 bonds or bonds and securities offered for sale by the international bank for  
5 reconstruction and development, the inter-American development bank, the  
6 international finance corporation, the African development bank and the Asian  
7 development bank which state banks and trust company banks may purchase,  
8 except that such rules shall not apply to bonds and securities of the Canadian  
9 government and Canadian provinces, which are payable in American funds.

10           **SECTION 6001.** 220.04 (7) (b) (intro.) of the statutes is amended to read:

11           220.04 (7) (b) (intro.) The ~~commissioner of banking~~ division may, with the  
12 approval of the banking review board, establish uniform rules regulating  
13 organizations engaging in fiduciary operations. Such rules may:

14           **SECTION 6002.** 220.04 (7) (b) 1. of the statutes is amended to read:

15           220.04 (7) (b) 1. Authorize the ~~office of the commissioner of banking~~ division  
16 or any other state agency having jurisdiction over the organization to require the  
17 organization to submit periodic reports, in such form and containing such  
18 information as the ~~commissioner of banking~~ division may prescribe, regarding the  
19 organization's fiduciary operations.

20           **SECTION 6003.** 220.04 (8) of the statutes is amended to read:

21           220.04 (8) Unless the ~~commissioner~~ division is expressly restricted by statute  
22 from acting under this subsection with respect to a specific power, right or privilege,  
23 the ~~commissioner of banking~~ division by rule may, with the approval of the banking  
24 review board, authorize state banks to exercise any power under the notice,  
25 disclosure or procedural requirements governing national banks or to make any loan

**SECTION 6003**

1 or investment or exercise any right, power or privilege permitted national banks  
2 under federal law, regulation or interpretation. Notice, disclosure and procedures  
3 prescribed by statute which may be modified by a rule adopted under this subsection  
4 include, but are not limited to, those provided under s. 138.056. A rule adopted under  
5 this subsection may not affect s. 138.041 or chs. 421 to 428 or restrict powers  
6 specifically granted state banks under this chapter or ch. 221 or 224.

7 **SECTION 6004.** 220.04 (9) (a) 2. of the statutes is amended to read:

8 220.04 (9) (a) 2. "Regulated entity" means a bank, trust company bank and any  
9 other entity which is described in s. 220.02 (2) or 221.56 as under the supervision and  
10 control of the ~~commissioner of banking~~ division.

11 **SECTION 6005.** 220.04 (9) (b) (intro.) of the statutes is amended to read:

12 220.04 (9) (b) *Notice of hearing.* (intro.) The ~~commissioner~~ division may serve  
13 a notice of a hearing which complies with s. 227.44 (1) and (2) on an official or  
14 regulated entity if, as a result of an examination or report made to the ~~commissioner~~  
15 division, the ~~commissioner~~ division determines any of the following:

16 **SECTION 6006.** 220.04 (9) (b) 1. of the statutes is amended to read:

17 220.04 (9) (b) 1. The official or regulated entity is violating or is about to violate  
18 the banking laws of this state or any rule or order issued by the ~~commissioner~~  
19 division.

20 **SECTION 6007.** 220.04 (9) (b) 3. of the statutes is amended to read:

21 220.04 (9) (b) 3. An official is violating or is about to violate a written condition  
22 which the ~~commissioner~~ division imposed in connection with granting an application  
23 or request by the regulated entity, or a written agreement entered into with the  
24 ~~commissioner~~ division.

25 **SECTION 6008.** 220.04 (9) (d) of the statutes is amended to read:

1           220.04 (9) (d) *Cease and desist order*. If the recipient of a notice of hearing fails  
2 to appear or if upon the record made at the hearing the ~~commissioner~~ division finds  
3 that a violation or unsafe or unsound practice has been established, the  
4 ~~commissioner~~ division may issue and serve on the official or regulated entity an order  
5 to cease and desist from the violation or practice. The order may require the official  
6 or regulated entity to correct the conditions resulting from the violation or practice.  
7 An order issued under this paragraph is effective upon service on the official or  
8 regulated entity named in the order and may be appealed under s. 220.035.

9           **SECTION 6009.** 220.04 (9) (e) 1. of the statutes is amended to read:

10           220.04 (9) (e) 1. If the ~~commissioner~~ division finds that a violation or practice  
11 described in par. (b) is likely to cause insolvency or substantial dissipation of assets  
12 or earnings of the regulated entity or seriously prejudice the interests of its  
13 depositors, the ~~commissioner~~ division may issue a temporary order requiring the  
14 official or regulated entity named in the notice of hearing to cease and desist from  
15 the violation or practice and to take affirmative action to prevent insolvency,  
16 dissipation of assets or earnings or prejudice to depositors pending completion of the  
17 proceedings. The temporary order is effective upon service on the official or  
18 regulated entity named in the notice of hearing and remains effective and  
19 enforceable pending completion of the administrative proceedings unless  
20 suspended, set aside or limited by a court as provided in subd. 2.

21           **SECTION 6010.** 220.04 (9) (f) 1. of the statutes is amended to read:

22           220.04 (9) (f) 1. As part of an order issued under par. (d), the ~~commissioner~~  
23 division may impose a forfeiture of up to \$10,000 for each violation or practice under  
24 par. (b).

25           **SECTION 6011.** 220.04 (9) (g) (intro.) of the statutes is amended to read:

**SECTION 6011**

1           220.04 (9) (g) *Enforcement.* (intro.) The ~~commissioner~~ division may institute  
2 proceedings to recover a forfeiture under par. (f) or to enjoin the violation of an order  
3 issued under par. (d) and, after notice and opportunity for a hearing as provided in  
4 sub. (4), may order the removal of an official who commits a violation or engages in  
5 a practice under par. (b) or who violates an order issued under par. (d), if the  
6 ~~commissioner~~ division finds that the practice or violation involves personal  
7 dishonesty resulting in financial gain to the official or demonstrates a wilful or  
8 continuing disregard for the safety or soundness of the regulated entity, and the  
9 ~~commissioner~~ division finds any of the following:

10           **SECTION 6012.** 220.04 (10) of the statutes is amended to read:

11           220.04 (10) If it appears to the ~~commissioner of banking~~ division that a person  
12 has engaged or is about to engage in an act or practice constituting a violation of the  
13 laws of this state relating to banks and banking, including this chapter, chs. 217, 218  
14 and 221 to 224 and s. 138.09, or a rule promulgated or order issued under those laws,  
15 the ~~commissioner~~ division may bring an action in the name of the state in the circuit  
16 court of the appropriate county to enjoin the acts or practices and to enforce  
17 compliance with the laws, rules or orders, or the ~~commissioner~~ division may refer the  
18 matter to the district attorney of the appropriate county or, if the alleged violation  
19 may be enforced by the attorney general under s. 220.12, 221.18, 221.205, 221.28 or  
20 224.06 (7) or is statewide in nature, to the attorney general. Upon a proper showing,  
21 the court may grant a permanent or temporary injunction or restraining order,  
22 appoint a receiver for the defendant or the defendant's assets or order rescission of  
23 any acts determined to be unlawful. The court may not require the ~~commissioner~~  
24 division to post a bond.

25           **SECTION 6013.** 220.05 (title) of the statutes is amended to read:

1           **220.05** (title) **Examination fees; ~~assessment by commissioner and~~**  
2 **assessments.**

3           **SECTION 6014.** 220.05 (1) of the statutes is amended to read:

4           220.05 (1) The ~~commissioner of banking~~ division shall assess each state bank  
5 and trust company bank for the cost of each examination made, which cost shall be  
6 determined by the ~~commissioner~~ division and shall include the salaries and expenses  
7 of all examiners and other employes of the ~~commissioner~~ division actively engaged  
8 in such an examination, the salaries and expenses of the ~~commissioner, review~~  
9 ~~examiner or~~ any other person whose services are required in connection with such  
10 examination and any reports thereof, and any other expenses which may be directly  
11 apportioned. Any charge so made shall be paid within 30 days from the time the bank  
12 receives notice of the assessment.

13           **SECTION 6015.** 220.05 (2) of the statutes is amended to read:

14           220.05 (2) On or before July 15 of each year, each state bank and trust company  
15 bank shall pay to the ~~commissioner~~ division an annual assessment for the  
16 maintenance of the functions of the ~~office of the commissioner of banking~~ division in  
17 an amount to be determined by the banking review board, but which shall not exceed  
18 8 cents per \$1,000 of resources, or part thereof, for the first \$5,000,000 and shall not  
19 exceed 6 cents per \$1,000, or part thereof, for all resources over \$5,000,000.

20           **SECTION 6016.** 220.05 (5) of the statutes is amended to read:

21           220.05 (5) Whenever in the judgment of the ~~commissioner~~ division, the  
22 condition or conduct of any bank renders it necessary or expedient to make an extra  
23 examination or to devote any extraordinary attention to its affairs, the ~~commissioner~~  
24 division shall have the authority to make any and all necessary extra examinations  
25 and audits or partial audits and to devote any necessary attention to the conduct of

**SECTION 6016**

1 its affairs; and such bank shall pay for each additional examination, and for each  
2 audit or partial audit, the actual cost thereof. Where an audit or partial audit is  
3 ordered, the actual reasonable cost of auditors shall be charged. Before directing any  
4 examination in excess of 2 or any audit or partial audit, the ~~commissioner~~ division  
5 shall examine the audits and examinations of any clearing house association as to  
6 the bank in question which may be furnished to it and shall avoid duplication of  
7 examinations, audits or partial audits wherever reasonably possible. In case of  
8 audits or partial audits for which a charge may be made under the provisions of this  
9 section, the ~~commissioner~~ division shall promptly send a copy to the bank and the  
10 bank shall pay the reasonable cost thereof. When the ~~commissioner~~ division delivers  
11 to a bank a copy of any examination, audit or partial audit, the ~~commissioner~~ division  
12 may by letter accompanying same require the bank to have the receipt of same  
13 acknowledged in the record of the next meeting of directors of the bank and may  
14 require that there be sent to the ~~commissioner~~ division a certified copy of action by  
15 the directors showing that all the directors of the bank have read said copy and are  
16 familiar with its contents and have signed a statement to such effect on the copy  
17 received by the bank and may require that a duplicate of such signed statement  
18 signed by all directors to be sent to the ~~commissioner~~ division to be attached to and  
19 filed with the original of such examination, audit or partial audit on file ~~in~~ with the  
20 ~~office~~ division. Failure of the bank or its board of directors or any of them to comply  
21 with any such order or direction of the ~~commissioner~~ division within a reasonable  
22 time fixed by it shall be sufficient ground for the taking of possession of said bank  
23 by the ~~commissioner~~ division and liquidating said bank under s. 220.08.

24 **SECTION 6017.** 220.05 (6) of the statutes is amended to read:

**SECTION 6017**

1           220.05 (6) Any bank or trust company holding any property in trust or in any  
2 fiduciary capacity or as custodian or bailee shall pay in addition to said fees and  
3 assessments provided for in sub. (2) the actual reasonable cost of any and all  
4 examinations (whether or not they are in excess of 2 in any one year) conducted by  
5 ~~the office of the commissioner of banking~~ division of the books, records and business  
6 of said bank or trust company insofar as they relate to said property held in trust or  
7 other fiduciary capacity or as custodian or bailee, said cost to include a fair charge  
8 for time of assistants and office overhead and to be determined by the ~~commissioner~~  
9 division within a reasonable time after each said examination has been completed.  
10 A statement of such charge shall be promptly sent to said bank or trust company.  
11 Each such bank or trust company shall pay such charge within 10 days after receipt  
12 of such statement. Said cost shall include the cost of furnishing copy to the bank or  
13 trust company.

14           **SECTION 6018.** 220.06 (1) of the statutes is amended to read:

15           220.06 (1) In this section, "licensee" means a person licensed by the  
16 ~~commissioner of banking~~ division under ch. 138, 217 or 218.

17           **SECTION 6019.** 220.06 (1m) of the statutes is amended to read:

18           220.06 (1m) No ~~commissioner of banking, deputy, assistant deputy or~~  
19 ~~examiner~~ division employe may examine a bank or licensee in which ~~such~~ that  
20 person is interested as a stockholder, officer or employe. No ~~commissioner, deputy,~~  
21 ~~assistant deputy or examiner~~ division employe may examine a bank or licensee  
22 located in the same village, city or county with any bank or licensee in which ~~such~~  
23 that person is so interested. ~~The commissioner of banking, deputy, assistant~~  
24 ~~deputies and every employe~~ Employes in the office of the commissioner division, and  
25 each member and employe of the banking review board, shall keep secret all facts and

**SECTION 6019**

1 information obtained in the course of examinations or from reports not under s.  
2 221.15 (1) filed by a bank or licensee with the ~~office of the commissioner of banking~~  
3 division, except so far as the public duty of the ~~officer~~ person requires reporting upon  
4 or taking special action regarding the affairs of any bank or licensee, and except  
5 when called as a witness in any criminal proceeding or trial in a court of justice. The  
6 ~~commissioner~~ division may furnish to the federal deposit insurance corporation or  
7 to any regulatory authority for state or federal financial institutions, insurance or  
8 securities a copy of any examination made of any such bank or licensee or of any  
9 report made by such bank or licensee and may give access to and disclose to the  
10 corporation or to any regulatory authority for state or federal financial institutions,  
11 insurance or securities any information possessed by the ~~commissioner~~ division with  
12 reference to the conditions or affairs of any such insured bank or licensee if the  
13 regulatory authority agrees to treat all information received with the same degree  
14 of confidentiality as applies to reports of examination that are in the custody of the  
15 ~~commissioner~~ division.

16 **SECTION 6020.** 220.06 (2) of the statutes is amended to read:

17 220.06 (2) If any ~~commissioner, deputy, assistant deputy, examiner or other~~  
18 employe in such office the division or any member of the banking review board or any  
19 employe thereof discloses the name of any debtor of any bank or licensee, or anything  
20 relative to the private account or transactions of such bank or licensee, or any fact  
21 obtained in the course of any examination of any bank or licensee, except as herein  
22 provided, ~~he or she~~ that person shall be subject, upon conviction, to forfeiture of  
23 office, or position and to the payment of a fine of not less than \$100 nor more than  
24 \$1,000, or imprisonment in the Wisconsin state prisons not less than 6 months nor  
25 more than 2 years, or both.

**SECTION 6021**

1           **SECTION 6021.** 220.06 (3) (a) of the statutes is amended to read:

2           220.06 (3) (a) Examination reports possessed by a bank or licensee are  
3 confidential, remain the property of the ~~office of the commissioner of banking~~  
4 division and are returnable immediately on request of the office division.

5           **SECTION 6022.** 220.065 of the statutes is amended to read:

6           **220.065** (title) **Immunity of commissioner.** ~~The commissioner of banking~~  
7 Employes of the division shall not be subject to any civil liability or penalty, nor to  
8 any criminal prosecution, for any error in judgment or discretion made in good faith  
9 and upon reasonable grounds in any action taken or omitted by the ~~commissioner~~  
10 division in the ~~commissioner's~~ division's official capacity under the provisions of chs.  
11 220 to 224.

12           **SECTION 6023.** 220.07 (1) of the statutes is amended to read:

13           220.07 (1) (title) ~~CAPITAL IMPAIRED; DUTY OF COMMISSIONER; DEFICIENCY.~~  
14 Whenever the ~~commissioner of banking~~ division determines that the capital of any  
15 bank is impaired or reduced below the amount required by law or the articles of  
16 incorporation, or below the amount certified to the ~~commissioner~~ division as paid in,  
17 the ~~commissioner~~ division may require such bank ~~under his or her hand and seal of~~  
18 ~~office~~ to make good such impairment or deficiency within 60 days after the date of  
19 such requisition. In any case, where the capital of a bank becomes impaired or  
20 reduced below the amount required by law or the articles of incorporation, the board  
21 of directors of such bank may make a proportional assessment upon all of the stock  
22 of the bank to make good such deficiency, and may provide that the amount of such  
23 deficiency shall be due and payable at a time to be fixed by such board of directors,  
24 which time shall be not less than 10 days after notice of the assessment. Notice to  
25 stockholders residing in another state shall be given by registered mail and a return

1 receipt demanded. If any stockholder fails or neglects to pay the amount of the  
2 assessment against his or her stock for 10 days after the assessment becomes due and  
3 payable, the directors of the bank may offer the stock for sale, and sell the stock at  
4 public sale upon 10 days' notice to be given by posting copies of the notice of sale in  
5 5 public places in the town, village or city where the bank is located. Upon the sale,  
6 the purchaser shall forthwith pay the amount of the assessment against the stock.  
7 The amount received from the sale of the stock, less the cost and expenses of the sale,  
8 shall be paid to the original owner of the stock.

9 **SECTION 6024.** 220.07 (2) of the statutes is amended to read:

10 220.07 (2) (title) REVIEW OF ~~COMMISSIONER'S~~ ORDER. In any case where the  
11 ~~commissioner~~ division has made an order requiring capital to be made good, the bank  
12 may within 10 days after the making of said order secure a review of same by the  
13 banking review board by filing ~~in the office of the commissioner~~ with the division a  
14 statement requesting such review and stating the grounds of objection to the order  
15 of the ~~commissioner~~ division. Said board shall promptly conduct a hearing thereon  
16 after affording reasonable notice to the bank and shall affirm, modify or set aside the  
17 order of the ~~commissioner~~ division. No such review or hearing shall extend the time  
18 for compliance with the order of the ~~commissioner~~ division unless the banking review  
19 board shall so direct.

20 **SECTION 6025.** 220.075 (1) of the statutes is amended to read:

21 220.075 (1) If the ~~commissioner~~ division finds that the average of deposits for  
22 a fiscal year, as computed under sub. (2), in a bank exceed an amount equal to 15  
23 times the unimpaired capital and the undistributed surplus of the bank, the  
24 ~~commissioner~~ division shall order the bank to increase its capital or surplus or both.  
25 The order shall provide that within one year the total unimpaired capital and

1 undistributed surplus shall exceed one-fifteenth of the average deposits as reported  
2 in accordance with this section. For purposes of making calculations under this  
3 subsection, a bank shall subtract from undistributed surplus that amount of all  
4 items classified by the ~~commissioner~~ division as doubtful or loss which exceeds the  
5 bank's undivided profits and loan loss reserves.

6 **SECTION 6026.** 220.075 (3) of the statutes is amended to read:

7 220.075 (3) On or before April 15 annually, each bank shall file with the  
8 ~~commissioner~~ division a report, in the form required by the ~~commissioner~~ division,  
9 which discloses the unimpaired capital, the undistributed surplus and the average  
10 of actual deposits, average of cash and cash equipment items and average of deposits  
11 for the fiscal year ending at the close of business on March 31 of the same year.

12 **SECTION 6027.** 220.075 (4) of the statutes is amended to read:

13 220.075 (4) Any bank failing to file a report as required by this section shall  
14 be subject, at the discretion of the ~~commissioner~~ division, to a forfeiture of \$100 for  
15 each day after the due date of the report until the report is filed. A bank's failure to  
16 comply with an order issued by the ~~commissioner~~ division under this section is cause  
17 for forfeiture of the bank's charter or for the removal of its officers or directors.

18 **SECTION 6028.** 220.08 (title) of the statutes is amended to read:

19 **220.08 (title) Delinquent banks; ~~commissioner~~ division may take**  
20 **possession.**

21 **SECTION 6029.** 220.08 (1) of the statutes is amended to read:

22 220.08 (1) Whenever it shall appear to the ~~commissioner of banking~~ division  
23 that any bank or banking corporation to which this chapter is applicable has violated  
24 its charter or any law of the state, or is conducting its business in an unsafe or  
25 unauthorized manner, or if the capital of any such bank or banking corporation is

**SECTION 6029**

1 impaired, or if any such bank or banking corporation shall refuse to submit its books,  
2 papers, and concerns to the inspection of any examiner, or if any officer thereof shall  
3 refuse to be examined upon oath touching the concerns of any such bank or banking  
4 corporation, or if any such bank or banking corporation shall suspend payment of its  
5 obligations, or if from any examination or report provided for by this chapter the  
6 ~~commissioner~~ division shall have reason to conclude that such bank or banking  
7 corporation is in an unsound or unsafe condition to transact the business for which  
8 it is organized, or that it is unsafe and inexpedient for it to continue business, or if  
9 any such bank or banking corporation shall neglect or refuse to observe an order of  
10 the ~~commissioner~~ division, specified in s. 220.07, or if the ~~commissioner~~ division shall  
11 find that the management of the bank or the manner in which the work of any of its  
12 officers or employes is done, if continued, is such as to endanger the safety or solvency  
13 of the bank and the ~~commissioner~~ division shall have made written  
14 recommendations for change in management or officers and employes and such  
15 recommendation shall not have been complied with after the expiration of a  
16 reasonable time therefor fixed by the ~~commissioner~~ division, the ~~commissioner~~  
17 division may take possession of the property and business of such bank or banking  
18 corporation, and retain such possession until such bank or banking corporation shall  
19 resume business, or its affairs be finally liquidated as herein provided. Whenever  
20 facts have come to the attention of the ~~commissioner~~ division which cause the  
21 ~~commissioner~~ division to believe that it may be necessary or advisable to take  
22 possession of a bank, or if the ~~commissioner~~ division has reasonable cause to believe  
23 that any of the grounds for taking possession of a bank, specified in this section, exist,  
24 the ~~commissioner~~ division shall bring the matter to the attention of the banking  
25 review board, reporting to them in writing the situation and the ~~commissioner's~~

1 division's recommendation as to action to be taken. The banking review board shall  
2 promptly consider the matter and promptly decide whether or not the ~~commissioner~~  
3 division should take possession of the bank. If the review board decides that the  
4 ~~commissioner~~ division should take possession, the ~~commissioner~~ division shall  
5 forthwith take possession as hereinbefore provided. If at any time the ~~commissioner~~  
6 division is confronted with an emergency situation where in the ~~commissioner's~~  
7 division's opinion it is imperative in order to protect the public or for other reasons  
8 that possession of the bank be at once taken, the ~~commissioner~~ division may do so  
9 forthwith without referring the matter to the banking review board.

10 **SECTION 6030.** 220.08 (2) of the statutes is amended to read:

11 220.08 (2) On taking possession of the property and business of any such bank  
12 or banking corporation, the ~~commissioner~~ division shall forthwith give notice of such  
13 fact to any and all banks or banking corporations holding or in possession of any  
14 assets of such bank or banking corporation. No bank or banking corporation knowing  
15 of such taking possession by the ~~commissioner~~ division, or notified as aforesaid, shall  
16 have a lien or charge for any payment, or advance, thereafter made, or liability  
17 thereafter incurred, against any of the assets of the bank or banking corporation of  
18 whose property and business the ~~commissioner~~ division shall have taken possession  
19 as aforesaid, except that all drafts issued and delivered against existing balances on  
20 deposit in any drawee banks or banking corporations shall be paid on presentation,  
21 if they correspond by number and amount to a list to be certified to them by the  
22 ~~commissioner, the commissioner's deputies or representatives~~ division, and if there  
23 be insufficient funds in deposit such drafts shall be preferred claims. Such bank or  
24 banking corporation may, with the consent of the ~~commissioner~~ division, resume  
25 business upon such conditions as may be approved by the ~~commissioner~~ division.

**SECTION 6031**

1           **SECTION 6031.** 220.08 (2a) of the statutes is amended to read:

2           220.08 (2a) The ~~commissioner~~ division on taking possession of a bank for  
3 liquidation shall, with the approval of the circuit court, withdraw from the general  
4 fund of such bank an amount of money deemed adequate by the ~~commissioner~~  
5 division and the circuit court for the payment of current monthly expenses and set  
6 up a working fund. Such working fund shall be deposited by the ~~commissioner~~  
7 division in one or more state banks in an account known as "bank liquidation  
8 account" together with like funds from other banks in liquidation. Once each month  
9 the expenses so paid from the working fund shall be approved by the circuit court.  
10 Upon such approval, the working fund of each liquidating bank shall be reimbursed  
11 from the general fund of said liquidating bank so that the balance of each working  
12 account in said bank liquidation account shall always be the amount approved by the  
13 circuit court. When a liquidating bank is ready to pay the final dividend and final  
14 expenses, the working fund assigned to the bank liquidation account shall be  
15 reassigned back to the general account of such bank.

16           **SECTION 6032.** 220.08 (3) of the statutes is amended to read:

17           220.08 (3) Upon taking possession of the property and business of such bank  
18 or banking corporation, the ~~commissioner~~ division is authorized to collect moneys  
19 due to such bank or banking corporation, and do such other acts as are necessary to  
20 conserve its assets and business, and shall proceed to liquidate the affairs thereof,  
21 as hereinafter provided. The ~~commissioner~~ division shall collect all debts due and  
22 claims belonging to it, and, upon the order of the circuit court, may sell or compound  
23 all bad or doubtful debts, and on like order may sell all the real and personal property  
24 of such bank or banking corporation on such terms as the court shall direct.

25           **SECTION 6033.** 220.08 (3a) of the statutes is amended to read:

1           220.08 (3a) That in addition to the authority conferred by sub. (3), the  
2 commissioner division with the approval of the banking review board may, for  
3 purposes of collection or liquidation, sell, assign, convey and transfer or approve the  
4 sale, assignment, conveyance and transfer of the assets of a closed bank or bank  
5 operating under a stabilization and readjustment agreement to any other bank or  
6 trust company under such terms and conditions as the commissioner division may  
7 deem for the best interests of the depositors and unsecured creditors of such bank.

8           **SECTION 6034.** 220.08 (3b) of the statutes is amended to read:

9           220.08 (3b) The acts of any special deputy commissioner under sub. (4) shall  
10 be binding on the commissioner of banking division to the same extent and with like  
11 effect as if such acts were done by said commissioner division.

12           **SECTION 6035.** 220.08 (4) of the statutes is amended to read:

13           220.08 (4) The commissioner division may, ~~under his or her hand and official~~  
14 ~~seal,~~ appoint one or more special deputy commissioners deputies, as agent or agents,  
15 to assist the commissioner division in the duty of reorganization, consolidation,  
16 liquidation and distribution, the certificate of appointment to be filed ~~in the office of~~  
17 ~~the commissioner~~ with the division and a certified copy in the office of the clerk of the  
18 circuit court for the county in which such bank or banking corporation is located.  
19 Such special deputy commissioners deputies may execute, acknowledge and deliver  
20 any and all deeds, assignments, releases or other instruments necessary and proper  
21 to effect any sale and transfer or encumbrance of real estate or personal property  
22 after the same has been approved by the commissioner division, and an order  
23 obtained from the circuit court of the county in which the bank concerned is located.  
24 The commissioner division may from time to time authorize a special deputy  
25 commissioner to perform such duties connected with such reorganization,

1 consolidation, liquidation and distribution as the ~~commissioner~~ division deems  
2 proper. The ~~commissioner~~ division may employ such counsel and procure such  
3 expert assistance and advice as may be necessary in the reorganization,  
4 consolidation, liquidation and distribution of the assets of such banks or banking  
5 corporations. The ~~commissioner~~ division may retain such of the officers or employes  
6 of such banks or banking corporations as ~~he or she~~ deems necessary.

7 **SECTION 6036.** 220.08 (5) of the statutes is amended to read:

8 220.08 (5) The ~~commissioner~~ division shall give notice, in such newspapers as  
9 the ~~commissioner~~ division may direct, by publication of a class 3 notice, under ch.  
10 985, calling on all persons who may have claims against such bank or banking  
11 corporation, to present the same to the ~~commissioner~~ division, within 3 months after  
12 the date of first insertion. Such notice shall also fix a place and time (not less than  
13 3 months after the date of first insertion) to make legal proof thereof. The  
14 ~~commissioner~~ division shall mail a similar notice to all persons whose names appear  
15 as creditors upon the books of the bank or banking corporation. Any creditor of such  
16 bank or banking corporation holding security of any nature, shall file a claim as a  
17 general creditor only for the amount by which the debt exceeds the value of such  
18 security. The value of said security and the amount to be allowed on the claim so filed  
19 shall, upon application of such creditor or the ~~commissioner~~ division and upon at  
20 least 20 days' notice to the opposing party, be determined by the circuit court of the  
21 county wherein such bank or banking corporation is located. If the ~~commissioner~~  
22 division doubts the justice and validity of any claim, the ~~commissioner~~ division may  
23 reject the same, and serve notice of such rejection upon the claimant either by mail  
24 or personally. An affidavit of the service of such notice, which shall be prima facie  
25 evidence thereof, shall be filed with the ~~commissioner~~ division. An action upon a

1 claim so rejected must be brought within 6 months after such service. Claims  
2 presented after the expiration of the time fixed in the notice to creditors shall be  
3 entitled to receive only liquidating dividends declared after presentation, unless  
4 otherwise ordered by the court.

5 **SECTION 6037.** 220.08 (6) of the statutes is amended to read:

6 220.08 (6) Upon taking possession of the property and assets of such bank or  
7 banking corporation, the ~~commissioner~~ division shall make an inventory of the  
8 assets of such bank or banking corporation, in duplicate, one to be filed ~~in the office~~  
9 ~~of the commissioner~~ with the division, and one in the office of the clerk of circuit court  
10 for the county in which such bank or banking corporation is located; upon the  
11 expiration of the time fixed for the presentation of claims, the ~~commissioner~~ division  
12 shall make in duplicate a full and complete list of the claims presented, including and  
13 specifying such claims as have been rejected by it, one to be filed ~~in the office of the~~  
14 ~~commissioner~~ with the division, and one in the office of the clerk of circuit court for  
15 the county in which such bank or banking corporation is located. Such inventory and  
16 list of claims shall be open at all reasonable times to inspection.

17 **SECTION 6038.** 220.08 (7) of the statutes is amended to read:

18 220.08 (7) The compensation of the special ~~deputy~~ ~~commissioners~~ deputies,  
19 counsel, and other employes and assistants, and all expenses of supervision and  
20 liquidation, shall be fixed by the ~~commissioner~~ division subject to the approval of the  
21 circuit court for the county in which such bank or banking corporation is located, on  
22 notice of such bank or banking corporation, and shall upon the certificate of the  
23 ~~commissioner~~ division be paid out of the funds of such bank or banking corporation  
24 in the hands of the ~~commissioner~~ division. Expenses of supervision and liquidation  
25 shall include the cost of services rendered by the ~~office of the commissioner of~~

1 banking division to the bank or banking corporation being liquidated and the  
2 commissioner division shall the first of each month determine such cost in the  
3 manner hereinafter provided, which cost shall be charged to each bank in liquidation  
4 and the same shall be paid to the ~~office of the commissioner of banking~~ division as  
5 other expenses of liquidation are paid. The amount of the aforesaid supervision cost  
6 to be paid by each bank in liquidation shall be determined by taking that portion of  
7 the total supervision cost of all banks in liquidation for the preceding month, which  
8 the total book value of the unliquidated book assets of each said bank bears to the  
9 total book value of all the unliquidated book assets of every bank in liquidation. In  
10 making computations for each month the total supervision cost and all book values  
11 of unliquidated assets shall be determined as of the last business day of the preceding  
12 month. The moneys collected by the ~~commissioner~~ division shall be from time to time  
13 deposited in one or more state banks, and, in case of the suspension or insolvency of  
14 the depository, such deposits shall be preferred before all other deposits.

15 **SECTION 6039.** 220.08 (8) of the statutes is amended to read:

16 220.08 (8) At any time after the expiration of the date fixed for the presentation  
17 of claims, the ~~commissioner~~ division may out of the funds remaining in the  
18 ~~commissioner's hands~~ division's possession after the payment of expenses declare  
19 one or more dividends, and after the expiration of one year from the first publication  
20 of notice to creditors, the ~~commissioner~~ division may declare a final dividend, such  
21 dividends to be paid to such persons, and in such amounts, and upon such notice, as  
22 may be directed by the circuit court for the county in which such bank or banking  
23 corporation is located. Objections to any claim not rejected by the ~~commissioner~~  
24 division may be made by any party interested by filing a copy of such objections with  
25 the ~~commissioner, who~~ division, which shall present the same to the circuit court at

1 the time of the next application to declare a dividend. The court may if deemed  
2 advisable provide for the setting aside of a sum sufficient to pay all or any part of the  
3 dividends due on any unproved or unclaimed deposits.

4 **SECTION 6040.** 220.08 (9) of the statutes is amended to read:

5 220.08 (9) Whenever any such bank or banking corporation, of whose property  
6 and business the ~~commissioner~~ division has taken possession, as aforesaid, deems  
7 itself aggrieved thereby, it may, at any time within 10 days after such taking  
8 possession, apply to the circuit court for the county in which such bank or banking  
9 corporation is located to enjoin further proceedings; and said court, after citing the  
10 ~~commissioner~~ division to show cause why further proceedings should not be enjoined  
11 and hearing the allegations and proofs of the parties and determining the facts may,  
12 upon the merits dismiss such application or enjoin the ~~commissioner~~ division from  
13 further proceedings, and direct the ~~commissioner~~ division to surrender such  
14 business and property to such bank or banking corporation. Said bank or banking  
15 corporation may, if it desires so to do, within 10 days after taking possession apply  
16 to the banking review board to review the action of the ~~commissioner~~ division in  
17 taking possession. The banking review board shall act speedily on such application.  
18 Within 10 days after notice of the decision of the banking review board, said bank or  
19 banking corporation may apply to said circuit court of the county in which such bank  
20 or banking corporation is located to enjoin further proceedings. The proceedings on  
21 such application shall be on notice to the ~~commissioner~~ division and shall be the same  
22 as where the application to the court is made as above provided without application  
23 to the review board.

24 **SECTION 6041.** 220.08 (10) of the statutes is amended to read:

**SECTION 6041**

1           220.08 (10) Whenever the ~~commissioner~~ division has paid to every depositor  
2 and creditor of such bank or banking corporation (not including stockholders), whose  
3 claims as such creditor or depositor have been duly proved and allowed, the full  
4 amount of such claims, and has made proper provision for unclaimed and unpaid  
5 deposits or dividends, and has paid all the expenses of the liquidation, the  
6 ~~commissioner~~ division shall call a meeting of the stockholders of such bank or  
7 banking corporation by giving notice thereof by certified mail and by publication of  
8 a class 2 notice, under ch. 985, in the county where such bank or banking corporation  
9 is located. At such meeting the stockholders shall determine whether the  
10 ~~commissioner~~ division shall be continued as liquidator and shall wind up the affairs  
11 of such bank or banking corporation, or whether an agent or agents shall be elected  
12 for that purpose, and in so determining the said stockholders shall vote by ballot, in  
13 person or by proxy, each share of stock entitling the holder to one vote, and the  
14 majority of the stock shall be necessary to a determination.

15           **SECTION 6042.** 220.08 (11) of the statutes is amended to read:

16           220.08 (11) In case it is determined to continue the liquidation under the  
17 ~~commissioner~~ division, the ~~commissioner~~ division shall complete the liquidation of  
18 the affairs of such bank or banking corporation, and after paying the expenses  
19 thereof, shall distribute the proceeds among the stockholders in proportion to the  
20 several holdings of stock in such manner and upon such notice as may be directed  
21 by the circuit court. In case it is determined to appoint an agent or agents to  
22 liquidate, the stockholders shall thereupon select such agent or agents by ballot, a  
23 majority of the stock present and voting, in person or by proxy, being necessary to a  
24 choice. Such agent or agents shall execute and file with the ~~commissioner~~ division  
25 a bond to the people of the state in such amount, with such sureties and in such form

1 as shall be approved by the ~~commissioner~~ division, conditioned for the faithful  
2 performance of all the duties of the agent's or the agents' trust, and thereupon the  
3 ~~commissioner~~ division shall transfer and deliver to such agent or agents all the  
4 undivided or uncollected or other assets of such bank or banking corporation then  
5 remaining in the ~~commissioner's hands~~ division's possession; and upon such transfer  
6 and delivery, the said ~~commissioner~~ division shall be discharged from any and all  
7 further liability to such bank or banking corporation and its or their creditors.

8 **SECTION 6043.** 220.08 (12) of the statutes is amended to read:

9 220.08 (12) Such agent or agents shall convert the assets coming into the  
10 agent's or agents' possession into cash, and shall account for and make distribution  
11 of the property of said bank or banking corporation, as is herein provided in the case  
12 of distribution by the ~~commissioner~~ division, except that the expenses thereof shall  
13 be subject to the direction and control of the circuit court. In case of the death,  
14 removal, or refusal to act of any such agent or agents, the stockholders, on the same  
15 notice, to be given by the ~~commissioner~~ division upon proof of such death, removal,  
16 or refusal to act being filed with it, and by the same vote hereinbefore provided, may  
17 elect a successor, who shall have the same powers and be subject to the same  
18 liabilities and duties as the agent originally elected.

19 **SECTION 6044.** 220.08 (13) of the statutes is amended to read:

20 220.08 (13) The ~~commissioner~~ division shall deposit dividends and unclaimed  
21 deposits which have been provided for and which remain unpaid in the hands of the  
22 ~~commissioner~~ division for 6 months after the order for final distribution in one or  
23 more state banks, to the credit of the ~~commissioner~~ division, in trust for the several  
24 depositors with and creditors of the liquidated bank or banking corporations from  
25 which they were received. The ~~commissioner's~~ division's annual report under s.

**SECTION 6044**

1 220.14 shall include the names of banks or banking corporations so taken possession  
2 of and liquidated and the sums of unclaimed and unpaid deposits or dividends with  
3 respect to each of them respectively.

4 **SECTION 6045.** 220.08 (14) of the statutes is amended to read:

5 220.08 (14) ~~The commissioner~~ division may pay the moneys held by ~~him or her~~  
6 the division to the persons entitled to them, upon being furnished satisfactory  
7 evidence of their right to the same. In cases of doubt or conflicting claims, the  
8 ~~commissioner~~ division may require an order of the circuit court authorizing and  
9 directing the payment thereof. ~~The commissioner~~ division may apply the interest  
10 earned towards defraying the expenses in the payment and distribution of such  
11 unclaimed deposits or dividends to the depositors and creditors entitled to receive  
12 them, and if necessary may draw on the fund to defray such expenses. After one year  
13 from the time of the order for final distribution, the ~~commissioner~~ division shall  
14 report and deliver all unclaimed funds to the state treasurer as provided in ch. 177.  
15 All claims subsequently arising shall be presented to the ~~commissioner~~ division. If  
16 the ~~commissioner~~ division determines that any claim should be allowed, ~~he or she~~ the  
17 division shall certify to the department of administration the name and address of  
18 the person entitled to payment and the amount thereof and shall attach the claim  
19 to the certificate. ~~The department~~ secretary of administration shall certify the claim  
20 to the state treasurer for payment.

21 **SECTION 6046.** 220.08 (15) of the statutes is amended to read:

22 220.08 (15) Whenever the ~~commissioner~~ division, with a view of restoring the  
23 solvency of any bank of which the ~~commissioner~~ division has taken charge pursuant  
24 to law, shall approve a reorganization plan entered into between the depositors and  
25 unsecured creditors of such bank and the bank or reorganizers thereof, which

1 represent 80 per cent of the amount of deposits and unsecured claims of such banks,  
2 then and in such case all other depositors and unsecured creditors shall be held to  
3 be subject to such agreement to the same extent and with the same effect as if they  
4 had joined in the execution thereof, and their claims shall be treated in all respects  
5 as if they had joined in the execution of such articles or reorganization plan in the  
6 event of restoration of such bank to solvency, and the reopening of the same for  
7 business. The investment board and the governing board of any county, city, village,  
8 town, drainage district, power district, school district, sewer district, or other  
9 governmental subdivision, or any commission, committee, board or officer thereof,  
10 having any funds on deposit at the time of the closing of the bank are authorized to  
11 join in any reorganization plan, if, in the judgment of such investment board or other  
12 governing board, the reorganization plan is in the best interests of all persons  
13 concerned. All deposits made in any state bank subsequent to June 3, 1927 shall be  
14 subject to the conditions hereof.

15 **SECTION 6047.** 220.08 (16) of the statutes is amended to read:

16 220.08 (16) Whenever the ~~commissioner~~ division is informed, within 10 days  
17 after the ~~commissioner~~ division has taken charge of a bank pursuant to law, that a  
18 plan for the reorganization of such bank is being considered, the ~~commissioner~~  
19 division may refrain from complying with any or all of the provisions of this section  
20 for such time as the ~~commissioner~~ division deems advisable, but for not more than  
21 40 days after the ~~commissioner~~ division has taken charge of said bank. The approval  
22 by the ~~commissioner~~ division and the acceptance by the depositors and unsecured  
23 creditors of a reorganization plan within the time specified as provided in sub. (15),  
24 shall operate to relieve the ~~commissioner~~ division of the duties and liabilities  
25 provided by this section in the case of liquidation of banks.

1           **SECTION 6048.** 220.08 (17) of the statutes is amended to read:

2           220.08 (17) Whenever it shall appear to the ~~commissioner~~ division that the  
3 books and records of any liquidated bank or banking corporation or segregated trust  
4 are no longer required by the ~~commissioner, he or she~~ division, the division may make  
5 application to the circuit court having jurisdiction of such liquidated bank or banking  
6 corporation or segregated trust for an order determining what books and records are  
7 to be kept and what destroyed, stating in such application ~~his or her~~ the division's  
8 recommendations thereon. Said circuit court shall thereupon enter an order  
9 determining what books and records shall be kept and what shall be destroyed. The  
10 books and records ordered preserved shall be delivered to the clerk of such court to  
11 be kept by him or her until further order of the court. Following the expiration of the  
12 retention period provided in SCR chapter 72, the circuit court shall submit to the  
13 historical society copies of the ~~commissioner's~~ division's application and the court  
14 order determining what books and records have been kept. On subsequent  
15 application of the historical society the court may order delivery to the society of such  
16 books and records as the society deems of permanent historical significance and the  
17 destruction of the balance, whether or not any such records have been photographed  
18 or microphotographed.

19           **SECTION 6049.** 220.08 (18) of the statutes is amended to read:

20           220.08 (18) Whenever any bank or banking corporation has been completely  
21 liquidated, the ~~commissioner~~ division shall and is hereby authorized to cancel the  
22 charter of such bank or banking corporation.

23           **SECTION 6050.** 220.08 (19) (intro.) of the statutes is amended to read:

24           220.08 (19) (intro.) Segregated trusts heretofore or hereafter created in  
25 connection with the stabilization and readjustment or reorganization of a bank shall

1 be administered and liquidated under the supervision of the ~~commissioner~~ division  
2 and the circuit court of the county in which the bank is located.

3 **SECTION 6051.** 220.08 (19) (b) of the statutes is amended to read:

4 220.08 (19) (b) The administration and liquidation of such trust shall be subject  
5 to the supervision of the ~~commissioner~~ division and as far as practicable shall be  
6 subject to the approval of the circuit court of the county wherein such bank is located  
7 in the same manner and to the same extent as is the administration of banks in  
8 liquidation under the provisions of this section.

9 **SECTION 6052.** 220.08 (19) (c) of the statutes is amended to read:

10 220.08 (19) (c) The ~~commissioner~~ division shall make such examinations of the  
11 books, records and assets of such trust as the ~~commissioner~~ division deems necessary  
12 and shall submit copies of such examinations to the trustees and to the circuit court.  
13 The cost of such examinations and the cost of the supervision rendered by the  
14 ~~commissioner~~ division, which cost shall be determined by said ~~commissioner~~ the  
15 division, shall be a charge against the trust and shall be paid as an expense of  
16 administration.

17 **SECTION 6053.** 220.08 (19) (d) of the statutes is amended to read:

18 220.08 (19) (d) The trustees of such trust shall be known collectively as “the  
19 trustees of the segregated trust of (name of bank)” and in that name may sue and be  
20 sued and perform the duties imposed on them by law and the provisions of the  
21 agreement or court order creating such trust. A certificate issued by the  
22 ~~commissioner~~ division shall be sufficient proof of the creation of such trust, of the  
23 appointment and qualification of the persons named therein to act as trustees and  
24 of the powers of the trustees.

25 **SECTION 6054.** 220.08 (20) of the statutes is amended to read:

1           220.08 (20) In the event the ~~commissioner~~ division, as statutory receiver of  
2 closed state banks or in connection with the ~~commissioner's~~ division's supervision of  
3 segregated trusts, shall have possession of any funds or property by reason of any  
4 recovery on an official bond or otherwise, and said funds shall not belong to or be  
5 attributable to any specific bank or banks in liquidation or to any specific segregated  
6 trust or trusts and it shall appear that all or a number of banks in liquidation or all  
7 or a number of the segregated trusts supervised by the ~~commissioner~~ division or the  
8 depositors or other creditors of such banks or trusts, may have an interest in such  
9 funds or property, the ~~commissioner~~ division may petition the circuit court for Dane  
10 county for an order directing the disposition of such funds or property. The court,  
11 upon presentation of such a petition, shall direct the ~~commissioner~~ division to give  
12 such notice of hearing thereon, by publication of a class 3 notice, under ch. 985, or  
13 otherwise, as appears reasonable under the circumstances. The expenses of the  
14 ~~commissioner~~ division in any such proceeding shall be paid out of such funds or  
15 property. If it shall appear to the court that the persons to whom such funds or  
16 property may ultimately belong cannot be found or ascertained or that the expense  
17 of such ascertainment would in the judgment of the court be excessive or  
18 unreasonable under all the circumstances, the court shall enter an order directing  
19 the ~~commissioner~~ division to transmit such funds or property to the state treasurer  
20 to become the property of the state. Any person claiming an interest in any such  
21 funds or property so ordered to be transmitted to the state treasury may within 5  
22 years after the entry of such order bring suit against the state for recovery thereof  
23 without interest.

24           **SECTION 6055.** 220.08 (20a) of the statutes is amended to read:

1           220.08 (20a) After liquidation of the assets of a delinquent bank, any  
2 remaining assets, including all unknown and undiscovered assets in the custody of  
3 the ~~commissioner~~ division, shall, after approval of the circuit court having  
4 jurisdiction thereof, be retained by the ~~commissioner who~~ division which is  
5 authorized and empowered to hold such assets, claims and demands with the full  
6 right and power to compound, compromise, settle and assign the same with full  
7 authority to execute and deliver any legal instruments incidental thereto without  
8 further court approval. Any moneys or proceeds received therefrom shall be paid into  
9 the general fund of the state of Wisconsin after the ~~commissioner~~ division has first  
10 deducted therefrom the costs of the ~~commissioner's~~ division's services and other  
11 expenses incidental thereto.

12           **SECTION 6056.** 220.081 (1) of the statutes is amended to read:

13           220.081 (1) The ~~commissioner of banking~~ division may, in the event of the  
14 closing of any bank which is a member of the federal deposit insurance corporation  
15 or the deposits in which are to any extent insured by said corporation, tender to said  
16 corporation the appointment as statutory receiver of such bank and if the corporation  
17 accepts said appointment, the corporation shall have and possess all the powers and  
18 privileges given by the laws of this state to the ~~commissioner of banking~~ division as  
19 statutory receiver of a closed bank and be subject to all the duties of the ~~commissioner~~  
20 division as such statutory receiver, except insofar as such powers, privileges, or  
21 duties are in conflict with the provisions of subsection 1 of section 8 of said banking  
22 act of 1933, or any other applicable federal laws.

23           **SECTION 6057.** 220.081 (4) of the statutes is amended to read:

24           220.081 (4) The ~~commissioner~~ division or the federal deposit insurance  
25 corporation being in possession of any delinquent bank may, as receiver of such bank

1 and upon the order of the circuit court for the county in which such bank is located,  
2 borrow money from the federal deposit insurance corporation and secure the  
3 payment of such loan by the mortgage pledge, transfer in trust or hypothecation of  
4 any or all of the property and assets of such delinquent bank and upon like order may  
5 sell to said federal deposit insurance corporation any or all of the property and assets  
6 of such delinquent bank.

7 **SECTION 6058.** 220.086 of the statutes is amended to read:

8 **220.086 Receiver of delinquent bank may borrow from federal**  
9 **government agency; court order.** The ~~commissioner of banking~~ division, having  
10 taken possession of any delinquent bank, may, as receiver of such bank, and upon the  
11 order of the circuit court for the county in which such bank is located, borrow money  
12 from any agency of the federal government, upon such terms and conditions as may  
13 be satisfactory to such federal agency, and issue evidences of indebtedness therefor,  
14 and secure the payment of such loan by the mortgage, pledge, transfer in trust, or  
15 hypothecation of any or all of the property and assets of such delinquent bank.

16 **SECTION 6059.** 220.09 of the statutes is amended to read:

17 **220.09 Indemnity fund, national bank.** Every national bank which has  
18 been granted a special permit by the federal reserve board to act in a fiduciary  
19 capacity under the provisions of subsection (k) of section 11, of the federal reserve act  
20 shall deposit with the state treasurer security, approved by the ~~commissioner of~~  
21 banking division, in the manner which is required of trust company banks organized  
22 under s. 223.02. Such securities shall be of the same nature as the security  
23 designated by the provisions of such section for the deposit by trust companies  
24 organized under the laws of this state. Such national bank, so long as it shall  
25 continue solvent and comply with the laws of this state applicable thereto, may be

1 permitted by the ~~commissioner~~ division to collect the interest on the security so  
2 deposited and from time to time withdraw the said securities or any part thereof  
3 provided that securities or cash of the amount and value required by this section  
4 shall at all times be maintained on deposit.

5 **SECTION 6060.** 220.10 of the statutes is amended to read:

6 **220.10 (title) Books and accounts; ~~commissioner's~~ division's control.**

7 Whenever it appears to the ~~commissioner~~ division that any bank does not keep books  
8 and accounts in such manner as to enable the ~~commissioner~~ division to readily  
9 ascertain the true condition of such bank, the ~~commissioner~~ division may require the  
10 officers of such bank to open and keep such books or accounts as the ~~commissioner~~  
11 division prescribes for the purpose of keeping accurate and convenient records of the  
12 transactions and accounts of such bank. Any bank that refuses or neglects to open  
13 and keep such books or accounts as the ~~commissioner~~ division prescribes shall be  
14 subject to a penalty of \$10 for each day it neglects and fails to open and keep such  
15 prescribed books and accounts.

16 **SECTION 6061.** 220.12 of the statutes is amended to read:

17 **220.12 Attorney general, duty of.** All proceedings by any bank to enjoin the  
18 ~~commissioner of banking~~ division in the discharge of the ~~commissioner's~~ division's  
19 duties shall be had in the county where said bank is located, or in the supreme court  
20 of this state. All suits and proceedings arising out of the provisions of the banking  
21 laws, in which the state, or any of its officers or agents shall be parties, shall be  
22 conducted under the direction and supervision of the attorney general.

23 **SECTION 6062.** 220.13 of the statutes is amended to read:

24 **220.13 Copies as evidence.** Copies of all records and papers held in the ~~office~~  
25 ~~of the commissioner of banking,~~ division and certified by the ~~commissioner and~~

1 authenticated by the commissioner's seal of office, division shall be evidence in all  
2 cases equally and of like effect as the original.

3 **SECTION 6063.** 220.14 (intro.) of the statutes is amended to read:

4 **220.14** (title) **Commissioner's Division's report.** (intro.) The commissioner  
5 division shall publish an annual report and submit the report to the governor and  
6 the chief clerk of each house of the legislature for distribution to the legislature under  
7 s. 13.172 (2). The report shall:

8 **SECTION 6064.** 220.14 (1) of the statutes is amended to read:

9 220.14 (1) Exhibit the condition of the various banks of the state as of the day  
10 of the last report made to the ~~commissioner~~ division by such banks.

11 **SECTION 6065.** 220.14 (7) of the statutes is amended to read:

12 220.14 (7) Give such other information as the ~~commissioner~~ division deems  
13 necessary.

14 **SECTION 6066.** 220.28 of the statutes is amended to read:

15 **220.28 Destruction of obsolete records by state banks.** Any state bank  
16 may destroy or dispose of such of its records as may have become obsolete after first  
17 obtaining the written consent of the ~~commissioner of banking~~ division.

18 **SECTION 6067.** 220.285 (1) of the statutes is amended to read:

19 220.285 (1) Any state bank, trust company bank, licensee under s. 138.09,  
20 138.12, 218.01, 218.02, 218.04 or 218.05 or ch. 217 or credit union may cause any or  
21 all records kept by such bank, licensee or credit union to be recorded, copied or  
22 reproduced by any photostatic, photographic or miniature photographic process or  
23 by optical imaging if the process employed correctly, accurately and permanently  
24 copies, reproduces or forms a medium for copying, reproducing or recording the  
25 original record on a film or other durable material. A bank, licensee or credit union

1 may thereafter dispose of the original record after first obtaining the written consent  
2 of the ~~commissioner of banking~~ division. This section, excepting that part of it which  
3 requires written consent of the ~~commissioner of banking~~ division, is applicable to  
4 national banking associations insofar as it does not contravene federal law.

5 **SECTION 6068.** 221.01 (1) of the statutes is amended to read:

6 221.01 (1) APPLICATION. Any number of adult persons, citizens of Wisconsin,  
7 not less than 7 nor more than 20, desiring to associate for the purpose of organizing  
8 a banking corporation under this chapter, shall make application to the  
9 ~~commissioner of banking~~ division in such manner as may be prescribed on a form  
10 furnished by the ~~commissioner~~ division.

11 **SECTION 6069.** 221.01 (2) (e) of the statutes is amended to read:

12 221.01 (2) (e) Such other information as the ~~commissioner~~ division may  
13 require.

14 **SECTION 6070.** 221.01 (3) of the statutes is amended to read:

15 221.01 (3) NOTICE. Upon receipt by the ~~commissioner~~ division of such  
16 application properly executed, the ~~commissioner~~ division shall, within 5 days,  
17 forward to the applicants a copy of an official notice of application for authority to  
18 organize a bank, containing such information as shall make known to the public the  
19 facts specifically required by statute to be given in the application, and assigning a  
20 date and place for hearing on the application. The notice shall be published as a class  
21 3 notice, under ch. 985, by the applicants, at their own expense, in the city, village  
22 or town where the bank is to be located. Proof of publication shall be filed with the  
23 ~~commissioner~~ division in such form as the ~~commissioner~~ division requires. The  
24 ~~commissioner~~ division may waive the requirement of publication herein contained

**SECTION 6070**

1 where the bank to be organized is to replace, absorb or consolidate one or more  
2 existing banks.

3 **SECTION 6071.** 221.01 (4) of the statutes is amended to read:

4 221.01 (4) FEE. The applicants shall pay to the ~~commissioner of banking~~  
5 division a fee of \$2,500 together with the actual costs incurred by the ~~commissioner~~  
6 division in making an investigation of the application, which sum shall be paid into  
7 the state treasury.

8 **SECTION 6072.** 221.01 (5) of the statutes is amended to read:

9 221.01 (5) INVESTIGATION. The ~~commissioner~~ division shall thereupon ascertain  
10 at the hearing and from the best sources of information at the ~~commissioner's~~  
11 division's command, and by such investigation as the ~~commissioner~~ division may  
12 deem necessary, whether the character, responsibility and general fitness of the  
13 persons named in such application are such as to command confidence and to  
14 warrant the belief that the business of the proposed corporation will be honestly and  
15 efficiently conducted in accordance with the intent and purpose of this chapter; and  
16 whether public convenience and advantage will be promoted by allowing such bank  
17 to organize; and the ~~commissioner~~ division also shall investigate the character and  
18 experience of the proposed officers, the adequacy of existing banking facilities, and  
19 the need of further banking capital; the outlook for the growth and development of  
20 the city, town or village in which such bank is to be located, and the surrounding  
21 territory from which patronage would be drawn; the methods and banking practices  
22 of the existing bank or banks; the interest rate which they charge to borrowers; the  
23 character of the service which they render the community, and the prospects for the  
24 success of the proposed bank if efficiently managed. Such investigation shall be  
25 completed within 90 days from the filing ~~in the office of the commissioner~~ with the

1 division of proof of publication and the making of the deposit herein required, but in  
2 the event a majority of the applicants and the ~~commissioner~~ division mutually agree  
3 to it, the time may be extended an additional period of 60 days.

4 **SECTION 6073.** 221.01 (6) of the statutes is amended to read:

5 221.01 (6) DECISION. After completing such investigation the ~~commissioner~~  
6 division shall make a written report to the banking review board stating the results  
7 of the investigation and the ~~commissioner's~~ division's recommendation. The board  
8 shall consider the matter, conducting any necessary hearing, and promptly make its  
9 decision approving or disapproving the organization of the proposed bank. Such  
10 decision shall be final except pursuant to s. 220.035 (1) and (3). If approval is given,  
11 the ~~commissioner~~ division shall indorse on each of the original applications the word  
12 "Approved" ~~over the commissioner's official signature~~. If disapproved, the  
13 ~~commissioner~~ division shall indorse the word "Disapproved" ~~over the commissioner's~~  
14 ~~official signature~~. One of the duplicate originals shall be filed ~~in the commissioner's~~  
15 ~~office~~ with the division and one returned by mail to the applicants.

16 **SECTION 6074.** 221.01 (10) of the statutes is amended to read:

17 221.01 (10) CERTIFICATE OF AUTHORITY. In the event of approval of the  
18 application for authority to organize a banking corporation, the ~~commissioner~~  
19 division shall issue to the applicants, who shall thereafter be known as the  
20 corporators, a certificate of authority conferring upon them such powers as are  
21 incidentally or necessarily preliminary to the organization of a banking corporation.  
22 These powers shall include the effecting of a temporary organization, consisting of  
23 a chairperson, a secretary, and a treasurer; the execution and filing of articles of  
24 incorporation; the making of rules for the procedure of the corporators and the  
25 conduct of the first meeting of the stockholders; the opening of subscription books for

1 stock; the securing of an option on real estate to be used as a banking house; the fixing  
2 of an amount at which the stock shall be sold; the collection of subscriptions to the  
3 stock; the selection of a depository for such funds as may be collected; the  
4 appointment of and acting by any agent or agents, and the compilation of a set of  
5 bylaws for submission to the stockholders.

6 **SECTION 6075.** 221.01 (11) of the statutes is amended to read:

7 221.01 (11) TEMPORARY ORGANIZATION. The chairperson of the corporators shall  
8 preside at all meetings and shall exercise such other duties as ordinarily pertain to  
9 the position. The secretary shall attend to the correspondence of the corporators,  
10 shall record fully all proceedings of meetings of the corporators, shall file and  
11 preserve all documents and papers of the organization, and shall attend to the filing  
12 of the necessary papers with the ~~commissioner~~ division. The treasurer shall receive  
13 all moneys paid in on subscriptions to stock or for other purposes, keep a true account  
14 thereof, shall deposit such funds in the designated depository, and shall pay such  
15 valid orders as may be drawn on the treasurer. The corporators shall require a bond  
16 in a suitable amount from the treasurer, and other officers and agents who may  
17 handle the funds of the proposed bank. Claims against the organization shall be  
18 audited by the corporators, and record of action thereon noted in the minutes. If  
19 ordered paid, an order shall be drawn upon the treasurer and signed by the  
20 chairperson and secretary. The corporators shall until the completion of the  
21 organization exercise such other powers as are conferred upon the corporators by the  
22 statutes relating to other corporations, so far as such powers are not in conflict with  
23 the limitations of this chapter and are applicable.

24 **SECTION 6076.** 221.01 (12) (b) of the statutes is amended to read:

1           221.01 (12) (b) After February 1, 1967, any state bank which does not have fully  
2 paid-in capital stock in the amount prescribed in par. (a) shall be ordered by the  
3 ~~commissioner~~ division to increase its capital stock to such amount. The  
4 ~~commissioner~~ division may, in addition to the ~~commissioner's~~ division's other powers  
5 to act against delinquent banks, require any bank failing to comply with such order  
6 to pay a forfeiture to the ~~commissioner~~ division of \$10 for each day of noncompliance.  
7 If any bank fails or refuses to pay such forfeiture, the ~~commissioner~~ division may  
8 maintain an action for the recovery thereof. This paragraph shall not apply to any  
9 state bank in which the capital surplus and undivided profits equal or exceed 10%  
10 of its deposits.

11           **SECTION 6077.** 221.01 (12) (c) of the statutes is amended to read:

12           221.01 (12) (c) Any state bank, with the approval of the ~~commissioner~~ division  
13 and by vote of stockholders owning two-thirds of the stock of the bank entitled to  
14 vote, may authorize an increase in the common stock of the bank in the category of  
15 authorized but unissued stock. Such authorized but unissued stock may be issued  
16 to employees of the bank pursuant to a stock option or stock purchase plan adopted  
17 in accordance with par. (d), or in exchange for convertible preferred stock and  
18 convertible capital debentures in accordance with the terms and provisions of such  
19 securities. Authorized but unissued stock may also be issued for such other purposes  
20 and considerations as may be approved by the board of directors of the bank and by  
21 the ~~commissioner~~ division.

22           **SECTION 6078.** 221.01 (12) (d) 1. of the statutes is amended to read:

23           221.01 (12) (d) 1. Any state bank may grant options to purchase, sell or enter  
24 into agreements to sell shares of its capital stock to its employees, for a consideration  
25 of not less than 100% of the fair market value of the shares on the date the option is

**SECTION 6078**

1 granted or, if pursuant to a stock purchase plan, 85% of the fair market value on the  
2 date the purchase price is fixed, pursuant to the terms of an employe restricted stock  
3 option plan or an employe stock purchase plan which has been adopted by the board  
4 of directors of the bank and approved by the holders of at least two-thirds of the  
5 outstanding shares of the bank entitled to vote and by the ~~commissioner~~ division.  
6 Stock options issued hereunder shall not extend beyond a period of 10 years from  
7 date of issuance and shall otherwise qualify as restricted stock options.

8 **SECTION 6079.** 221.01 (12) (d) 2. of the statutes is amended to read:

9 221.01 (12) (d) 2. Employe stock options and stock purchase agreements may  
10 provide that options may be exercisable or that shares may be purchased on any  
11 business day. A notarized notice specifying the number of shares issued pursuant  
12 to option and stock purchase plans and the amount paid in therefor shall be executed  
13 by the president, vice president or cashier of the bank and filed with the  
14 ~~commissioner~~ division not later than the 10th day of the month following issuance  
15 and no stock shall be deemed validly issued until the ~~commissioner~~ division has  
16 issued a certificate specifying the amount of stock so purchased, the purchase price  
17 thereof having been duly paid into the capital of the bank, and the ~~commissioner's~~  
18 division's approval thereof.

19 **SECTION 6080.** 221.01 (13) of the statutes is amended to read:

20 221.01 (13) TRUST COMPANY BANK; REORGANIZATION. Any trust company bank  
21 may, by amendment to its articles of incorporation, duly adopted by its stockholders  
22 and approved by the ~~commissioner~~ division, in the manner prescribed for by s.  
23 221.25, convert its corporate organization into that of a state bank with all the  
24 powers of a state banking corporation under the statutes under such name as shall  
25 be declared by such amendment and approved by the ~~commissioner~~ division, which

1 name may include the word "trust". Such converted corporation shall continue to  
2 have all the powers previously held by it as a trust company bank and shall be a  
3 continuation for all purposes whatsoever of the trust company bank so converted into  
4 a state bank, including holding and performing any and all trusts and fiduciary  
5 relations of whatsoever nature of which said trust company bank was fiduciary at  
6 the time of such conversion, and also including its appointment in any fiduciary  
7 capacity by any court or otherwise, and the holding, accepting and performing of any  
8 and all trusts and fiduciary relations whatsoever as to or for which said trust  
9 company bank may have been appointed, nominated or designated by any will or  
10 conveyance or otherwise, whether or not such trust or fiduciary relation shall have  
11 come into being and taken effect at such conversion. Whenever and if any such  
12 converted corporation shall have been fully discharged of and from any and all trusts  
13 committed to it, it may, by amendment to its articles of incorporation, duly adopted  
14 by its stockholders and approved by the ~~commissioner~~ division, surrender its powers  
15 to act in a fiduciary capacity and eliminate from its corporate name and style the  
16 word "trust;" and may thereupon withdraw from the state treasurer all securities by  
17 it deposited with the state treasurer pursuant to s. 223.02.

18 **SECTION 6081.** 221.03 (1) of the statutes is amended to read:

19 221.03 (1) The articles of incorporation shall be filed with the ~~commissioner of~~  
20 ~~banking~~ division within a reasonable time as determined by the ~~commissioner of~~  
21 ~~banking~~ division from the date of the certificate of authority to organize has been  
22 approved, and if not filed within that period all rights of the incorporators shall cease  
23 and the certificate of authority to organize is void.

24 **SECTION 6082.** 221.03 (2) (a) 2. of the statutes is amended to read:

**SECTION 6082**

1           221.03 (2) (a) 2. The name of such bank, which name shall be subject to the  
2 approval of the ~~commissioner~~ division, shall not be in any material respect similar  
3 to the name of any bank existing or which may have heretofore existed in the same  
4 county or in any adjoining county within the radius of 50 miles, and which name may  
5 not contain the word "savings".

6           **SECTION 6083.** 221.03 (3) of the statutes is amended to read:

7           221.03 (3) The ~~commissioner~~ division shall, within the ~~commissioner's~~  
8 division's discretion, approve or disapprove such articles of incorporation. If  
9 approved, the ~~commissioner~~ division shall indorse on each of the 3 triplicate originals  
10 the word "approved". One of such originals the ~~commissioner~~ division shall file in  
11 ~~the commissioner's office~~, and to the 2 remaining originals the ~~commissioner~~ division  
12 shall attach a certificate showing the date of filing, the approval and date of approval,  
13 and return the same to the incorporators. One of such originals shall be filed with the  
14 records of the bank, and the other shall be recorded in the office of the register of  
15 deeds of the county in which such banking corporation is located. No bank shall until  
16 its articles be left for record with the register of deeds have legal existence, nor be  
17 authorized to exercise any other powers than those incidentally or necessarily  
18 preliminary to its organization.

19           **SECTION 6084.** 221.03 (4) of the statutes is amended to read:

20           221.03 (4) A fee of \$100 shall be paid to the ~~commissioner~~ division when the  
21 articles of incorporation are filed, and the ~~commissioner~~ division shall pay such fee  
22 into the state treasury.

23           **SECTION 6085.** 221.03 (5) of the statutes is amended to read:

1           221.03 (5) A certificate signed by the register of deeds, showing the articles  
2 have been recorded in the office of the register of deeds, shall be returned to the  
3 ~~commissioner~~ division.

4           **SECTION 6086.** 221.03 (6) of the statutes is amended to read:

5           221.03 (6) Within 90 days from the filing of the articles of incorporation, the  
6 incorporators shall file with the ~~commissioner~~ division, in duplicate, the proposed  
7 bylaws and a complete list of the stockholders of the proposed bank, showing the  
8 number of shares held by each, the post-office address, and the approximate worth  
9 of each. On approval by the ~~commissioner~~ division, the bylaws shall be submitted  
10 for consideration by the shareholders.

11           **SECTION 6087.** 221.04 (1) (intro.) of the statutes is amended to read:

12           221.04 (1) GENERAL. (intro.) Upon the execution and filing of the articles of  
13 incorporation with the ~~commissioner of banking~~ division and the approval by the  
14 ~~commissioner~~ division, and upon the recording of the articles with the register of  
15 deeds of the county in which the bank is to be located, the bank shall become a body  
16 corporate, and in addition to the powers conferred by the general corporations law,  
17 subject to the restrictions and limitations contained in this section, having the  
18 following powers:

19           **SECTION 6088.** 221.04 (1) (jm) 1. of the statutes is amended to read:

20           221.04 (1) (jm) 1. To establish and maintain a branch bank with the approval  
21 of the ~~commissioner~~ division.

22           **SECTION 6089.** 221.04 (1) (jm) 3. of the statutes is amended to read:

23           221.04 (1) (jm) 3. A bank may transfer a branch bank to any other bank located  
24 in this state with the approval of the ~~commissioner~~ division.

25           **SECTION 6090.** 221.04 (1) (jm) 4. of the statutes is amended to read:

**SECTION 6090**

1           221.04 (1) (jm) 4. A bank may establish a branch bank in another state with  
2 the approval of the ~~commissioner~~ division and the appropriate regulator of the other  
3 state.

4           **SECTION 6091.** 221.04 (1) (jm) 5. of the statutes is amended to read:

5           221.04 (1) (jm) 5. The establishment of a branch bank under subd. 1. or the  
6 conversion of a bank to a branch bank under subd. 2. shall be approved if the financial  
7 and managerial resources and future prospects of the bank establishing a branch  
8 bank or the surviving bank of a merger or consolidation are satisfactory to the  
9 ~~commissioner~~ division.

10          **SECTION 6092.** 221.04 (1) (jm) 6. of the statutes is amended to read:

11          221.04 (1) (jm) 6. A bank shall apply for the establishment or transfer of a  
12 branch bank under this paragraph to the ~~commissioner~~ division on a form furnished  
13 by the ~~commissioner~~ division. The application shall be accompanied by a fee of  
14 \$1,000.

15          **SECTION 6093.** 221.04 (1) (jm) 8. of the statutes is amended to read:

16          221.04 (1) (jm) 8. At least 30 days before closing a branch bank, a bank shall  
17 notify the ~~commissioner~~ division in writing and post a notice of the closing in the  
18 lobby of the bank and the lobby of the branch bank to be closed.

19          **SECTION 6094.** 221.04 (1) (jm) 9. of the statutes is amended to read:

20          221.04 (1) (jm) 9. Every branch bank, branch office or bank station existing on  
21 August 1, 1989, shall be considered a branch bank approved by the ~~commissioner~~  
22 division under this paragraph.

23          **SECTION 6095.** 221.04 (1) (k) 1. of the statutes is amended to read:

24          221.04 (1) (k) 1. Directly or indirectly, to acquire, place and operate, or  
25 participate in the acquisition, placement and operation of, at locations other than its

1 main or branch offices, customer bank communications terminals, in accordance  
2 with rules established by the ~~commissioner~~ division. The rules of the ~~commissioner~~  
3 division shall provide that any such customer bank communications terminal shall  
4 be available for use, on a nondiscriminatory basis, by any state or national bank  
5 which has its principal place of business in this state, by any other bank obtaining  
6 the consent of a state or national bank which has its principal place of business in  
7 this state and is using the terminal and by all customers designated by a bank using  
8 the terminal. This paragraph does not authorize a bank which has its principal place  
9 of business outside this state to conduct banking business in this state. The customer  
10 bank communications terminals also shall be available for use, on a  
11 nondiscriminatory basis, by any credit union, savings and loan association or savings  
12 bank, whose home office is located in this state, if the credit union, savings and loan  
13 association or savings bank requests to share its use, subject to rules jointly  
14 established by the ~~commissioner~~ division of banking, the ~~commissioner~~ office of  
15 credit unions and the ~~commissioner~~ division of savings and loan. The rules of the  
16 ~~commissioner~~ division and the joint rules shall each prohibit any advertising with  
17 regard to a shared terminal which suggests or implies exclusive ownership or control  
18 of the shared terminal by any financial institution or group of financial institutions  
19 operating or participating in the operation of the terminal. The ~~commissioner~~  
20 division by order may authorize the installation and operation of a customer bank  
21 communications terminal in a mobile facility, after notice and hearing upon the  
22 proposed service stops of the mobile facility.

23 **SECTION 6096.** 221.04 (1) (k) 3. of the statutes is amended to read:

24 221.04 (1) (k) 3. If any person primarily engaged in the retail sale of goods or  
25 services owns or operates a customer bank communications terminal on such

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1 person's premises and allows access to such terminal by any financial institution,  
2 group of financial institutions, or their customers for any purpose or function nothing  
3 in this paragraph or in rules established by the ~~commissioner~~ division shall, or shall  
4 be construed or interpreted to, require such person to accept any connection to or use  
5 of the customer bank communications terminal on its premises for any other purpose  
6 or function or to accept any connection to the terminal on its premises by any other  
7 financial institution.

8 **SECTION 6097.** 221.04 (1) (k) 4. of the statutes is amended to read:

9 221.04 (1) (k) 4. If a person primarily engaged in the retail sale of goods or  
10 services owns or operates a customer bank communications terminal on such  
11 person's premises and allows access to the terminal by any financial institution,  
12 group of financial institutions or their customers for any purpose or function, no laws  
13 governing such institutions or rules established by the ~~commissioner~~ division shall  
14 apply to such person other than those laws or rules directly related to the particular  
15 function performed by the terminal on such person's premises for a financial  
16 institution.

17 **SECTION 6098.** 221.04 (1) (n) 1. (intro.) of the statutes is amended to read:

18 221.04 (1) (n) 1. (intro.) Upon amendment of the articles of incorporation under  
19 s. 221.12 and obtaining, prior to the date which is 2 years after May 7, 1982, approval  
20 of the ~~commissioner~~ division and the banking review board, to relocate the principal  
21 office of the bank to another place in the municipality in which the principal office  
22 is located on the date of the amendment, and to continue to operate the former  
23 principal office, or an office located within 1,500 feet of the boundary of the parcel of  
24 real estate occupied by the former principal office measured on a straight line  
25 connecting the 2 nearest points on the respective parcels of real estate, as a branch,

1 notwithstanding par. (f), if all the services provided by the principal office are also  
2 provided by the branch, the branch is operated for at least 5 years after the date of  
3 relocation and the ~~commissioner~~ division and the banking review board find that:

4 **SECTION 6099.** 221.04 (1) (n) 3m. (intro.) of the statutes is amended to read:

5 221.04 (1) (n) 3m. (intro.) A branch office approved under this paragraph may  
6 not cease operations unless it has operated for at least 5 years and the ~~commissioner~~  
7 division and the banking review board have approved cessation. The ~~commissioner~~  
8 division may approve cessation only after holding a public hearing in the area served  
9 by the branch or principal office and considering all of the following:

10 **SECTION 6100.** 221.04 (1) (n) 4. of the statutes is amended to read:

11 221.04 (1) (n) 4. Any finding by the comptroller of currency which permits a  
12 national bank to operate a branch at a location which the ~~commissioner~~ division finds  
13 does not meet the requirements of subds. 1. to 3. renders this paragraph void.

14 **SECTION 6101.** 221.04 (1) (p) of the statutes is amended to read:

15 221.04 (1) (p) To contract with one or more banks to provide banking and  
16 financially related products or services on its behalf to its customers or to establish  
17 a joint branch bank of the contracting banks. The contracting banks shall inform the  
18 ~~commissioner~~ division in writing of any contract entered into under this paragraph.  
19 The establishment of a joint branch bank is subject to the provisions for the  
20 establishment of a branch bank in par. (jm).

21 **SECTION 6102.** 221.04 (1) (pm) of the statutes is amended to read:

22 221.04 (1) (pm) To contract with a savings and loan association that is owned  
23 by a bank holding company which also owns the contracting bank, to provide banking  
24 and financially related products or services on its behalf to its customers. The  
25 savings and loan association shall be subject to regulation and examination by the

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1 ~~commissioner~~ division with regard to services performed under the contract to the  
2 same extent as if the services were being performed by the bank itself on its own  
3 premises.

4 **SECTION 6103.** 221.04 (3e) (a) of the statutes is amended to read:

5 221.04 (3e) (a) Subject to review by the ~~commissioner of banking~~ division under  
6 par. (b), a bank may, with the approval of its board of directors, purchase and hold  
7 capital stock of the federal home loan bank for the purpose of becoming a member  
8 of the federal home loan bank as provided in the federal home loan bank act, 12 USC  
9 1421 to 1449. A bank that becomes a member may exercise borrowing privileges or  
10 use any other service offered to a member by the federal home loan bank if the  
11 privileges or service is not in conflict with the laws of this state. Without becoming  
12 a member, a bank may exercise deposit privileges and use other services offered to  
13 nonmembers by the federal home loan bank.

14 **SECTION 6104.** 221.04 (3e) (b) of the statutes is amended to read:

15 221.04 (3e) (b) A bank that intends to become a member of the federal home  
16 loan bank shall give the ~~commissioner of banking~~ division written notice of its  
17 intention to apply for membership. The ~~commissioner~~ division may prohibit a bank  
18 from becoming a member if the bank's capital and undistributed surplus is less than  
19 the amount required for that bank or if the ~~commissioner~~ division finds that the bank  
20 is in an unsafe or unsound condition. The ~~commissioner~~ division shall have 30 days  
21 after the date on which the notice is received to issue a prohibition under this  
22 paragraph. The ~~commissioner~~ division may extend the time for issuing a prohibition  
23 up to 30 additional days if the ~~commissioner~~ division notifies the bank before the  
24 initial 30-day period expires that the ~~commissioner~~ division is extending the time  
25 limit.

1           **SECTION 6105.** 221.04 (4) (a) of the statutes is amended to read:

2           221.04 (4) (a) Any bank may, with the approval of the ~~commissioner of banking~~  
3 division, invest an amount not exceeding in the aggregate 15% of its paid-in capital  
4 stock and surplus in one or more corporations principally engaged in international  
5 or foreign banking, or banking in dependencies or insular possessions of the United  
6 States organized pursuant to ss. 611-631 of Title 12 of the United States Code, and  
7 any bank may also invest with the approval of the ~~commissioner of banking~~ division  
8 an amount not exceeding in the aggregate 10% of its paid-in capital stock and  
9 surplus in the stock of one or more corporations principally engaged in international  
10 or foreign financial operations other than banking as well as such financial  
11 operations in dependencies or insular possessions of the United States organized  
12 pursuant to said ss. 611-631 of Title 12 of the United States Code.

13           **SECTION 6106.** 221.04 (4) (b) of the statutes is amended to read:

14           221.04 (4) (b) Any bank having loans secured by real estate mortgage may with  
15 the approval of the ~~commissioner of banking~~ division sell all or any portion of them  
16 to the federal national mortgage association, or any successor thereof, and in  
17 connection therewith make payments of any capital contributions, required  
18 pursuant to law, in the nature of subscriptions for stock of the federal national  
19 mortgage association or any successor thereof, receive stock evidencing such capital  
20 contributions and hold or dispose of such stock.

21           **SECTION 6107.** 221.04 (4h) of the statutes is amended to read:

22           221.04 (4h) STOCK IN BANK-OWNED BANKS. Any bank holding company, subject  
23 to the limitations in s. 221.58 (7), or any bank may, with the approval of the  
24 ~~commissioner~~ division, acquire and hold stock in an aggregate amount not exceeding  
25 10% of its capital and surplus, in one or more banks chartered under s. 221.57 or in

1 one or more bank holding companies wholly owning a bank chartered under s.  
2 221.57.

3 **SECTION 6108.** 221.04 (4m) of the statutes is amended to read:

4 221.04 (4m) STOCK IN AGRICULTURAL CREDIT CORPORATION. Any bank may invest,  
5 with the approval of the ~~commissioner of banking~~ division, in an agricultural credit  
6 corporation. Unless a bank owns at least 80% of the stock of the agricultural credit  
7 corporation, the amount which it invests in the corporation shall not exceed 20% of  
8 the bank's paid-in capital stock and surplus.

9 **SECTION 6109.** 221.04 (5) of the statutes is amended to read:

10 221.04 (5) (title) INFORMATION TO ~~COMMISSIONER~~ DIVISION; STOCK HOLDINGS.  
11 Every such bank investing in the capital stock of banks or corporations as provided  
12 herein shall be required to furnish information concerning the condition of such  
13 banks or corporations to the ~~commissioner~~ division upon demand. If at any time the  
14 ~~commissioner~~ division shall ascertain or believe that any regulations prescribed by  
15 the ~~commissioner~~ division with reference to such business are not being complied  
16 with, ~~said commissioner~~ the division is hereby authorized and empowered to  
17 institute an investigation of the matter in order to satisfy the ~~commissioner~~ division  
18 as to the actual nature of the transactions referred to. Should such investigation  
19 result in establishing the failure of the corporation in question, or of the bank or  
20 banks which may be stockholders therein, to comply with the regulations laid down  
21 by the ~~said commissioner~~ division, such bank or banks may be required to dispose  
22 of stock holdings in said corporation upon reasonable notice.

23 **SECTION 6110.** 221.04 (6) of the statutes is amended to read:

24 221.04 (6) TRUST POWERS. When thereto authorized by the ~~commissioner~~  
25 division, and if and after it shall have in good faith complied with all requirements

1 of law and fulfilled all the conditions precedent to the exercise of such powers  
2 imposed by law upon trust company banks, any state bank may act as trustee,  
3 executor, administrator, registrar of stocks and bonds, guardian of estates, assignee,  
4 receiver, committee of estates of ~~lunatics~~ persons who are mentally ill or  
5 developmentally disabled, and in any other fiduciary capacity in which trust  
6 company banks are permitted to act. Any state bank so authorized by the  
7 ~~commissioner~~ division shall comply with s. 223.02 before exercising such authority  
8 and shall be thereupon entitled to the same exemption as to making and filing any  
9 oath or giving any bond or security as is conferred on trust company banks by s.  
10 223.03 (8). With its application for permission to exercise fiduciary powers under  
11 this subsection, a state bank shall submit to the ~~commissioner~~ division a fee of  
12 \$1,000. In passing upon application for permission to exercise such fiduciary powers,  
13 the ~~commissioner~~ division may take into consideration the amount of capital and  
14 surplus of the applying bank, whether or not such capital and surplus is sufficient  
15 under the circumstances, the needs of the community to be served, and any other  
16 facts and circumstances that ~~seem to him~~ may be material, and may grant or refuse  
17 the application accordingly; provided, that no special authorization shall be issued  
18 to any such bank having a capital less than the capital from time to time required  
19 by law of a national bank exercising fiduciary power in the same place. If satisfied  
20 that such bank has in good faith complied with all the requirements of law and  
21 fulfilled all the conditions precedent to the exercise of such powers imposed by law,  
22 the ~~commissioner~~ division may, within 6 months after the date on which the  
23 application of such bank was filed, issue ~~under his or her hand and official seal~~, in  
24 triplicate, a special authorization certificate to such bank. Such certificate shall  
25 state that the bank named therein has complied with the provisions of law applicable

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1 to banks exercising fiduciary powers, and is authorized to exercise the same. One  
2 of the triplicate special authorization certificates shall be transmitted by the  
3 ~~commissioner~~ division to the bank thereby authorized to exercise fiduciary powers;  
4 another shall be filed ~~and recorded in the office of the commissioner~~ with the division,  
5 and the 3rd shall be recorded at the expense of such bank in the office of the register  
6 of deeds of the county in which such bank is located. In the conduct of its business  
7 under or in connection with such authorization to exercise fiduciary powers every  
8 bank so authorized shall comply with and be governed by all the provisions of law  
9 from time to time applicable to individuals acting in a similar capacity.

10 **SECTION 6111.** 221.04 (6m) of the statutes is amended to read:

11 221.04 (6m) TRUST SERVICE OFFICES. Any state bank exercising trust powers  
12 may, with the approval of the ~~commissioner of banking~~ division, establish and  
13 maintain a trust service office at any office in this state of any other state or national  
14 bank. Any state bank may, with the approval of the ~~commissioner~~ division, permit  
15 any other state or national bank exercising trust powers or any trust company bank  
16 organized under ch. 223 to establish and maintain a trust service office at any of its  
17 banking offices. The establishment and operation of such trust service offices shall  
18 be subject to s. 223.07. This subsection does not authorize branch banking.

19 **SECTION 6112.** 221.04 (7) of the statutes is amended to read:

20 221.04 (7) SALE OF U.S. BONDS. Any state bank or trust company bank may, by  
21 resolution of its board of directors authorizing such action, act whenever designated  
22 by the secretary of the treasury of the United States or by any other instrumentality  
23 of the United States, as agent for said secretary of the treasury or other  
24 instrumentality of the United States in the sale of bonds or other obligations of the  
25 United States or in such other matters as said secretary of the treasury or other

1 instrumentality of the United States may designate. Any of said institutions may  
2 enter into such contracts, incur such obligations or make such investment or pledge  
3 of its assets and generally do and perform all such acts and things whatsoever as may  
4 be necessary or appropriate in order to exercise the powers hereby granted.  
5 Provided, however, that any state bank or trust company bank may exercise such  
6 powers only upon express approval previously granted by the ~~commissioner of~~  
7 ~~banking~~ division, and in such manner and to such extent as the ~~commissioner~~  
8 division may approve, and with such limitations upon the exercise of those powers  
9 as the ~~commissioner~~ division may impose.

10 **SECTION 6113.** 221.041 (5) of the statutes is amended to read:

11 221.041 (5) Any bank may cause to be performed, by contract or otherwise, any  
12 bank services for itself, whether on or off its premises, provided assurances  
13 satisfactory to the ~~commissioner of banking~~ division are furnished to the  
14 ~~commissioner~~ division by both the bank and the party performing the services that  
15 the performance thereof will be subject to regulation and examination by the  
16 ~~commissioner~~ division to the same extent as if such services were being performed  
17 by the bank itself on its own premises.

18 **SECTION 6114.** 221.045 (1) of the statutes is amended to read:

19 221.045 (1) Whenever the term "capital" as distinguished from the term  
20 "capital stock" is used in any law of this state relating to banking, it shall mean and  
21 include the capital stock and preferred stock of a bank and the outstanding capital  
22 notes and debentures legally issued and sold by such bank exclusive of Class "B"  
23 capital notes and debentures as classified by the ~~commissioner of banking~~ division.  
24 The "capital" of any such bank may be deemed to be unimpaired when the amount  
25 of such capital notes and debentures as represented by cash or sound assets or the

1 amount of such preferred stock, or both such notes and debentures and such  
2 preferred stock, equals or exceeds the impairment of the "capital stock" as found by  
3 the ~~commissioner~~ division.

4 **SECTION 6115.** 221.046 (1) of the statutes is amended to read:

5 221.046 (1) Any state bank or trust company bank may by the action of its  
6 board of directors issue and sell its capital notes or debentures of one or more classes  
7 in the amount, in the form, with the maturity and conferring the rights and  
8 privileges upon the holders of them as the board determines, except that no issuance  
9 or sale may be made unless approved by the ~~commissioner of banking~~ division.

10 **SECTION 6116.** 221.046 (2) of the statutes is amended to read:

11 221.046 (2) Before any such capital notes or debentures are retired or paid by  
12 the bank, any existing deficiency of its capital, disregarding the notes and  
13 debentures to be retired, must be paid in cash or in assets acceptable to the  
14 ~~commissioner of banking~~ division, so that the sound capital assets shall at least equal  
15 the capital stock of the bank.

16 **SECTION 6117.** 221.047 (title) of the statutes is amended to read:

17 **221.047 (title) Banks may issue preferred stock; approval of**  
18 **commissioner; restrictions.**

19 **SECTION 6118.** 221.047 (1) of the statutes is amended to read:

20 221.047 (1) Except as provided in sub. (2), any bank organized under the laws  
21 of this state may by provision in its original articles, or by amendment thereto,  
22 adopted by a two-thirds vote of the stock having voting power, upon not less than 10  
23 days' notice given by registered mail pursuant to action taken by the board of  
24 directors, and subject to the approval of the ~~commissioner~~ division, issue preferred  
25 stock of one or more classes, in such amount and with such par value as may be

1 approved by ~~said commissioner~~ the division; provide subject to the approval of the  
2 ~~commissioner~~ division, for payment of dividends on such preferred stock at a  
3 specified rate before dividends are paid upon the capital stock; for the cumulation of  
4 such dividends; for a preference of such preferred stock over the capital stock in the  
5 distribution of the corporate assets; for the conversion of such preferred stock into  
6 capital stock; for the redemption of such preferred stock and for denying or  
7 restricting the voting power of such preferred stock.

8 **SECTION 6119.** 221.047 (4) of the statutes is amended to read:

9 221.047 (4) No change in relation to such preferred stock shall be made except  
10 by amendment to the articles adopted by a vote of two-thirds of the preferred stock  
11 and two-thirds of the capital stock, and subject to the approval of the ~~commissioner~~  
12 division.

13 **SECTION 6120.** 221.05 of the statutes is amended to read:

14 **221.05 Prohibition to transact business.** No bank shall transact any  
15 business, except such as is incidental or necessarily preliminary to its organization  
16 until it has been regularly authorized by the ~~commissioner of banking~~ division to  
17 commence the business of banking.

18 **SECTION 6121.** 221.06 (intro.) of the statutes is amended to read:

19 **221.06 Authority to commence business.** (intro.) Whenever, within a  
20 reasonable time as determined by the ~~commissioner of banking~~ division from the  
21 date of the filing of the articles of incorporation, a bank organizing under this chapter  
22 has complied with all provisions of the law, and has adopted bylaws approved by the  
23 ~~commissioner of banking~~ division, and has provided itself with suitable banking  
24 quarters, and has supplied the necessary books, forms, stationery, furniture and  
25 equipment for the proper and orderly transaction of the business of banking, it shall

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1 give notice in writing to the ~~commissioner~~ division that it is so prepared, and the  
2 ~~commissioner~~ division shall make or cause to be made an examination.

3 **SECTION 6122.** 221.06 (1) of the statutes is amended to read:

4 221.06 (1) If such examination satisfies the ~~commissioner~~ division that such  
5 bank has complied with all provisions of the law, that the stock subscriptions have  
6 been fully paid in lawful money, and it appears that such bank is lawfully entitled  
7 to commence business, the ~~commissioner~~ division shall forthwith give such bank a  
8 certificate of authority ~~under the commissioner's hand and official seal~~ that such  
9 bank is authorized to commence business. The certificate of authority to commence  
10 business shall constitute the charter of the bank and shall be given a charter number  
11 by the ~~commissioner~~ division.

12 **SECTION 6123.** 221.06 (2) of the statutes is amended to read:

13 221.06 (2) If the ~~commissioner~~ division has reason to believe that the  
14 stockholders have formed the corporation for any other than the legitimate business  
15 contemplated by this chapter, or that any of the facts stated in the declaration are  
16 untrue, or that other reasons exist, which would make the opening of the bank  
17 injurious to the public interest, the ~~commissioner~~ division may, with the advice and  
18 consent of the attorney general, withhold the certificate herein mentioned.

19 **SECTION 6124.** 221.07 of the statutes is amended to read:

20 **221.07 Publication of certificate.** The bank shall cause the certificate  
21 issued hereunder to be published as a class 1 notice, under ch. 985, in the city, village  
22 or town where the bank is located. Such notice shall be published within 15 days of  
23 the issuing of the certificate. Proof of publication shall be filed with the ~~commissioner~~  
24 ~~of banking~~ division. In the event of any bank failing to comply with the provisions  
25 of this section the ~~commissioner~~ division shall cause the notice to be published and

1 the bank shall be liable for the expense thereof, and in addition thereto such bank  
2 shall be subject to a penalty of \$100, which amount shall be collected by the  
3 ~~commissioner~~ division, and when recovered shall be paid into the state treasury.

4 **SECTION 6125.** 221.08 (3) of the statutes is amended to read:

5 221.08 (3) In the first instance, the directors shall be elected at the meeting  
6 held before the bank is authorized to commence business by the ~~commissioner~~ of  
7 ~~banking~~ division, and afterwards at the annual meeting of the stockholders which  
8 shall be held at a time established in the bylaws. Beginning with the annual meeting  
9 held in 1990, the bank shall include with each notice of an annual meeting delivered  
10 to shareholders copies for the 2 preceding fiscal years of the bank's balance sheets,  
11 statements of profit and loss and reconcilements of the bank's loan loss reserve. If  
12 for any reason an election is not had at that meeting, it may be held at a subsequent  
13 meeting called for that purpose, of which due notice shall be given as provided in the  
14 bylaws.

15 **SECTION 6126.** 221.08 (9) of the statutes is amended to read:

16 221.08 (9) The board of directors shall meet at least once each month. At the  
17 monthly meeting they shall generally investigate the affairs of the bank and  
18 determine whether the assets are of the value at which they are carried on the books  
19 of the bank. The directors shall name a loan committee of 3 or more of its members,  
20 a majority of whom shall be other than active executives, except in 1st or 2nd class  
21 cities, or except when a majority of the directors are actively engaged in the bank's  
22 management. The committee shall meet at least once each month and shall  
23 determine policies as to renewals and applications for new loans. Any director who  
24 is found to be lax in attendance may be removed by the ~~commissioner~~ division and

1 the vacancy shall be filled within a reasonable time as the ~~commissioner~~ division  
2 may direct.

3 **SECTION 6127.** 221.09 (1) (intro.) of the statutes is amended to read:

4 221.09 (1) (intro.) After receipt by the board of directors of a bank of each report  
5 of examination of the bank by the ~~office of the commissioner~~ division, the board or  
6 an examining committee appointed under sub. (2), unless the ~~commissioner~~ division  
7 requires response by the board as provided in s. 220.05 (5), shall do all of the  
8 following:

9 **SECTION 6128.** 221.09 (5) of the statutes is amended to read:

10 221.09 (5) The board of directors shall transmit the report prepared under sub.  
11 (1) (b) and the acknowledgments prepared under sub. (3) to the ~~office of the~~  
12 ~~commissioner~~ division within 45 days after receipt by the board of each report of  
13 examination under sub. (1) (intro.).

14 **SECTION 6129.** 221.12 of the statutes is amended to read:

15 **221.12 Articles may be amended.** A bank may amend its articles of  
16 incorporation in any manner not inconsistent with law, at any time, by a vote of its  
17 stockholders representing two-thirds of the capital stock taken at a meeting called  
18 for that purpose. The bank shall submit the amendment to the ~~commissioner of~~  
19 ~~banking~~ division. The amendment is not effective unless approved by the  
20 ~~commissioner~~ division. The amendment may provide for a change of location of the  
21 bank. The amendment may provide for a change of the location of a parent bank to  
22 the location of a branch of the parent bank and a change of the location of a branch  
23 of the parent bank to the location of the parent bank if the change is first approved  
24 by the ~~commissioner~~ division upon application. The amendment, certified by the  
25 president or cashier, and setting forth the volume and page of recording in the office

1 of the register of deeds of the original articles of incorporation, shall be recorded as  
2 required for articles of incorporation. No increase of the capital shall be valid until  
3 the amount of the increase has been subscribed and actually paid in. The entire  
4 surplus fund of a bank, or as much as may be required, may be declared and paid out  
5 as a stock dividend to apply on, and be converted into, an increase of capital. No  
6 reduction of capital shall be made to a less amount than is required under this  
7 chapter for capital, nor be valid or warrant the cancellation of stock certificates or  
8 diminish the personal liability of stockholders, until the reduction has been approved  
9 by the ~~commissioner~~ division. No reduction may be effected in any other way than  
10 by a proportional reduction of all outstanding shares unless approved by the  
11 ~~commissioner~~ division. The approval may be given only when the ~~commissioner~~  
12 division is satisfied that the reduction of the capital is in the best interests of the  
13 depositors.

14 **SECTION 6130.** 221.14 (1) of the statutes is amended to read:

15 221.14 (1) Real estate necessary for the convenient transaction of its business,  
16 including with its banking offices other facilities to rent as source of income. No bank  
17 may invest in a banking office, including facilities connected with the office, together  
18 with furniture, equipment and fixtures, or become liable for it in a sum exceeding  
19 60% of its capital and surplus; but in lieu of this it may invest, with the approval of  
20 the ~~commissioner of banking~~ division, an amount not to exceed 40% of its capital and  
21 surplus in the stocks, bonds or obligations of a bank building corporation. Any bank  
22 not owning its banking offices may not invest in furniture, equipment and fixtures  
23 a sum exceeding 20% of its capital and surplus.

24 **SECTION 6131.** 221.14 (4s) of the statutes is amended to read:

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1           221.14 (4s) Real estate used as an attended or unattended remote facility for  
2 paying and receiving only. Remote facilities may be established only with specific  
3 approval by the ~~commissioner~~ division. The authority under this subsection is in  
4 addition to the authority to establish facilities that are attached to or a part of a bank  
5 or a branch bank. After July 31, 1989, and before February 1, 1990, a bank may  
6 inform the ~~commissioner~~ division in writing that it is converting a remote facility  
7 existing on August 1, 1989, into a branch bank, specifying the effective date of the  
8 conversion. An application fee is not required for a conversion under this subsection.

9           **SECTION 6132.** 221.14 (5) of the statutes is amended to read:

10           221.14 (5) Real estate purchased and held, subject to the approval of the  
11 ~~commissioner of banking~~ division, for the purpose of providing needed housing  
12 accommodations for its essential employees who are relocated by the bank, including  
13 purchasing the former residence of the relocated, essential employee.

14           **SECTION 6133.** 221.14 (6) of the statutes is amended to read:

15           221.14 (6) No real estate acquired under sub. (2), (3) or (5) may be held for a  
16 longer time than 5 years, unless an extension is granted by the ~~commissioner~~  
17 division. If the extension is not granted, it must be sold at a private or public sale  
18 within one year thereafter. Nothing in this section may be construed to prevent a  
19 bank from lending moneys upon real estate security as provided by law. Real estate  
20 shall be conveyed under the corporate seal of the bank, and the hand of the president  
21 or vice president and cashier or assistant cashier.

22           **SECTION 6134.** 221.15 (1) of the statutes is amended to read:

23           221.15 (1) Every bank shall make to the ~~commissioner of banking~~ division not  
24 less than 2 reports during each calendar year, at such times as the ~~said commissioner~~  
25 division shall require the same, according to the forms which the ~~commissioner~~

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1 division shall prescribe and furnish. Such forms shall conform as nearly as  
2 practicable to that now required of national banks, including the schedules.

3 **SECTION 6135.** 221.15 (3) of the statutes is amended to read:

4 221.15 (3) Such report shall exhibit in detail and under proper heads, the  
5 resources and liabilities of the bank at the close of the business of any past day  
6 specified by the ~~commissioner~~ division, and shall be transmitted to the ~~commissioner~~  
7 division within 30 days after the receipt of request therefor from the ~~commissioner~~  
8 division.

9 **SECTION 6136.** 221.15 (4) of the statutes is amended to read:

10 221.15 (4) The most recent report filed under sub. (1) as of the last business day  
11 of the 4th calendar quarter shall be published by the bank as a class 1 notice, under  
12 ch. 985, where the bank is located, in the condensed form as the ~~commissioner~~  
13 division prescribes. Each bank shall maintain proof of publication of the report.

14 **SECTION 6137.** 221.15 (6) of the statutes is amended to read:

15 221.15 (6) When requested by the ~~commissioner~~ division, any bank shall report  
16 to the ~~commissioner on call by the commissioner,~~ division a list of its stockholders,  
17 their residences, and the amount of stock held by each, which report shall be signed  
18 and verified by the oath or affirmation of one of the officers of said bank.

19 **SECTION 6138.** 221.15 (7) of the statutes is amended to read:

20 221.15 (7) The ~~commissioner~~ division shall also have the power to call for  
21 special reports from any bank whenever in the ~~commissioner's~~ division's judgment  
22 the same is necessary to inform the ~~commissioner~~ division fully of the condition of  
23 such bank.

24 **SECTION 6139.** 221.16 of the statutes is amended to read:

1           **221.16 One hundred dollars per day forfeiture.** Every bank failing to  
2 make and transmit to the ~~commissioner of banking~~ division any of the reports or  
3 proofs of publication as required by this chapter shall be subject, at the discretion of  
4 the ~~commissioner~~ division, to a forfeiture of \$100 for each day after the time required  
5 for making such reports. Whenever any bank fails or refuses to pay the forfeiture  
6 herein imposed for a failure to make and transmit such report, the ~~commissioner~~  
7 division is hereby authorized to institute proceedings for the recovery of such  
8 forfeiture.

9           **SECTION 6140.** 221.18 of the statutes is amended to read:

10           **221.18 Inspection; refusal to permit; action to dissolve; prosecutions.**

11 Whenever any officer in charge of a bank refuses to submit the books, papers and  
12 concerns of such bank to the inspection of the ~~commissioner of banking, the~~  
13 ~~commissioner's deputy, or examiner appointed hereunder,~~ division or refuses to be  
14 examined on oath touching the concerns of the bank, the ~~commissioner~~ division may  
15 inform the attorney general. The department of justice shall then institute an action  
16 to procure a judgment dissolving such corporation. In order to carry out this section  
17 the ~~commissioner~~ division may commence and maintain in the ~~commissioner's~~  
18 division's name as ~~commissioner of banking~~ any and all actions necessary or proper  
19 to enforce this section.

20           **SECTION 6141.** 221.19 of the statutes is amended to read:

21           **221.19 Prosecutions.** In order to carry out ss. 220.07, 220.08 and 221.18, the

22 ~~commissioner of banking~~ division may commence and maintain in the  
23 ~~commissioner's~~ division's name any and all actions necessary or proper to enforce  
24 any of said sections.

25           **SECTION 6142.** 221.205 of the statutes is amended to read:

1           **221.205 Banks; disciplinary provisions.** Whenever the commissioner of  
2 banking division shall have or receive information causing the commissioner  
3 division to believe that any bank, trust company bank, or any other corporation,  
4 limited liability company or association in respect to whose affairs or any part thereof  
5 the commissioner division has any supervision or control under the law, or any  
6 officer, employe, member or manager thereof has been guilty of a violation of any of  
7 the provisions of law or regulations or orders in execution thereof which subjects any  
8 such corporation, limited liability company or association or person to prosecution  
9 for a criminal offense or for recovery of penalty under the law, the commissioner  
10 division shall bring such facts and information to the attention of the banking review  
11 board with the commissioner's division's recommendation in writing as to action to  
12 be taken. Said banking review board shall, if in its judgment probable cause exists  
13 for believing that a criminal offense has been committed, or a penalty incurred, call  
14 the facts and information to the attention of the attorney general whose duty it shall  
15 be to cause prosecution or other action to be instituted if in the attorney general's  
16 judgment the facts warrant. Nothing herein contained shall be deemed to prevent  
17 the institution of any prosecution by any district attorney of this state with or  
18 without any advice or act on the part of the attorney general. Nothing herein  
19 contained shall preclude the commissioner of banking division, in any case where the  
20 commissioner division deems it important to act immediately, from causing any  
21 arrest and prosecution where the commissioner division is satisfied that there is  
22 reason to believe the offense has been committed and that prosecution should be  
23 immediately commenced.

24           **SECTION 6143.** 221.21 of the statutes is amended to read:

1           **221.21 When organized as national bank.** Any bank organized under this  
2 chapter may reorganize under the laws of the United States as a national bank. As  
3 soon as such bank shall have obtained the certificate from the comptroller of the  
4 currency, authorizing it to commence business under the United States banking law,  
5 such reorganized bank shall take and hold all of the assets, real and personal, of such  
6 bank organized under this chapter, subject to all liabilities existing against said bank  
7 organized under this chapter at the time of such reorganization, and shall  
8 immediately notify the ~~commissioner of banking~~ division of such reorganization and  
9 transfer.

10           **SECTION 6144.** 221.22 of the statutes is amended to read:

11           **221.22 National banks may reorganize as state banks.** Any national bank  
12 authorized to dissolve, and which shall have taken the necessary steps to effect  
13 dissolution, may reorganize under this chapter, upon the consent in writing of the  
14 owners of two-thirds of the capital stock of such bank, and with the approval of the  
15 ~~commissioner of banking~~ division. Such stockholders shall make, execute and  
16 acknowledge articles of organization as required by this chapter, and shall set forth  
17 the said written consent of such stockholders. A national bank seeking to reorganize  
18 under this section shall pay to the ~~commissioner~~ division a fee of \$1,000 plus the  
19 actual costs incurred by the ~~commissioner~~ division in investigating the proposed  
20 reorganization. Upon the filing of the articles as provided by this chapter, and upon  
21 the approval of the ~~commissioner~~ division, such bank shall be deemed to be  
22 reorganized under this chapter, and thereupon all assets, real and personal, of such  
23 dissolved national bank shall be vested in and be and become the property of such  
24 reorganized bank, subject to all liabilities of such national bank not liquidated before  
25 such reorganization.

1           **SECTION 6145.** 221.23 of the statutes is amended to read:

2           **221.23 Consolidation of banks.** A bank, which is in good faith winding up  
3 its business, for the purpose of consolidating with some other bank, may transfer its  
4 resources and liabilities to the bank with which it is in process of consolidation; but  
5 no consolidation shall be made without the consent of the ~~commissioner of banking~~  
6 division, and not then to defeat or defraud any of the creditors in the collection of their  
7 debts against such banks, or either of them.

8           **SECTION 6146.** 221.24 (1) of the statutes is amended to read:

9           221.24 (1) Any bank organized or doing business under this chapter may go  
10 into liquidation by a vote of its stockholders owning two-thirds of the capital stock.  
11 Whenever a vote is taken to go into liquidation, the board of directors shall give notice  
12 of this fact to the ~~commissioner of banking~~ division, and the notice shall be certified  
13 by the president or cashier under the seal of the bank. No liquidating bank may  
14 transfer assets or liabilities to another bank until the transfer is approved by the  
15 ~~commissioner~~ division.

16           **SECTION 6147.** 221.245 of the statutes is amended to read:

17           **221.245 Cancellation of charter of merged bank.** Whenever any bank has  
18 merged or consolidated with or been absorbed by another bank, the ~~commissioner of~~  
19 ~~banking~~ division may cancel the charter of the first mentioned bank after notice of  
20 proposed cancellation has been published as a class 3 notice, under ch. 985, in the  
21 county wherein the bank is located, unless written objections are filed with the  
22 ~~commissioner~~ division within a time specified in the notice stating grounds which the  
23 ~~commissioner~~ division deems sufficient.

24           **SECTION 6148.** 221.25 (1) of the statutes is amended to read:

1           221.25 (1) Any 2 or more banks may, with the approval of the ~~commissioner~~ of  
2     banking division, consolidate into one bank under the charter of either existing bank  
3     on such terms and conditions as may be lawfully agreed upon by a majority of the  
4     board of directors of each bank proposing to consolidate and be ratified and confirmed  
5     by the affirmative vote of the stockholders of each such bank owning at least  
6     two-thirds of its capital stock outstanding and at least two-thirds of any outstanding  
7     preferred stock having voting rights, at a meeting to be held on call of the directors,  
8     after sending notice of the time, place and object of the meeting to each shareholder  
9     of record by registered mail at least 30 days prior to said meeting; provided that the  
10    capital stock of such consolidated bank shall not be less than that required under  
11    existing law for the organization of a state bank in the place in which it is located.  
12    When such consolidation is approved by the ~~commissioner~~ division, any shareholder  
13    of either of the banks so consolidated who has not voted for such consolidation shall  
14    be given notice of the approval by the bank in which the shareholder holds an interest  
15    and of the shareholder's right to receive the appraised value for the shareholder's  
16    shares. If within 20 days after the date that notice of approval is mailed or delivered  
17    to a shareholder the shareholder notifies the directors of the bank in which the  
18    shareholder is interested that the shareholder dissents from the plan of  
19    consolidation as adopted and approved and desires to withdraw from such bank, the  
20    shareholder shall be entitled to receive in cash the value of the shares so held by the  
21    shareholder, to be ascertained by an appraisal made by a committee of 3 persons, one  
22    to be selected by the shareholders, one by the directors, and the 3rd by the 2 so  
23    chosen; the expense of such appraisal shall be borne by the bank; and in case the  
24    value so fixed shall not be satisfactory to the shareholder he or she may within 5 days  
25    after being notified of the appraisal appeal to the ~~commissioner~~, who division, which

1 shall cause a reappraisal to be made by an appraiser or appraisers to be named by  
2 said ~~commissioner~~ the division, which appraisal shall be final and binding, and if  
3 said reappraisal shall exceed the value fixed by said committee the bank shall pay  
4 the expense of reappraisal, otherwise the shareholder shall pay said expense, and  
5 the value so ascertained and determined shall be deemed to be a debt due and be  
6 forthwith paid to said shareholder from said bank, and the share or shares so paid  
7 shall be surrendered and after such notice as the board of directors may provide, be  
8 sold at public auction within 30 days after the final appraisement provided for by this  
9 section.

10 **SECTION 6149.** 221.25 (3) of the statutes is amended to read:

11 221.25 (3) The ~~commissioner~~ division may after consultation with the banking  
12 review board make recommendations to any bank or trust company within this state  
13 as to advisability of consolidation with other banks and may make recommendations  
14 as to terms for consolidation or merger of banks in order to avoid a condition of  
15 oversupply of banks in any community or area of the state. The ~~commissioner~~  
16 division may also, if requested so to do, act as mediator or arbitrator to fix any of the  
17 terms of any such consolidation or merger. It shall be within the power of the board  
18 of directors of any bank or trust company organized under the laws of this state to  
19 appropriate a reasonable amount from the assets of the bank toward assisting in  
20 bringing about a consolidation or merger of banks or to aid in reorganization or in  
21 avoiding the closing of a bank where such action is deemed to be in the interests of  
22 safe banking and the maintenance of credit and banking facilities in the county in  
23 which such bank is located.

24 **SECTION 6150.** 221.25 (4) of the statutes is amended to read:

1           221.25 (4) Application for approval of a consolidation under sub. (1) shall be  
2           made on a form prescribed by the ~~commissioner~~ division. The application shall be  
3           accompanied by a fee of \$5,000, except that if more than 3 banks are to be  
4           consolidated the fee is \$5,000 plus \$1,000 for each bank after the 3rd bank.

5           **SECTION 6151.** 221.26 of the statutes is amended to read:

6           **221.26** (title) **Banks may be placed in hands of commissioner under**  
7           **division control**. Any bank doing business under this chapter may place its affairs  
8           and assets under the control of the ~~commissioner of banking~~ division by posting a  
9           notice on its front door, as follows: "This bank is in the hands of the ~~commissioner~~  
10          division of banking". Immediately upon posting such notice, the bank shall notify  
11          the ~~commissioner~~ division of such action. The posting of such notice, or the taking  
12          possession of any bank by the ~~commissioner~~ division, shall be sufficient to place all  
13          its assets and property of whatever nature in the possession of the ~~commissioner~~  
14          division, and shall operate as a bar to any attachment proceedings. For each day the  
15          ~~commissioner~~ division is so placed in possession of the bank, and until such time as  
16          a special deputy ~~commissioner of banking~~ is appointed under s. 220.08 (4), the bank  
17          shall pay to the ~~commissioner~~ division the actual cost of such liquidation  
18          proceedings. All such fees shall be paid by the ~~commissioner~~ division to the state  
19          treasurer to be placed to the credit of s. ~~20.124~~ 20.144 (1) (g) in the percentage  
20          specified in that paragraph.

21          **SECTION 6152.** 221.27 (2) of the statutes is amended to read:

22          221.27 (2) Every bank shall maintain sufficient reserves to meet anticipated  
23          withdrawals, commitments and loan demand. Every bank shall maintain at least  
24          the level of reserves required for it by the federal reserve system. The ~~commissioner~~  
25          ~~of banking~~ division may prescribe additional reserve requirements for an individual

1 bank based on examination findings or other reports available to the ~~commissioner~~  
2 division.

3 **SECTION 6153.** 221.27 (3) (g) of the statutes is amended to read:

4 221.27 (3) (g) Short-term obligations approved by rule of the ~~commissioner of~~  
5 banking division.

6 **SECTION 6154.** 221.28 of the statutes is amended to read:

7 **221.28 Reserve to be kept up.** Whenever the reserve of any bank falls below  
8 the amount required to be kept, such bank shall not increase its loans or discounts  
9 otherwise than by discounting or purchasing bills of exchange payable at sight or on  
10 demand, and the ~~commissioner~~ division shall notify any bank whose reserve is below  
11 the amount required, to make good such reserve, and in case the bank fails, for 30  
12 days thereafter to make good such reserve, the ~~commissioner~~ division may assess  
13 such bank \$100 for each 2-week period which the bank has been in default or may  
14 notify the attorney general and the department of justice shall institute proceedings  
15 for the appointment of a receiver and to wind up the business of the bank. Such  
16 assessment shall be paid to the ~~commissioner~~ division and if any such bank fails or  
17 refuses to pay such assessment the ~~commissioner~~ division may maintain an action  
18 for the recovery of the assessment.

19 **SECTION 6155.** 221.29 (1) (f) of the statutes is amended to read:

20 221.29 (1) (f) The limitations in this section shall not apply to that portion of  
21 any loan which is guaranteed by a federal or Wisconsin state guaranty program  
22 approved by the ~~commissioner~~ division. The ~~commissioner~~ division shall designate  
23 federal and Wisconsin state guaranty programs which qualify under this paragraph.

24 **SECTION 6156.** 221.295 (1) of the statutes is amended to read:

**SECTION 6156**

1           221.295 (1) Except as provided in sub. (3), a bank may lend under this  
2 subsection, through the bank or a subsidiary of the bank, to all borrowers from the  
3 bank and all of its subsidiaries, an aggregate amount not to exceed the percentage  
4 of its capital and surplus established by the ~~commissioner~~ division under sub. (3).  
5 Neither a bank nor any subsidiary of the bank may lend to any borrower, under this  
6 subsection and any other law or rule, an amount that would result in an aggregate  
7 amount for all loans to that borrower that exceeds the percentage of the bank's  
8 capital and surplus established under sub. (3). A bank or its subsidiary may take an  
9 equity position or other form of interest as security in a project funded through such  
10 loans. Every transaction by a bank or its subsidiary under this subsection shall  
11 require prior approval by the board of directors of the bank or its subsidiary,  
12 respectively. Such loans are not subject to s. 221.36 or to classification as losses for  
13 a period of 2 years from the date of each loan except as provided in sub. (3).

14           **SECTION 6157.** 221.295 (2) of the statutes is amended to read:

15           221.295 (2) Except as provided in sub. (3), a bank may invest under this  
16 subsection amounts not to exceed, in the aggregate, that percentage of its capital and  
17 surplus established by the ~~commissioner of banking~~ division under sub. (3) in equity  
18 positions, such as profit-participation projects. A bank may take an investment  
19 position in a project with respect to which it is also a lender. The bank shall limit its  
20 liability as an investor in a specific project under this subsection to an amount not  
21 exceeding the amount of its investment in that project. For purposes of calculating  
22 the bank's aggregate investment under this subsection, the amount of each  
23 investment shall be established as of the date that the investment is made. Every  
24 transaction by a bank under this subsection shall require prior approval by the board

1 of directors of the bank and shall be disclosed to the shareholders of the bank prior  
2 to each annual meeting of the shareholders.

3 **SECTION 6158.** 221.295 (3) of the statutes is amended to read:

4 221.295 (3) ~~The commissioner of banking~~ division shall establish for each bank  
5 the applicable percentage, not to exceed 20%, under sub. (1) and the applicable  
6 percentage, not to exceed 10%, under sub. (2). ~~The commissioner~~ division may  
7 withdraw or suspend a percentage established under this subsection and, in such  
8 case, may specify how outstanding loans or investments shall be treated by the bank  
9 or subsidiary. Among the factors that the ~~commissioner~~ division may consider in  
10 establishing, withdrawing or suspending a percentage under this subsection are the  
11 bank's capital, assets, management and liquidity ratio and its capital ratio.

12 **SECTION 6159.** 221.295 (4) of the statutes is amended to read:

13 221.295 (4) At the time of making a loan or investment, the bank or subsidiary  
14 shall note in its records whether it is made under sub. (1) or (2). The forms of security  
15 for loans under sub. (1) and the forms of investment under sub. (2) shall be as  
16 approved by the ~~commissioner of banking~~ division by rule.

17 **SECTION 6160.** 221.295 (6) of the statutes is amended to read:

18 221.295 (6) A bank may make loans secured by assignment or transfer of stock  
19 certificates or other evidence of the borrower's ownership interest in a corporation  
20 formed for the cooperative ownership of real estate. Sections 846.10 and 846.101, as  
21 they apply to a foreclosure of a mortgage involving a one-family residence, apply to  
22 a proceeding to enforce the lender's rights in security given for a loan under this  
23 subsection. ~~The commissioner~~ division shall promulgate joint rules with the  
24 ~~commissioners~~ office of credit unions and the division of savings and loan that

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1 establish procedures for enforcing a lender's rights in security given for a loan under  
2 this subsection.

3 **SECTION 6161.** 221.296 (1) of the statutes is amended to read:

4 221.296 (1) A bank may invest amounts not to exceed, in the aggregate, that  
5 percentage of its capital and surplus established by the ~~commissioner of banking~~  
6 division under sub. (2) in partnership interests in farm operations. A bank may  
7 acquire a partnership interest in a farm operation with respect to which it is also a  
8 lender. The bank may only acquire a partnership interest in a farm operation as a  
9 limited partner. For purposes of calculating the bank's aggregate investment, the  
10 amount of each investment shall be established as of the date that the investment  
11 is made. Every transaction by a bank under this subsection shall require prior  
12 approval by the board of directors of the bank and shall be disclosed to the  
13 shareholders of the bank prior to each annual meeting of the shareholder.

14 **SECTION 6162.** 221.296 (2) of the statutes is amended to read:

15 221.296 (2) The ~~commissioner of banking~~ division shall establish for each bank  
16 the applicable percentage, not to exceed 10%, under sub. (1). The ~~commissioner~~  
17 division may withdraw or suspend a percentage established under this subsection  
18 and, in such case, may specify how outstanding investments shall be treated by the  
19 bank. Among the factors the ~~commissioner~~ division may consider in establishing,  
20 withdrawing or suspending a percentage established under this subsection are the  
21 bank's capital, assets, management and liquidity ratio and its capital ratio.

22 **SECTION 6163.** 221.297 (1) of the statutes is amended to read:

23 221.297 (1) Subject to any regulatory approval required by law and subject to  
24 sub. (2), a bank, directly or through a subsidiary, may undertake any activity,  
25 exercise any power or offer any financially related product or service in this state that

1 any other provider of financial products or services may undertake, exercise or  
2 provide or that the ~~commissioner~~ division finds to be financially related.

3 **SECTION 6164.** 221.297 (2) of the statutes is amended to read:

4 221.297 (2) The activities, powers, products and services that may be  
5 undertaken, exercised or offered by banks under sub. (1) are limited to those  
6 specified by rule of the ~~commissioner of banking~~ division and, with respect to loans  
7 under s. 221.295 (1) and investments under s. 221.295 (2), are subject to the  
8 limitations set forth in s. 221.295. The ~~commissioner~~ division may direct any bank  
9 to cease any activity, the exercise of any power or the offering of any product or service  
10 authorized by rule under this subsection. Among the factors that the ~~commissioner~~  
11 division may consider in so directing a bank are the bank's capital, assets,  
12 management and liquidity ratio and its capital ratio.

13 **SECTION 6165.** 221.33 (1) of the statutes is amended to read:

14 221.33 (1) Except as provided in s. 34.07, no bank or bank officer shall give  
15 preference to any depositor or creditor by pledging the assets of the bank as collateral  
16 security. A state bank may deposit with the treasurer of the United States, or in the  
17 custody of federal reserve banks or branches thereof designated by the judges of the  
18 several courts of bankruptcy, so much of its assets not exceeding its capital and  
19 surplus as may be necessary under the act of congress approved June 25, 1910, and  
20 all amendments thereof, to qualify as a depository for postal savings funds, other  
21 government deposits and as depository for bankrupt estates, debtors, corporations  
22 and railroads under reorganization under U.S. bankruptcy laws, and amendments  
23 thereto, and receivers, trustees and other officers thereof appointed by any U.S.  
24 district court or by any bankruptcy court of the United States and that in acting as  
25 such depository a state bank shall have all the rights and privileges granted to

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1 banking institutions under section 61 of the U.S. bankruptcy act, and amendments  
2 thereto; and any bank may borrow money for temporary purposes, and may pledge  
3 assets of the bank not exceeding 50% in excess of the amount borrowed as collateral  
4 security therefor. Any state bank so authorized by the ~~commissioner of banking, who~~  
5 division, that complies with s. 223.02, shall be exempt from furnishing the bond  
6 specified in s. 221.04 (6), and shall be entitled to the same exemption as to making  
7 and filing any oath or giving any bond or security as is conferred on trust company  
8 banks by s. 223.03 (8), but it is unlawful for any bank to borrow money unless the  
9 board of directors has adopted a resolution designating the bank from which the  
10 money may be borrowed, the maximum amount for which the bank may become  
11 indebted at any one time, and the names of the officers who may sign the promissory  
12 note evidencing the indebtedness. A bank may pledge assets in an amount not to  
13 exceed 4 times the amount of its capital and surplus to the federal reserve bank (as  
14 fiscal agent of the United States) of the federal reserve district in which it is located,  
15 except that no such pledge shall be made in excess of the amount of its capital and  
16 surplus without the consent of the ~~commissioner of banking~~ division. Whenever it  
17 appears that a bank is borrowing habitually for the purpose of reloaning, the  
18 ~~commissioner~~ division may require the bank to repay money so borrowed. Nothing  
19 herein contained shall prevent any bank from rediscounting in good faith and  
20 endorsing any of its negotiable notes if the same has been authorized by a recorded  
21 resolution of the board of directors.

22 **SECTION 6166.** 221.37 (1) of the statutes is amended to read:

23 221.37 (1) Before the board of directors of a bank may declare and pay a cash  
24 dividend, a sum equivalent to not less than one-fifth of the net profits of the bank  
25 for the preceding half year, or for such period as is covered by the dividend, shall be

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1 carried to a surplus fund, until such surplus fund shall amount to 100 per cent of the  
2 capital stock, except that the bank, with the approval of the ~~commissioner~~ division,  
3 may be exempted from the requirements of this section whenever its daily average  
4 of deposits for a period of one year shall be less than 10 times the unimpaired capital  
5 and surplus; such surplus shall not include items classified by the ~~commissioner of~~  
6 ~~banking~~ division as doubtful or loss.

7 **SECTION 6167.** 221.38 (1) (b) of the statutes is amended to read:

8 221.38 (1) (b) Compliance has been made with s. 221.37; except that, if a bank  
9 has had, during the immediate preceding 2 years, insufficient net profits to declare  
10 and pay a dividend out of current earnings and has paid a dividend out of undivided  
11 profits accrued during prior years, such bank shall not declare and pay a second  
12 dividend either in part or in full out of undivided profits accrued during prior years  
13 except with the written consent of the ~~commissioner of banking~~ division.

14 **SECTION 6168.** 221.38 (2) of the statutes is amended to read:

15 221.38 (2) No dividend shall be declared by the directors of a bank to the  
16 stockholders except out of net profits applicable thereto, and which shall not in any  
17 way impair or diminish the capital; and if any such shall be paid, every stockholder  
18 receiving the same shall be liable to restore the full amount thereof unless the capital  
19 be subsequently made good; and if the directors of any bank shall pay such dividend  
20 when the corporation is insolvent or in danger of insolvency, or not having reason to  
21 believe that there were sufficient net profits properly applicable thereto, to pay the  
22 same without impairing or diminishing the capital, they shall be jointly and  
23 severally liable to the creditors of the corporation at the time of declaring such  
24 dividends to double the amount thereof. Interest unpaid, although due or accrued,  
25 on debts owing to any bank, shall not be included in calculation of its profits previous

1 to a dividend; nor shall any bank, except with the previous written consent of the  
2 commissioner division, enter or at any time, carry on its books any of its assets at a  
3 valuation exceeding its actual cost to such bank.

4 **SECTION 6169.** 221.41 of the statutes is amended to read:

5 **221.41 Charter, how forfeited.** If the board of directors or a quorum thereof  
6 or any committee of such board of any bank shall knowingly violate or knowingly  
7 permit any of the officers, agents or employes of the bank to violate any of the  
8 provisions of this chapter, such directors shall jointly and severally be liable for the  
9 amount of the loss sustained by the bank; and if after a warning from the  
10 ~~commissioner of banking~~ division it shall fail to make good any loss or damage  
11 resulting from such acts, or continue such conduct, it shall constitute a ground for  
12 the forfeiture of the charter of such bank, and it shall thereupon be the duty of the  
13 ~~commissioner~~ division to institute proceedings to enforce such forfeiture and to  
14 secure a dissolution and a winding up of the affairs of such bank.

15 **SECTION 6170.** 221.43 of the statutes is amended to read:

16 **221.43 Shares of stock, when not transferable.** The shares of stock of an  
17 incorporated bank shall be deemed personal property, and shall be transferred on the  
18 books of the bank in such manner as the bylaws thereof may direct, and no transfer  
19 of capital stock shall be valid while the bank is under notice to make good the  
20 impairment of its capital, as provided in s. 220.07, nor until such impairment shall  
21 have been made good. A transfer of stock shall be certified by the bank cashier to the  
22 ~~commissioner of banking~~ division within 3 days after the transfer, if the transfer is  
23 of at least 5% of the outstanding shares or affects the holdings of the owner of record  
24 or beneficial owner of at least 5% of the outstanding shares. Failure to comply with  
25 this requirement shall be punishable by a fine of not to exceed \$100.

**SECTION 6171**

1           **SECTION 6171.** 221.47 of the statutes is amended to read:

2           **221.47 Circulating notes, when issuable.** If the congress of the United  
3 States hereafter removes the tax on bank circulation or provides for the  
4 establishment of circulation of banks organized under state laws, any bank  
5 organized or doing business under this chapter may issue circulating notes or  
6 currency in accordance with any such act of congress, or under such regulations as  
7 the ~~office of the commissioner of banking~~ division prescribes. This section shall not  
8 be construed to permit any loan and trust company or any other than a banking  
9 corporation to issue circulating notes.

10           **SECTION 6172.** 221.49 (1) of the statutes is amended to read:

11           221.49 (1) Except as provided in sub. (2), no person engaged in business in this  
12 state, not subject to supervision and examination by the ~~commissioner of banking~~  
13 division, and not required to make reports to the ~~commissioner of banking~~ division  
14 by this chapter, may use the term “bank”, in any form upon any office sign at the place  
15 where the business is transacted, nor may the person make use of or circulate any  
16 letterheads, billheads, blank notes, blank receipts, certificates, circulars, or any  
17 written or printed or partly written and partly printed paper having thereon any  
18 artificial or corporate name, or other words, indicating that the business is the  
19 business of a bank, but mortgage bankers registered under s. ~~440.72~~ 224.72 may use  
20 the designation “mortgage banker” and a savings bank organized under ch. 214 may  
21 use the designation “savings bank”. Violations of this section are subject to s. 220.02  
22 (2).

23           **SECTION 6173.** 221.50 of the statutes is amended to read:

24           **221.50 Declaration of unlimited individual responsibility.** The  
25 stockholders of any bank organized under the provisions of this chapter may file with

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1 the ~~commissioner of banking~~ division a declaration in writing, signed by each and all  
2 of them and by them acknowledged, consenting and agreeing to hold themselves  
3 individually responsible for all the debts, demands and liabilities of said bank. Upon  
4 application therefor the ~~commissioner~~ division shall make and certify a copy of said  
5 declaration which shall be received in evidence and have the same effect as the  
6 original declaration would have if produced in evidence and duly proved.

7 **SECTION 6174.** 221.51 of the statutes is amended to read:

8 **221.51 Liability under the stockholders' declaration.** On and from the  
9 filing of such declaration the persons who have executed the same shall be  
10 individually liable for all the debts, demands and liabilities of said bank, as well  
11 those then existing and unpaid as those thereafter to be made, created or incurred.  
12 And in any action brought against any such bank for any debt, demand or liability  
13 thereof it shall be competent for the party plaintiff to join as defendant therewith any  
14 one, or more, or all of the stockholders, whose names are attached to such  
15 declaration, and in such action to recover and have judgment and execution against  
16 the defendants or either or any of them; provided, that nothing herein shall be  
17 construed to prevent any action from being maintained for any debt, demand or  
18 liability of such bank against said bank alone, or against the said stockholders, or  
19 either or any of them. In case of the bona fide sale and transfer of any stock or interest  
20 of any stockholder, in any such bank, as provided in s. 221.43, a written  
21 memorandum of such transfer, signed and acknowledged in manner aforesaid by the  
22 vendor of said stock or interest, may be filed with the ~~commissioner of banking~~  
23 division, and thereupon the individual liability of such vendor for the debts, demands  
24 and liabilities of said bank, which may be created or incurred after the expiration of  
25 6 months from and after the filing of said memorandum shall cease; and in such case

1 the purchaser of said stock shall not become or be responsible or liable in any manner  
2 for the debts, demands and liabilities of such bank unless the purchaser shall execute  
3 and file the declaration mentioned in s. 221.50.

4 **SECTION 6175.** 221.52 of the statutes is amended to read:

5 **221.52 (title) Commissioner Division may disregard such declaration.**

6 ~~The commissioner of banking, the commissioner's deputy or any examiner appointed~~  
7 ~~by the commissioner division~~ shall not be required to take into consideration such  
8 certificate of unlimited individual responsibility in determining the impairment of  
9 capital of any bank, or in determining the solvency of any such bank.

10 **SECTION 6176.** 221.53 of the statutes is amended to read:

11 **221.53 Fees for certified copies.** Whenever any certified copy or copies of  
12 any records or papers filed in the ~~office of the commissioner of banking division~~ shall  
13 be lawfully required to be furnished by the ~~commissioner division~~, the ~~commissioner~~  
14 ~~division~~ shall be entitled to a fee of 10 cents for each folio for making such copy or  
15 copies and 50 cents for each certificate. All such fees shall be paid by the  
16 ~~commissioner division~~ into the state treasury to the credit of the general fund.

17 **SECTION 6177.** 221.56 (1) of the statutes is amended to read:

18 221.56 (1) Any domestic corporation, investment trust, or other form of trust  
19 or any regional state bank holding company which shall own, hold or in any manner  
20 control a majority of the stock in a state bank or trust company, or a bank or bank  
21 holding company which through a transaction under s. 701.108 acquires control of  
22 a majority of the stock in a state bank, shall be deemed to be engaged in the business  
23 of banking and shall be subject to the supervision of the ~~office of the commissioner~~  
24 ~~of banking division~~. It shall file reports of its financial condition when called for by  
25 the ~~commissioner of banking division~~, and the ~~commissioner division~~ may order an

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1 examination of its condition and solvency whenever in ~~his or her~~ the division's  
2 opinion such examination is required, and the cost of such examination shall be paid  
3 by such corporation or association. Whenever in the opinion of the ~~commissioner~~  
4 division the condition of such corporation or association shall be such as to endanger  
5 the safety of the deposits in any bank or trust company which is owned or in any  
6 manner controlled by such corporation, or the operation of such corporation,  
7 association or trust shall be carried on in such manner as to endanger the safety of  
8 such bank or trust company or its depositors, the ~~commissioner~~ division may order  
9 such corporation or trust to remedy such condition or policy within 90 days and if  
10 such order is not complied with, the ~~commissioner~~ division shall have power to fully  
11 direct the operation of such banks or trust companies until such order is complied  
12 with, and may withhold all dividends from such corporation or trust during the  
13 period in which the ~~commissioner~~ division may exercise such authority.

14 **SECTION 6178.** 221.57 of the statutes is amended to read:

15 **221.57 Bank-owned banks.** The ~~commissioner~~ division may authorize the  
16 establishment of, and issue a charter to, a bank, all of the stock of which is owned by  
17 2 or more state or national banks whose home offices are situated in this state.  
18 Notwithstanding any other requirement of this section, the ~~commissioner~~ division  
19 may authorize, by rule, up to 10% of the stock to be held by other persons to  
20 accommodate operational needs of the bank. The bank shall be deemed a state bank  
21 chartered under this chapter for all purposes, except that its functions shall be  
22 limited solely to providing banking and banking-related services to other banks,  
23 subsidiaries of banks, bank holding companies, subsidiaries of bank holding  
24 companies and directors, officers and employes of other banks, subsidiaries of banks,

1 bank holding companies and subsidiaries of bank holding companies. Such bank  
2 shall be empowered to authorize and to hold authorized but not issued stock.

3 **SECTION 6179.** 221.58 (2) (b) of the statutes is amended to read:

4 221.58 (2) (b) An in-state bank or in-state bank holding company proposing  
5 any action under par. (a) shall provide the ~~commissioner of banking~~ division a copy  
6 of any original application seeking approval by a federal agency or by an agency of  
7 the regional state and of any supplemental material or amendments filed in  
8 connection with any application.

9 **SECTION 6180.** 221.58 (4) (a) of the statutes is amended to read:

10 221.58 (4) (a) The ~~commissioner of banking~~ division finds that the statutes of  
11 the regional state in which the regional state bank holding company has its principal  
12 place of business permit in-state bank holding companies both to acquire one or more  
13 regional state banks and to acquire and merge with one or more regional state bank  
14 holding companies in the regional state.

15 **SECTION 6181.** 221.58 (4) (b) of the statutes is amended to read:

16 221.58 (4) (b) The ~~commissioner of banking~~ division has not disapproved the  
17 acquisition of or merger with the in-state bank or in-state bank holding company.

18 **SECTION 6182.** 221.58 (4) (c) of the statutes is amended to read:

19 221.58 (4) (c) The ~~commissioner of banking~~ division gives a class 3 notice, under  
20 ch. 985, in the official state newspaper, of the application to take an action under sub.  
21 (3) and of the opportunity for a hearing and, if at least 25 residents of this state  
22 petition for a hearing within 30 days of the final notice or if the ~~commissioner~~ division  
23 on ~~his or her~~ the division's motion calls for a hearing within 30 days of the final notice,  
24 the ~~commissioner~~ division holds a public hearing on the application, except that a  
25 hearing is not required if the ~~commissioner~~ division finds that an emergency exists

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1 and that the proposed action under sub. (3) is necessary and appropriate to prevent  
2 the probable failure of an in-state bank that is closed or in danger of closing.

3 **SECTION 6183.** 221.58 (4) (d) of the statutes is amended to read:

4 221.58 (4) (d) The ~~commissioner of banking~~ division is provided a copy of any  
5 original application seeking approval by a federal agency of the acquisition of an  
6 in-state bank or acquisition of or merger with an in-state bank holding company and  
7 of any supplemental material or amendments filed with the application.

8 **SECTION 6184.** 221.58 (4) (e) of the statutes is amended to read:

9 221.58 (4) (e) The applicant has paid the ~~commissioner of banking~~ division a  
10 fee of \$5,000, together with the actual costs incurred by the ~~commissioner~~ division  
11 in making an investigation related to the application and in holding any hearing on  
12 the application.

13 **SECTION 6185.** 221.58 (6) (intro.) of the statutes is amended to read:

14 221.58 (6) STANDARDS FOR DISAPPROVAL. (intro.) The ~~commissioner~~ division may  
15 disapprove any action under sub. (3) if the ~~commissioner~~ division finds any of the  
16 following:

17 **SECTION 6186.** 221.58 (6) (em) of the statutes is amended to read:

18 221.58 (6) (em) The applicant has failed to enter into an agreement prepared  
19 by the ~~commissioner~~ division to comply with laws and rules of this state regulating  
20 consumer credit finance charges and other charges and related disclosure  
21 requirements, except to the extent preempted by federal law or regulation.

22 **SECTION 6187.** 221.58 (6) (g) of the statutes is amended to read:

23 221.58 (6) (g) The applicant fails to meet any other standards established by  
24 rule of the ~~commissioner~~ division.

25 **SECTION 6188.** 221.58 (8) (a) of the statutes is amended to read:

1           221.58 (8) (a) Subsections (1) to (6) do not apply prior to January 1, 1987, except  
2 that the ~~commissioner~~ division may promulgate rules under sub. (6) (g) to be  
3 applicable no earlier than the date that subs. (1) to (6) apply.

4           **SECTION 6189.** 221.58 (10) of the statutes is amended to read:

5           221.58 (10) DIVESTITURE. Any bank holding company that ceases to be either  
6 an in-state bank holding company or a regional state bank holding company shall  
7 immediately notify the ~~commissioner of banking~~ division of the change in its status  
8 and shall, as soon as practical and within not more than 2 years after the event  
9 causing it to no longer be either an in-state bank holding company or a regional state  
10 bank holding company, divest itself of control of all in-state banks and in-state bank  
11 holding companies. A bank or bank holding company that fails to immediately notify  
12 the ~~commissioner~~ division is liable for a forfeiture of \$500 for each day beginning with  
13 the day its status changes and ending with the day notification is received by the  
14 ~~commissioner~~ division.

15           **SECTION 6190.** 223.02 (1) of the statutes is amended to read:

16           223.02 (1) Before any such corporation shall commence business it shall  
17 deposit with the state treasurer not less than 50 per cent of the amount of its capital  
18 stock, but no such corporation shall be required to deposit more than \$100,000, such  
19 deposit to be in cash, or securities eligible for trust investments under ch. 881 and  
20 approved by the ~~commissioner of banking~~ division and shall be held by the state  
21 treasurer in trust as security for the faithful execution of any trust which may be  
22 lawfully imposed upon and accepted by it; such corporation may from time to time  
23 withdraw the said securities as well as the cash, or any part thereof; provided that  
24 securities or cash of the amount and value required by this section shall, at all times,  
25 during the existence of such corporation remain in the possession of the state

**SECTION 6190**

1 treasurer for the purpose aforesaid and until otherwise ordered by a court of  
2 competent jurisdiction, unless released pursuant to sub. (2). The said treasurer shall  
3 pay over to such corporation the interest, dividends or other income which the  
4 treasurer collects upon such securities, or may authorize the said corporation to  
5 collect the same for its own benefit. Upon such deposit being made and approved,  
6 the state treasurer shall issue a certificate of such fact and an amount equal to the  
7 sum stated in such certificate shall remain with the treasurer in the manner  
8 provided above; in case the capital stock is increased or diminished the amount of  
9 such deposit shall be increased or diminished to comply herewith and a new  
10 certificate of such fact shall be issued accordingly.

11 **SECTION 6191.** 223.02 (2) of the statutes is amended to read:

12 223.02 (2) The securities and cash deposited pursuant to sub. (1) by any bank  
13 shall be released by the state treasurer and returned to the bank, whenever the  
14 ~~commissioner of banking~~ division shall certify to the state treasurer that the bank  
15 no longer exercises fiduciary powers and that ~~he or she~~ the division is satisfied that  
16 there are no outstanding trust liabilities.

17 **SECTION 6192.** 223.025 of the statutes is amended to read:

18 **223.025 Capital necessary to qualify as fiduciary.** Notwithstanding any  
19 other provision of law, a corporation organized, continued or reorganized under this  
20 chapter, a majority of the outstanding voting stock of which is controlled directly or  
21 indirectly by a holding company organized under ch. 180, which has complied with  
22 s. 223.02 and which has combined unimpaired capital stock and surplus of \$200,000  
23 or more or, if located in a city, town or village of less than 100,000 inhabitants,  
24 unimpaired capital stock of not less than \$50,000, shall not be required to provide  
25 additional capital and surplus if the parent holding company of the corporation files

**SECTION 6192**

1 with the ~~commissioner of banking~~ division an undertaking, in a form approved by the  
2 ~~commissioner~~ division, to be fully responsible for the existing and future fiduciary  
3 acts and omissions of the corporation and the ~~commissioner~~ division determines  
4 that, under the circumstances, the combined and unimpaired capital stock and  
5 surplus of the parent holding company of the corporation are adequate.

6 **SECTION 6193.** 223.03 (10) of the statutes is amended to read:

7 223.03 (10) Any such corporation may, with the approval of the court having  
8 jurisdiction, but without profit to itself, transfer to trust estates any mortgages or  
9 other securities owned by it which comply with the requirements of legal  
10 investments for trust funds under the statutes. The ~~commissioner of banking~~  
11 division shall at each examination of said corporation, examine all mortgages and  
12 other securities held by said corporation as assets of trust estates, excepting the trust  
13 estates where investment of trust funds is not required of the trustee, and for the  
14 purpose of such examination the ~~commissioner~~ division shall possess all the power  
15 and authority conferred upon the ~~commissioner~~ division by this chapter.

16 **SECTION 6194.** 223.03 (14) of the statutes is amended to read:

17 223.03 (14) To establish and maintain a branch trust company bank with the  
18 approval of the ~~commissioner of banking~~ division. Section 221.04 (1) (jm) 2, to 8, as  
19 it applies to bank branch offices under that paragraph, applies to trust company  
20 bank branch offices under this subsection.

21 **SECTION 6195.** 223.07 (1) of the statutes is amended to read:

22 223.07 (1) Any trust company bank may, with the approval of the ~~commissioner~~  
23 ~~of banking~~ division, establish and maintain a trust service office at any office in this  
24 state of a state or national bank if the establishment of the trust service office has

1 been approved by the board of directors of the state or national bank at a meeting  
2 called for that purpose.

3 **SECTION 6196.** 223.07 (3) of the statutes is amended to read:

4 223.07 (3) If the state or national bank at which a trust service office is to be  
5 established has exercised trust powers, the trust company bank and the state or  
6 national bank shall enter into an agreement respecting those fiduciary powers to  
7 which the trust company bank shall succeed and shall file the agreement with the  
8 ~~commissioner of banking~~ division. The trust company bank shall cause a notice of  
9 the filing, in a form prescribed by the ~~commissioner~~ division, to be published as a  
10 class 1 notice, under ch. 985, in the city, village or town where the state or national  
11 bank is located. After filing and publication, the trust company bank establishing  
12 the office shall, as of the date the office first opens for business, without further  
13 authorization of any kind, succeed to and be substituted for the state or national  
14 bank as to all fiduciary powers, rights, duties, privileges and liabilities of the bank  
15 in its capacity as fiduciary for all estates, trusts, guardianships and other fiduciary  
16 relationships of which the bank is then serving as fiduciary, except as may be  
17 otherwise specified in the agreement between the trust company bank and the state  
18 or national bank. The trust company bank shall also be deemed named as fiduciary  
19 in all writings, including, but not limited to, wills, trusts, court orders and similar  
20 documents and instruments naming the state or national bank as fiduciary, signed  
21 before the date the trust office first opens for business, unless expressly negated by  
22 the writing or otherwise specified in the agreement between the trust company bank  
23 and the state or national bank. On the effective date of the substitution, the state  
24 or national bank shall be released and absolved from all fiduciary duties and  
25 obligations under such writings and shall discontinue its exercise of trust powers on

**SECTION 6196**

1 all matters not specifically retained by the agreement. This subsection does not  
2 effect a discharge in the manner of s. 701.16 (6) or other applicable statutes and does  
3 not absolve a state or national bank exercising trust powers from liabilities arising  
4 out of any breach of fiduciary duty or obligation occurring prior to the date the trust  
5 service office first opens for business at the bank. This subsection does not affect the  
6 authority, duties or obligations of a bank with respect to relationships which may be  
7 established without trust powers, including escrow arrangements, whether the  
8 relationships arise before or after the establishment of the trust service office.

9 **SECTION 6197.** 223.105 (2) (a) of the statutes is amended to read:

10 223.105 (2) (a) Such rules as may be established by the ~~commissioner of~~  
11 banking division under s. 220.04 (7); and

12 **SECTION 6198.** 223.105 (3) (a) of the statutes is amended to read:

13 223.105 (3) (a) To assure compliance with such rules as may be established  
14 under s. 220.03 (7) the ~~office of the commissioner~~ division of banking, ~~commissioner,~~  
15 the office of credit unions and ~~commissioner~~ the division of savings and loan shall,  
16 at least once every 18 months, examine the fiduciary operations of each organization  
17 which is under its respective jurisdiction and is subject to examination under sub.  
18 (2). If a particular organization subject to examination under sub. (2) is not  
19 otherwise under the jurisdiction of one of the foregoing agencies, such examination  
20 shall be conducted by the ~~office of the commissioner~~ division of banking.

21 **SECTION 6199.** 223.105 (4) of the statutes is amended to read:

22 223.105 (4) NOTICE OF FIDUCIARY OPERATION. Except for those organizations  
23 licensed under ch. 221 or this chapter, any organization engaged in fiduciary  
24 operations as defined in this section shall, as required by rule, notify the  
25 ~~commissioner~~ division of banking, the ~~commissioner~~ office of credit unions or the

**SECTION 6199**

1 ~~commissioner~~ of savings and loan of that fact, directing the notice to the  
2 ~~commissioner~~ agency then exercising regulatory authority over the organization or,  
3 if there is none, to the ~~commissioner~~ division of banking. Any organization which  
4 intends to engage in fiduciary operations shall, prior to engaging in such operations,  
5 notify the appropriate ~~commissioner~~ agency of this intention. The notifications  
6 required under this subsection shall be on forms and contain information required  
7 by the rules promulgated by the ~~commissioner~~ division of banking.

8 **SECTION 6200.** 223.105 (5) of the statutes is amended to read:

9 223.105 (5) ENFORCEMENT REMEDY. The ~~commissioner~~ division of banking or  
10 ~~other appropriate commissioner under this section~~ the division of savings and loan  
11 or office of credit unions shall upon the failure of such organization to submit  
12 notifications or reports required under this section or otherwise to comply with the  
13 provisions of this section, or rules established by the ~~commissioner~~ division of  
14 banking under s. 220.04 (7), upon due notice, order such defaulting organization to  
15 cease and desist from engaging in fiduciary activities and may apply to the  
16 appropriate court for enforcement of such order.

17 **SECTION 6201.** 223.105 (6) of the statutes is amended to read:

18 223.105 (6) SUNSET. Except for an organization regulated by the office of the  
19 ~~commissioner~~ of credit unions or the ~~commissioner~~ division of savings and loan or an  
20 organization authorized by the ~~commissioner~~ division of banking to operate as a  
21 bank or trust company bank under ch. 221 or this chapter, an organization may not  
22 begin activity as a fiduciary operation under this section after May 12, 1992. An  
23 organization engaged in fiduciary operations under this section on May 12, 1992,  
24 may continue to engage in fiduciary operations after that date.

25 **SECTION 6202.** 223.12 (1) of the statutes is amended to read:



**SECTION 6204**

1           224.06 (1) As a condition precedent to qualification or entry upon the discharge  
2 of his or her duties, every person appointed or elected to any position requiring the  
3 receipt, payment or custody of money or other personal property owned by a bank or  
4 in its custody or control as collateral or otherwise, shall give a bond from an insurer  
5 qualified under s. 610.11 to do business in this state, in such adequate sum as the  
6 directors shall require and approve. In lieu of individual bonds the ~~commissioner~~  
7 division may accept a schedule or blanket bond which covers all of the officers and  
8 employes of any bank whose duties include the receipt, payment or custody of money  
9 or other personal property for or on behalf of the bank. All such bonds shall be in the  
10 form prescribed by the ~~commissioner of banking~~ division.

11           **SECTION 6205.** 224.06 (3) of the statutes is amended to read:

12           224.06 (3) Such bond shall be sufficient in amount to protect the bank from loss  
13 by reason of acts of fraud or dishonesty including forgery, theft, embezzlement,  
14 wrongful abstraction or misapplication on the part of the person, directly or through  
15 connivance with others. At any time the ~~commissioner~~ division may require  
16 additional bond or security, when in the ~~commissioner's~~ division's opinion, the bonds  
17 then executed and approved are insufficient.

18           **SECTION 6206.** 224.06 (4) of the statutes is amended to read:

19           224.06 (4) Every such bond shall provide that no cancellation or other  
20 termination of the bond shall be effective unless the surety gives in advance at least  
21 10 days' written notice by registered mail to the ~~commissioner~~ division. If the bond  
22 is canceled or terminated at the request of the insured (employer), the surety shall  
23 give the written notice to the ~~commissioner~~ division within 10 days after the receipt  
24 of such request.

25           **SECTION 6207.** 224.06 (5) of the statutes is amended to read:



**SECTION 6210**

1           224.72 (8) FEES. (a) Each applicant shall pay an initial registration fee of \$39  
2 to the department. If an examination is required, the applicant shall pay an  
3 examination fee, in an amount set by the department, in addition to the initial  
4 registration fee.

5           (b) An applicant for registration as a mortgage banker shall pay a temporary  
6 registration fee of \$10 to the department.

7           (c) (intro.) The renewal dates and renewal fees for registrations are as follows:

8           (d) The fee for a transfer of a loan originator registration is \$5.

9           **SECTION 6211b.** 226.025 (3) of the statutes is amended to read:

10           226.025 (3) The appointment of the ~~secretary of state~~ department of financial  
11 institutions or the designation of a resident agent as attorney for the service of  
12 summons, notice, pleadings or process under s. 180.1507 shall be applicable only to  
13 actions or proceedings against the foreign corporations described in this section  
14 (unless such corporations have been admitted to this state for purposes other than  
15 those mentioned in this section) where the cause of action or proceeding arises out  
16 of transactions between such foreign corporations and public utilities operating in  
17 this state with which such foreign corporations are affiliated; and to actions or  
18 proceedings by or before the public service commission or office of the commissioner  
19 of railroads involving the transactions described in sub. (1), or involving the relation  
20 between such foreign corporations and public utilities operating in this state with  
21 which they are affiliated.

22           **SECTION 6212b.** 226.14 (1) of the statutes is amended to read:

23           226.14 (1) No common law trust organized in this state, and no such trust  
24 formed or organized under or by authority of the laws of any state or foreign  
25 jurisdiction, for the purpose of doing business under a declaration of trust which

**SECTION 6212b**

1 shall have issued to five or more persons, or which shall sell or propose to sell  
2 beneficial interests, certificates or memberships therein, shall transact business, or  
3 acquire, hold or dispose of property in this state until the trustees named in said  
4 declaration of trust shall have caused to be filed ~~in the office of the secretary of state~~  
5 with the department of financial institutions the original declaration of trust, or a  
6 true copy thereof, and all amendments which may be made, verified as such by the  
7 affidavits of two of the signers thereof. A like verified copy of the declaration and  
8 such amendments, and a certificate of the ~~secretary of state~~ department of financial  
9 institutions, showing the date when such declaration was filed and accepted by the  
10 ~~secretary of state~~ department of financial institutions within thirty days of such  
11 filing and acceptance, shall be recorded with the register of deeds of the county in  
12 which such trust has its principal office or place of business in this state. No such  
13 trust shall transact business in this state until such declaration or such copy thereof  
14 be left for record. The register of deeds shall forthwith transmit to the ~~secretary of~~  
15 ~~state~~ department of financial institutions a certificate stating the time when such  
16 copy was recorded and shall be entitled to a fee of twenty-five cents therefor, to be  
17 paid by the person presenting such papers for record. Upon receipt of such certificate  
18 the ~~secretary of state~~ department of financial institutions shall issue to said trustees  
19 a certificate of filing.

20 **SECTION 6213b.** 226.14 (3) of the statutes is amended to read:

21 226.14 (3) Every such trust shall pay to the ~~secretary of state~~ department of  
22 financial institutions a filing fee of \$50, and \$15 for each subsequent amendment,  
23 together with a further fee of \$1 for each \$1,000 of beneficial certificates sold or  
24 offered for sale in this state.

25 **SECTION 6214b.** 226.14 (4) (intro.) of the statutes is amended to read:

1           226.14 (4) (intro.) Every such trust shall file, accompanied by a filing fee of \$5,  
2 ~~in the office of the secretary of state~~ with the department of financial institutions a  
3 verified statement on or before each March 31, showing the names and addresses of  
4 each of the trustees; the nature of the business transacted during the preceding year;  
5 in what states such trust is operating; the amount and number of beneficial  
6 certificates sold in this state, or elsewhere; a statement as to the total amount of  
7 beneficial certificates outstanding. Any such report not filed before April 1, may be  
8 filed only upon payment to the ~~secretary of state~~ department of financial institutions  
9 of the following fees:

10           **SECTION 6215b.** 226.14 (4) (c) of the statutes is amended to read:

11           226.14 (4) (c) If said report is not filed before the following January 1, the trust  
12 shall not be in good standing. Until it is restored to good standing the ~~secretary of~~  
13 ~~state~~ department of financial institutions shall not accept for filing any documents  
14 respecting such trust except documents incident to its dissolution.

15           **SECTION 6216b.** 226.14 (4) (d) of the statutes is amended to read:

16           226.14 (4) (d) The trust may be restored to good standing by delivering to the  
17 ~~secretary of state~~ department of financial institutions a current annual report  
18 conforming to the requirements of this section and by paying to the ~~secretary of state~~  
19 department of financial institutions \$10 for each calendar year or part thereof during  
20 which the trust has not been in good standing, not exceeding a total of \$105.

21           **SECTION 6217b.** 226.14 (5) of the statutes is amended to read:

22           226.14 (5) Every such trust shall file ~~in the office of the secretary of state~~ with  
23 the department of financial institutions the name of a trustee or trustees, if they  
24 designate more than one, resident in this state upon whom service may be made for  
25 and on behalf of said trust; or if none of such trustees reside in this state, then a

1 statement shall be duly filed by the trustees appointing the ~~secretary of state~~  
2 department of financial institutions as the agent to accept service of process in this  
3 state, which appointment shall continue so long as such trust has any liabilities  
4 outstanding in this state.

5 **SECTION 6218m.** 227.01 (13) (v) of the statutes is amended to read:

6 227.01 (13) (v) Establishes procedures used for the determination of  
7 allocations as charges to agencies under s. 20.865 (1) ~~(f)~~ or (fm).

8 **SECTION 6220.** 227.01 (13) (zk) of the statutes is amended to read:

9 227.01 (13) (zk) Establishes guidelines under s. ~~101.38~~ 106.21 (2), (4) or (6) for  
10 the Wisconsin service corps program under s. ~~101.38~~ 106.21.

11 **SECTION 6222.** 227.01 (13) (zq) of the statutes is amended to read:

12 227.01 (13) (zq) Designates the Kickapoo valley reserve under s. ~~16.21~~ 41.41  
13 (2).

14 **SECTION 6224.** 227.03 (3m) (a) of the statutes is amended to read:

15 227.03 (3m) (a) This chapter does not apply to proceedings before the  
16 department of industry, labor and human relations relating to housing  
17 discrimination under s. ~~101.22~~ 106.04 (1) to (8), except as provided in s. ~~101.22~~ 106.04  
18 (6).

19 **SECTION 6225.** 227.03 (3m) (b) of the statutes is amended to read:

20 227.03 (3m) (b) Only the provisions of this chapter relating to rules are  
21 applicable to matters arising out of protection against discrimination in a public  
22 place of accommodation or amusement under s. ~~101.22~~ 106.04 (9) and (10).

23 **SECTION 6226.** 227.03 (4) of the statutes, as affected by 1993 Wisconsin Act 377,  
24 is amended to read:

**SECTION 6226**

1           227.03 (4) The provisions of this chapter relating to contested cases do not  
2 apply to proceedings involving the revocation of aftercare supervision under s.  
3 48.357 (5) or 48.366 (5) or corrective sanctions supervision under s. 48.357 (5) or  
4 ~~youthful offender supervision under s. 48.537 (4)~~, the revocation of parole or  
5 probation, the grant of probation, prison discipline, mandatory release under s.  
6 302.11 or any other proceeding involving the care and treatment of a resident or an  
7 inmate of a correctional institution.

8           **SECTION 6226m.** 227.03 (4) of the statutes, as affected by 1993 Wisconsin Act  
9 377 and 1995 Wisconsin Act .... (this act), is repealed and recreated to read:

10           227.03 (4) The provisions of this chapter relating to contested cases do not  
11 apply to proceedings involving the revocation of aftercare supervision under s.  
12 48.357 (5) or 48.366 (5) or corrective sanctions supervision under s. 48.357 (5) or  
13 serious juvenile offender supervision under s. 48.358 (4), the revocation of parole or  
14 probation, the grant of probation, prison discipline, mandatory release under s.  
15 302.11 or any other proceeding involving the care and treatment of a resident or an  
16 inmate of a correctional institution.

17           **SECTION 6226g.** 227.116 (4) (intro.) of the statutes is amended to read:

18           227.116 (4) (intro.) If an agency fails to review and make a determination on  
19 a permit application within the time period specified in a rule or law, for each such  
20 failure the agency shall prepare a report and submit it to the permit information  
21 center and regulatory assistance bureau within 5 business days of the last day of the  
22 time period specified, setting forth all of the following:

23           **SECTION 6226j.** 227.116 (5) of the statutes is amended to read:

24           227.116 (5) If an agency fails to review and make a determination on a permit  
25 application within the time period specified in a rule or law, upon completion of the

1 review and determination for that application, the agency shall notify the permit  
2 information center and regulatory assistance bureau.

3 **SECTION 6227.** 227.40 (2) (e) of the statutes is amended to read:

4 227.40 (2) (e) Proceedings under s. 66.191, 1981 stats., or s. 40.65 (2), ~~101.22~~  
5 106.04, 303.07 (7) or 303.21 or ss. 227.52 to 227.58 or under ch. 102, 108 or 949 for  
6 review of decisions and orders of administrative agencies if the validity of the rule  
7 involved was duly challenged in the proceeding before the agency in which the order  
8 or decision sought to be reviewed was made or entered.

9 **SECTION 6232.** 227.485 (2) (e) of the statutes is amended to read:

10 227.485 (2) (e) "State agency" does not include the ~~public intervenor or citizens~~  
11 utility board.

12 **SECTION 6233.** 227.52 of the statutes is amended to read:

13 **227.52 Judicial review; decisions reviewable.** Administrative decisions  
14 which adversely affect the substantial interests of any person, whether by action or  
15 inaction, whether affirmative or negative in form, are subject to review as provided  
16 in this chapter, except for the decisions of the department of revenue other than  
17 decisions relating to alcohol beverage permits issued under ch. 125, decisions of the  
18 department of employe trust funds, the ~~commissioner~~ division of banking, the  
19 ~~commissioner~~ office of credit unions, the ~~commissioner~~ division of savings and loan,  
20 the board of state canvassers and those decisions of the department of industry, labor  
21 and human relations which are subject to review, prior to any judicial review, by the  
22 labor and industry review commission, and except as otherwise provided by law.

23 **SECTION 6234.** 227.53 (1) (b) 2. of the statutes is amended to read:

24 227.53 (1) (b) 2. The banking review board or the consumer credit review board,  
25 the ~~commissioner~~ division of banking.

1           **SECTION 6235.** 227.53 (1) (b) 3. of the statutes is amended to read:

2           227.53 (1) (b) 3. The credit union review board, the ~~commissioner~~ office of credit  
3 unions.

4           **SECTION 6236.** 227.53 (1) (b) 4. of the statutes is amended to read:

5           227.53 (1) (b) 4. The savings and loan review board, the ~~commissioner~~ division  
6 of savings and loan, except if the petitioner is the ~~commissioner~~ division of savings  
7 and loan, the prevailing parties before the savings and loan review board shall be the  
8 named respondents.

9           **SECTION 6237.** 227.53 (1) (b) 5. of the statutes is amended to read:

10          227.53 (1) (b) 5. The savings bank review board, the ~~commissioner~~ division of  
11 savings and loan, except if the petitioner is the ~~commissioner~~ division of savings and  
12 loan, the prevailing parties before the savings bank review board shall be the named  
13 respondents.

14          **SECTION 6238.** 227.59 of the statutes is amended to read:

15          **227.59 Certification of certain cases from the circuit court of Dane**  
16 **county to other circuits.** Any action or proceeding for the review of any order of  
17 an administrative officer, commission, department or other administrative tribunal  
18 of the state required by law to be instituted in or taken to the circuit court of Dane  
19 county except an action or appeal for the review of any order of the department of  
20 industry, labor and human relations or the department of development or findings  
21 and orders of the labor and industry review commission which is instituted or taken  
22 and is not called for trial or hearing within 6 months after the proceeding or action  
23 is instituted, and the trial or hearing of which is not continued by stipulation of the  
24 parties or by order of the court for cause shown, shall on the application of either  
25 party on 5 days' written notice to the other be certified and transmitted for trial to

1 the circuit court of the county of the residence or principal place of business of the  
2 plaintiff or petitioner, where the action or proceeding shall be given preference.  
3 Unless written objection is filed within the 5-day period, the order certifying and  
4 transmitting the proceeding shall be entered without hearing. The plaintiff or  
5 petitioner shall pay to the clerk of the circuit court of Dane county a fee of \$2 for  
6 transmitting the record.

7 **SECTION 6239.** 228.01 of the statutes is amended to read:

8 **228.01 Recording of documents and public records by mechanical**  
9 **process authorized.** Whenever any officer of any county having a population of  
10 500,000 or more is required or authorized by law to file, record, copy, recopy or replace  
11 any document, court order, plat, paper, written instrument, writings, record or book  
12 of record, on file or of record in his or her office, notwithstanding any other provisions  
13 in the statutes, the officer may do so by photostatic, photographic,  
14 microphotographic, microfilm, optical imaging, electronic formatting or other  
15 mechanical process which produces a clear, accurate and permanent copy or  
16 reproduction of the original document, court order, plat, paper, written instrument,  
17 writings, record or book of record in accordance with the standards specified under  
18 ss. 16.61 (7) and 16.612. Any such officer may also reproduce by such processes or  
19 transfer from optical disk or electronic storage any document, court order, plat,  
20 paper, written instrument, writings, record or book of record which has previously  
21 been filed, recorded, copied or recopied. Optical imaging or electronic formatting of  
22 any document is subject to authorization under s. 59.145 (1).

23 **SECTION 6240.** 228.03 of the statutes is amended to read:

24 **228.03 Copy to be deemed to be original record.** (1) A photographic  
25 reproduction of an original document, court order, plat, paper, written instrument,

**SECTION 6240**

1 writing, record, book of record, file or other material, or a copy of material generated  
2 from optical disk or electronic storage of the original material, bearing upon or  
3 pertinent to the activities and functions of any county office, department, agency,  
4 board, commission, court or institution, in counties having a population of 500,000  
5 or more, is deemed to be an original for all purposes, if it meets the applicable  
6 standards established in ss. 16.61 and 16.612.

7 (2) Any photographic reproduction of an original record meeting the standards  
8 prescribed in s. 16.61 (7) or copy of a record generated from an original record stored  
9 in optical disk or electronic format in compliance with ss. 16.61 and 16.612 shall be  
10 taken as and stand in lieu of and have all of the effect of the original record and shall  
11 be admissible in evidence in all courts and all other tribunals or agencies,  
12 administrative or otherwise, in all cases where the original document is admissible.  
13 A transcript, exemplification or certified copy of such a reproduction of an original  
14 record, or certified copy of a record generated from an original record stored in optical  
15 disk or electronic format, for the purposes specified in this subsection, is deemed to  
16 be a transcript, exemplification or certified copy of the original. The custodian of a  
17 photographic reproduction shall place the reproduction or optical disk in  
18 conveniently accessible storage and shall make provision for preserving, examining  
19 and using the reproduction of the record or generating a copy of the record from  
20 optical disk or electronic storage. An enlarged copy of a photographic reproduction  
21 of a record made in accordance with the standards specified in s. 16.61 (7) or an  
22 enlarged copy of a record generated from an original record stored in optical disk or  
23 electronic format in compliance with ss. 16.61 and 16.612 that is certified by the  
24 custodian as provided in s. 889.18 (2) has the same effect as an actual-size copy.

25 **SECTION 6241.** 228.04 of the statutes is amended to read:

1           **228.04 Inspection of records and copies of records.** Every custodian of  
2 public records in counties having a population of 500,000 or more shall keep them  
3 in such arrangement and condition as to make them easily accessible for convenient  
4 use. Photographic, photostatic, microphotographic, microfilm or other mechanical  
5 process of reproduction of public records or optical imaging or electronic formatting  
6 of public records shall be considered as accessible for convenient use, provided that  
7 a suitable means for public inspection of the records is provided by the custodian.  
8 Except as otherwise expressly provided by law, the custodian shall permit all public  
9 records in his or her custody to be inspected, examined, abstracted or copied at  
10 reasonable times and under his or her supervision and regulation by any person; and  
11 the custodian shall, upon the demand of any person, furnish certified copies thereof  
12 on payment in advance of fees not to exceed the fees prescribed by law.

13           **SECTION 6242.** 228.05 of the statutes is amended to read:

14           **228.05 Marginal references.** The register of deeds of any county having a  
15 population of 500,000 or more who has copied a document by microphotography,  
16 microfilm, ~~or~~ optical imaging or electronic formatting that is accepted by him or her  
17 for recording or filing shall also, as a substitute for marginal references required,  
18 prepare an index for documents of ancillary nature for which marginal references are  
19 required. Such index for ancillary documents shall be prepared and maintained to  
20 show the document number or volume and page of the original recording or filing  
21 plus a record of any recordings or filings affecting or pertinent to such original  
22 recording or filing requiring marginal references subsequent to the date on which the  
23 county begins such recording or recopying by microphotography, microfilm, ~~or~~ optical  
24 imaging or electronic formatting.

25           **SECTION 6242m.** 230.01 (2) of the statutes is amended to read:

**SECTION 6242m**

1           230.01 (2) It is the policy of the state and the responsibility of the secretary and  
2 the administrator to maintain a system of personnel management which fills  
3 positions in the classified service through methods which apply the merit principle,  
4 with adequate civil service safeguards. It is the policy of this state to provide for  
5 equal employment opportunity by ensuring that all personnel actions including hire,  
6 tenure or term, and condition or privilege of employment be based on the ability to  
7 perform the duties and responsibilities assigned to the particular position without  
8 regard to age, race, creed or religion, color, handicap, sex, national origin, ancestry,  
9 sexual orientation or political affiliation. It is the policy of this state to take  
10 affirmative action which is not in conflict with other provisions of this chapter. It is  
11 the policy of the state to ensure its employees opportunities for satisfying careers and  
12 fair treatment based on the value of each employee's services. It is the policy of this  
13 state to encourage disclosure of information under subch. III and to ensure that any  
14 employe employed by a governmental unit is protected from retaliatory action for  
15 disclosing information under subch. III. It Subject to the pay range maximum and  
16 compensation maximum under s. 230.125, it is the policy of this state to correct pay  
17 inequities based on gender or race in the state civil service system.

18           **SECTION 6243.** 230.03 (3) of the statutes is amended to read:

19           230.03 (3) "Agency" means any state board, commission, committee, council,  
20 or department in the state or unit thereof created by the constitution or statutes if  
21 such board, commission, committee, council, department, unit or the head thereof,  
22 is authorized to appoint subordinate staff by the constitution or statute, except a  
23 legislative or judicial board, commission, committee, council, department or unit  
24 thereof or an authority created under ch. 231, 232, 233, 234 or 235.

25           **SECTION 6244.** 230.048 of the statutes is repealed.

1           **SECTION 6245.** 230.08 (2) (b) of the statutes is amended to read:

2           230.08 (2) (b) All officers and employes of the state appointed by the governor  
3 whether subject to confirmation or not, unless otherwise provided.

4           **SECTION 6246.** 230.08 (2) (e) 3. of the statutes is amended to read:

5           230.08 (2) (e) 3. Development Commerce — 5 7.

6           **SECTION 6248m.** 230.08 (2) (e) 4. of the statutes is amended to read:

7           230.08 (2) (e) 4. Employment relations — 4 3.

8           **SECTION 6249.** 230.08 (2) (e) 4f. of the statutes is created to read:

9           230.08 (2) (e) 4f. Financial institutions — 4.

10          **SECTION 6250.** 230.08 (2) (e) 4m. of the statutes is amended to read:

11          230.08 (2) (e) 4m. Gaming commission board — 4 3.

12          **SECTION 6251.** 230.08 (2) (e) 5. of the statutes is amended to read:

13          230.08 (2) (e) 5. Health and social services — 7 5.

14          **SECTION 6252.** 230.08 (2) (e) 6. of the statutes is amended to read:

15          230.08 (2) (e) 6. Industry, labor and human relations — 7 8.

16          **SECTION 6253.** 230.08 (2) (e) 9. of the statutes is renumbered 230.08 (2) (e) 3g.  
17 and amended to read:

18          230.08 (2) (e) 3g. Public instruction Education — 5.

19          **SECTION 6253m.** 230.08 (2) (e) 11. of the statutes is amended to read:

20          230.08 (2) (e) 11. Revenue — 3 4.

21          **SECTION 6257g.** 230.08 (2) (fs) of the statutes is amended to read:

22          230.08 (2) (fs) All deputies of department secretaries appointed under s. 15.04  
23 (2) ~~and executive assistants to department secretaries appointed under s. 15.05 (3),~~  
24 including those appointed by the attorney general, the adjutant general, the director  
25 of the technical college system and the state superintendent of public instruction.

1           **SECTION 6258.** 230.08 (2) (g) of the statutes is amended to read:

2           230.08 (2) (g) One stenographer appointed by each elective executive officer,  
3           other than the state treasurer, and one deputy or assistant appointed by each elective  
4           executive officer except the attorney general and superintendent of public  
5           instruction.

6           **SECTION 6258m.** 230.08 (2) (gm) of the statutes is created to read:

7           230.08 (2) (gm) The executive director of the gaming board, appointed under  
8           s. 561.03.

9           **SECTION 6260.** 230.08 (2) (j) of the statutes is repealed.

10          **SECTION 6261.** 230.08 (2) (jg) of the statutes is repealed.

11          **SECTION 6263.** 230.08 (2) (L) 1. of the statutes is repealed.

12          **SECTION 6264.** 230.08 (2) (L) 3. of the statutes is renumbered 230.08 (2) (em)  
13          and amended to read:

14          230.08 (2) (em) ~~Office~~ The director of ~~commissioner~~ of credit unions, created  
15          under s. 15.59.

16          **SECTION 6266.** 230.08 (2) (L) 4. of the statutes is repealed.

17          **SECTION 6267.** 230.08 (2) (L) 6. of the statutes is repealed.

18          **SECTION 6268.** 230.08 (2) (L) 7. of the statutes is repealed.

19          **SECTION 6271m.** 230.08 (2) (m) of the statutes is repealed.

20          **SECTION 6272.** 230.08 (2) (mp) of the statutes is repealed.

21          **SECTION 6274m.** 230.08 (2) (t) of the statutes is created to read:

22          230.08 (2) (t) All employes of the office of the state superintendent of public  
23          instruction.

24          **SECTION 6275.** 230.08 (2) (xm) of the statutes is repealed.

25          **SECTION 6275m.** 230.08 (2) (yz) of the statutes is created to read:

**SECTION 6275m**

1           230.08 (2) (yz) The staff of the Wisconsin sesquicentennial commission.

2           **SECTION 6276.** 230.08 (2) (zm) of the statutes is repealed.

3           **SECTION 6277m.** 230.08 (4) (a) of the statutes is amended to read:

4           230.08 (4) (a) The number of administrator positions specified in sub. (2) (e)  
5 includes all administrator positions specifically authorized by law to be employed  
6 outside the classified service in each department, board or commission and the  
7 historical society. In this paragraph, "department" has the meaning given under s.  
8 15.01 (5), "board" means the educational communications board, investment board,  
9 public defender board, gaming board and technical college system board and  
10 "commission" means the public service commission ~~and the gaming commission~~.  
11 Notwithstanding sub. (2) (z), no division administrator position exceeding the  
12 number authorized in sub. (2) (e) may be created in the unclassified service.

13           **SECTION 6277r.** 230.09 (2) (b) of the statutes is amended to read:

14           230.09 (2) (b) To accommodate and effectuate the continuing changes in the  
15 classification plan as a result of the classification survey program and otherwise, the  
16 secretary shall, upon initial establishment of a classification, assign that class to the  
17 appropriate pay rate or range, and may, upon subsequent review, reassign classes to  
18 different pay rates or ranges. The secretary shall assign each class to a pay range  
19 according to the skill, effort, responsibility and working conditions required for the  
20 class, without regard to whether the class is occupied primarily by members of a  
21 certain gender or racial group. The secretary shall give notice to appointing  
22 authorities to permit them to make recommendations before final action is taken on  
23 any such assignment or reassignment of classes. Section 230.125 shall apply to this  
24 paragraph.

25           **SECTION 6279.** 230.09 (2) (g) of the statutes is amended to read:

1           230.09 (2) (g) When filling a new or vacant position, if the secretary determines  
2           that the classification for a position is different than that provided for by the  
3           legislature as established by law or in budget determinations, or as authorized by the  
4           joint committee on finance under s. 13.10, or as specified by the governor creating  
5           positions under s. 16.505 (1) (c) or (2), the University of Wisconsin Hospitals and  
6           Clinics Board creating positions under s. 16.505 (2n) or the board of regents of the  
7           university of Wisconsin system creating positions under s. 16.505 (2m), or is different  
8           than that of the previous incumbent, the secretary shall notify the administrator and  
9           the secretary of administration. The administrator shall withhold action on the  
10          selection and certification process for filling the position. The secretary of  
11          administration shall review the position to determine that sufficient funds exist for  
12          the position and that the duties and responsibilities of the proposed position reflect  
13          the intent of the legislature as established by law or in budget determinations, the  
14          intent of the joint committee on finance acting under s. 13.10, the intent of the  
15          governor creating positions under s. 16.505 (1) (c) or (2), the University of Wisconsin  
16          Hospitals and Clinics Board creating positions under s. 16.505 (2n) or the intent of  
17          the board of regents of the university of Wisconsin system creating positions under  
18          s. 16.505 (2m). The administrator may not proceed with the selection and  
19          certification process until the secretary of administration has authorized the  
20          position to be filled.

21           **SECTION 6279c.** 230.12 (1) (b) of the statutes is amended to read:

22           230.12 (1) (b) *Schedules.* The several separate pay schedules may incorporate  
23          different wage and salary administration features. ~~Each~~ Subject to the pay range  
24          maximum and compensation maximum under s. 230.125, each schedule shall  
25          provide for pay ranges or pay rates and applicable methods and frequency of within

1 range pay adjustments based on such considerations as competitive practice,  
2 appropriate principles and techniques of wage and salary administration and  
3 determination, elimination of pay inequities based on gender or race, and the needs  
4 of the service. Not limited by enumeration, such considerations for establishment  
5 of pay rates and ranges and applicable within range pay adjustments may include  
6 provisions prevalent in schedules used in other public and private employment,  
7 professional or advanced training, recognized expertise, or any other criteria which  
8 assures state employe compensation is set on an equitable basis.

9 **SECTION 6279g.** 230.12 (3) (a) of the statutes is amended to read:

10 230.12 (3) (a) *Submission to the joint committee on employment relations.* The  
11 secretary shall submit to the joint committee on employment relations a proposal for  
12 any required changes in the compensation plan which may include across the board  
13 pay adjustments for positions in the classified service. The proposal shall include the  
14 amounts and methods for within range pay progression, for pay transactions, and for  
15 performance awards. The proposal shall be based upon experience in recruiting for  
16 the service, the principle of providing pay equity regardless of gender or race, data  
17 collected as to rates of pay for comparable work in other public services and in  
18 commercial and industrial establishments, recommendations of agencies and any  
19 special studies carried on as to the need for any changes in the compensation plan  
20 to cover each year of the biennium. The proposal shall also take proper account of  
21 prevailing pay rates, costs and standards of living and the state's employment  
22 policies. Section 230.125 shall apply to any proposal submitted to the joint  
23 committee on employment relations under this paragraph.

24 **SECTION 6279n.** 230.12 (3) (b) of the statutes is amended to read:

**SECTION 6279n**

1           230.12 (3) (b) *Public hearing on the proposal; adoption of plan.* The secretary  
2 shall submit the proposal for any required changes in the compensation plan to the  
3 joint committee on employment relations. The committee shall hold a public hearing  
4 on the proposal. The proposal, as may be modified by the joint committee on  
5 employment relations together with the unchanged provisions of the current  
6 compensation plan, shall, for the ensuing fiscal year or until a new or modified plan  
7 is adopted under this subsection, constitute the state's compensation plan for  
8 positions in the classified service. Any modification of the secretary's proposed  
9 changes in the compensation plan by the joint committee on employment relations  
10 may be disapproved by the governor within 10 calendar days. A vote of 6 members  
11 of the joint committee on employment relations is required to set aside any such  
12 disapproval of the governor. The joint committee on employment relations may not  
13 approve or modify and approve any changes in the compensation plan that exceed  
14 any pay range or compensation maximum established under s. 230.125.

15           **SECTION 6279r.** 230.12 (3) (e) of the statutes is amended to read:

16           230.12 (3) (e) *University of Wisconsin system faculty and academic staff*  
17 *employes.* The secretary, after receiving recommendations from the board of regents,  
18 shall submit to the joint committee on employment relations a proposal for adjusting  
19 compensation and employe benefits for employes under ss. 20.923 (5) and (6) (m) and  
20 230.08 (2) (d) who are not included in a collective bargaining unit under subch. V of  
21 ch. 111 for which a representative is certified. The proposal shall be based upon the  
22 competitive ability of the board of regents to recruit and retain qualified faculty and  
23 academic staff, data collected as to rates of pay for comparable work in other public  
24 services, universities and commercial and industrial establishments,  
25 recommendations of the board of regents and any special studies carried on as to the

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1 need for any changes in compensation and employe benefits to cover each year of the  
2 biennium. The proposal shall also take proper account of prevailing pay rates, costs  
3 and standards of living and the state's employment policies. The proposal for such  
4 pay adjustments may contain recommendations for across-the-board pay  
5 adjustments, merit or other adjustments and employe benefit improvements.  
6 Paragraph (b) and sub. (1) (bf) shall apply to the process for approval of all pay  
7 adjustments for such employes under ss. 20.923 (5) and (6) (m) and 230.08 (2) (d).  
8 The proposal as approved by the joint committee on employment relations and the  
9 governor shall be based upon a percentage of the budgeted salary base for such  
10 employes under ss. 20.923 (5) and (6) (m) and 230.08 (2) (d). The amount included  
11 in the proposal for merit and adjustments other than across-the-board pay  
12 adjustments is available for discretionary use by the board of regents. Section  
13 230.125 shall apply to any proposal submitted to the joint committee on employment  
14 relations under this paragraph.

15 **SECTION 6279w.** 230.125 of the statutes is created to read:

16 **230.125 Nonpublic employer pay survey; maximum pay ranges and**  
17 **compensation.** (1) Annually, the department shall conduct a pay survey among  
18 nonpublic employers to determine the prevailing market wage for jobs in the private  
19 sector that are comparable to positions in state employment, other than for positions  
20 occupied by employes who are included in a collective bargaining unit for which a  
21 representative is recognized or certified under subch. V of ch. 111 and by employes  
22 of the state court system whose compensation is set under s. 751.02. If there is no  
23 comparable job in the private sector for a position in state employment, the  
24 department may survey public employers in other states to determine the prevailing  
25 market wage for comparable jobs in public employment in other states. The

1 department shall complete the pay survey and the secretary shall submit the results  
2 of the pay survey to the cochairpersons of the joint committee on employment  
3 relations before the beginning of the first day of the pay period closest to July 1 of  
4 each year.

5 (2) Beginning on the first day of the pay period closest to July 1 of each year,  
6 no employe, other than an employe who is included in a collective bargaining unit  
7 for which a representative is recognized or certified under subch. V of ch. 111 or an  
8 employe of the state court system whose compensation is set under s. 751.02, may  
9 receive an increase in his or her basic pay rate, other than an across the board pay  
10 adjustment, if his or her basic pay rate is equal to or greater than 150% of the  
11 prevailing market wage for a job in the private sector or, where applicable, public  
12 sector, that is comparable to his or her position in state employment, as determined  
13 by the pay survey conducted by the department under sub. (1).

14 (3) If the pay range maximum for a position in state employment, other than  
15 a position occupied by an employe who is included in a collective bargaining unit for  
16 which a representative is recognized or certified under subch. V of ch. 111 or by an  
17 employe of the state court system whose compensation is set under s. 751.02, is equal  
18 to or greater than 150% of the prevailing market wage for such a job in the private  
19 sector or, where applicable, public sector, as determined by the pay survey conducted  
20 by the department under sub. (1), the pay range maximum for that position may not  
21 be increased. If the pay range maximum for such a position in state employment is  
22 less than 150% of the prevailing market wage for such a job in the private sector or,  
23 where applicable, public sector, the pay range maximum for that position may not  
24 be increased to an amount that is equal to or greater than 150% of the prevailing  
25 market wage for such a job in the private sector or, where applicable, public sector.

**SECTION 6280**

1           **SECTION 6280.** 230.14 (4) of the statutes is created to read:

2           230.14 (4) The administrator may charge an agency a fee to announce any  
3 vacancy to be filled in a classified or unclassified position in that agency. Funds  
4 received under this subsection shall be credited to the appropriation account under  
5 s. 20.512 (1) (ka).

6           **SECTION 6281.** 230.147 (1) of the statutes is amended to read:

7           230.147 (1) Each appointing authority of an agency with more than 100  
8 authorized permanent full-time equivalent positions shall prepare and implement  
9 a plan of action to employ persons who, at the time determined under sub. (4), receive  
10 aid under s. 49.19 with the goal of making the ratio of those persons occupying  
11 permanent positions in the agency to the total number of persons occupying  
12 permanent positions in the agency equal to the ratio of the average case load  
13 receiving aid under s. 49.19 in this state in the previous fiscal year, ~~as determined~~  
14 ~~by the department of health and social services,~~ to the average number of persons  
15 in the state civilian labor force in the preceding fiscal year, as determined by the  
16 department of industry, labor and human relations.

17           **SECTION 6282.** 230.147 (2) of the statutes is amended to read:

18           230.147 (2) Each appointing authority of an agency with 100 or fewer  
19 authorized permanent full-time equivalent positions is encouraged to employ  
20 persons who, at the time determined under sub. (4), receive aid under s. 49.19 to  
21 attempt to make the ratio of those persons occupying permanent positions in the  
22 agency to the total number of persons occupying permanent positions in the agency  
23 equal to the ratio of the average case load receiving aid under s. 49.19 in this state  
24 in the previous fiscal year, ~~as determined by the department of health and social~~  
25 ~~services,~~ to the average number of persons in the state civilian labor force in the

1 preceding fiscal year, as determined by the department of industry, labor and human  
2 relations.

3 **SECTION 6283.** 230.213 of the statutes is amended to read:

4 **230.213 Affirmative action procedures for corrections positions.** The  
5 administrator may, to meet affirmative action objectives, establish such recruitment,  
6 examination and certification procedures for positions in the department of  
7 corrections and for positions in juvenile correctional institutions within the ~~division~~  
8 ~~of youth services in the~~ department of health and social services as will enable the  
9 department of corrections and the ~~division of youth services in the~~ department of  
10 health and social services to increase the number of employes of a specified gender  
11 or a specified racial or ethnic group in those positions. The administrator shall  
12 design the procedures to obtain a work force in the department of corrections and in  
13 juvenile correctional institutions within the ~~division of youth services in the~~  
14 department of health and social services that reflects the relevant labor pool. The  
15 administrator may determine the relevant labor pool from the population of the state  
16 or of a particular geographic area of the state, whichever is more appropriate for  
17 achieving the affirmative action objective.

18 **SECTION 6283m.** 230.213 of the statutes, as affected by 1995 Wisconsin Act ...  
19 (this act), is repealed and recreated to read:

20 **230.213 Affirmative action procedures for corrections positions.** The  
21 administrator may, to meet affirmative action objectives, establish such recruitment,  
22 examination and certification procedures for positions in the department of  
23 corrections as will enable the department of corrections to increase the number of  
24 employes of a specified gender or a specified racial or ethnic group in those positions.  
25 The administrator shall design the procedures to obtain a work force in the

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1 department of corrections that reflects the relevant labor pool. The administrator  
2 may determine the relevant labor pool from the population of the state or of a  
3 particular geographic area of the state, whichever is more appropriate for achieving  
4 the affirmative action objective.

5 **SECTION 6284g.** 230.29 of the statutes is renumbered 230.29 (1) and amended  
6 to read:

7 230.29 (1) ~~A~~ Subject to sub. (2), a transfer may be made from one position to  
8 another only if specifically authorized by the administrator.

9 **SECTION 6284m.** 230.29 (2) of the statutes is created to read:

10 230.29 (2) This section does not apply to an employe of the University of  
11 Wisconsin Hospitals and Clinics Board.

12 **SECTION 6284p.** 230.35 (1m) (a) 2. of the statutes is amended to read:

13 230.35 (1m) (a) 2. A position designated in s. 19.42 (10) (L) or 20.923 (4), (4m),  
14 and (8) ~~and~~ (9).

15 **SECTION 6284r.** 230.35 (2) of the statutes is amended to read:

16 230.35 (2) Leave of absence with pay owing to sickness and leave of absence  
17 without pay, other than annual leave and leave under s. 103.10, shall be regulated  
18 by rules of the secretary, except that unused sick leave shall accumulate from year  
19 to year. After July 1, 1973, employes appointed to career executive positions under  
20 the program established under s. 230.24 or positions designated in s. 19.42 (10) (L)  
21 or 20.923 (4), (4m), and (8) ~~and~~ (9) or authorized under s. 230.08 (2) (e) shall have any  
22 unused sick leave credits restored if they are reemployed in a career executive  
23 position or in a position under s. 19.42 (10) (L) or 20.923 (4), (4m), and (8) ~~and~~ (9) or  
24 authorized under s. 230.08 (2) (e), regardless of the duration of their absence.

1 Restoration of unused sick leave credits if reemployment is to a position other than  
2 those specified above shall be in accordance with rules of the secretary.

3 **SECTION 6285.** 230.36 (1) of the statutes is amended to read:

4 230.36 (1) If a conservation warden, conservation patrol boat captain,  
5 conservation patrol boat engineer, state forest ranger, conservation field employe of  
6 the department of natural resources who is subject to call for fire control duty,  
7 member of the state patrol, state motor vehicle inspector, lifeguard, excise tax  
8 investigator employed by the department of revenue, special criminal investigation  
9 agent employed by the department of justice, special tax agent, state drivers' license  
10 examiner, state fair park police officer, University of Wisconsin System police officer  
11 and other state facilities police officer and patrol officer, security officer, watcher,  
12 engineer, engineering aide, building construction superintendent, fire fighter  
13 employed at the Wisconsin Veterans Home, or guard or institutional aide or a state  
14 probation and parole officer or any other employe whose duties include supervision  
15 and discipline of inmates or wards of the state at a state penal institution, including  
16 a secured correctional facility, as defined in s. 48.02 (15m), or while on parole  
17 supervision outside of the confines of the institutions, or supervision of persons  
18 placed on probation or community supervision by a court of record, or supervision  
19 and care of patients at a state mental institution, and ~~university of Wisconsin~~  
20 ~~hospital and clinics~~ the University of Wisconsin Hospitals and Clinics suffers injury  
21 while in the performance of his or her duties, as defined in subs. (2) and (3); or any  
22 other state employe who is not listed in this subsection and who is ordered by his or  
23 her appointing authority to accompany any employe listed in this subsection while  
24 the listed employe is engaged in the duties defined in sub. (3), or any other state  
25 employe who is not listed in this subsection and who is ordered by his or her

1 appointing authority to perform the duties, when permitted, in lieu of the listed  
2 employe and while so engaged in the duties defined in sub. (3), suffers injury as  
3 defined in sub. (2) the employe shall continue to be fully paid by the employing  
4 agency upon the same basis as paid prior to the injury, with no reduction in sick leave  
5 credits, compensatory time for overtime accumulations or vacation and no reduction  
6 in the rate of earning sick leave credit or vacation. The full pay shall continue while  
7 the employe is unable to return to work as the result of the injury or until the  
8 termination of his or her employment upon recommendation of the appointing  
9 authority. At any time during the employe's period of disability the appointing  
10 authority may order physical or medical examinations to determine the degree of  
11 disability at the expense of the employing agency.

12 **SECTION 6287.** 230.36 (3) (c) (intro.) of the statutes is amended to read:

13 230.36 (3) (c) (intro.) A guard, institution aide, or other employe at the  
14 ~~university of Wisconsin hospital and clinics~~ University of Wisconsin Hospitals and  
15 Clinics or at a state penal or mental institution, including a secured correctional  
16 facility, as defined in s. 48.02 (15m), and a state probation and parole officer, at all  
17 times while:

18 **SECTION 6288m.** 230.36 (6) of the statutes is created to read:

19 230.36 (6) Any person who is employed by the University of Wisconsin  
20 Hospitals and Clinics Authority, who suffers an injury as defined in sub. (2) between  
21 June 29, 1996, and June 30, 1997, shall be covered under this section if the person,  
22 had he or she been a state employe, would have been covered under this section.

23 **SECTION 6289.** 230.44 (1) (g) of the statutes is created to read:

24 230.44 (1) (g) *Decisions by the University of Wisconsin Hospitals and Clinics*  
25 *Authority.* Appeal of a personnel decision by the chief executive officer of the

1 University of Wisconsin Hospitals and Clinics Authority, or by a person delegated by  
2 the chief executive officer to make personnel decisions, if all of the following  
3 conditions are satisfied:

4 1. The appeal is by an employe of the authority who holds a position that would  
5 be included in the classified service if the employe were a state employe.

6 2. The personnel decision is a demotion, layoff, suspension, discharge or  
7 reduction in base pay and the appeal alleges that the decision was not for just cause.

8 **SECTION 6290.** 230.44 (1) (g) of the statutes, as created by 1995 Wisconsin Act  
9 .... (this act), is repealed.

10 **SECTION 6292.** 230.45 (1) (e) of the statutes is amended to read:

11 230.45 (1) (e) Hear appeals, when authorized under county merit system rules  
12 under s. ~~49.50~~ 49.33 (4), from any interested party.

13 **SECTION 6293.** 230.45 (3) of the statutes is created to read:

14 230.45 (3) The commission shall promulgate rules establishing a schedule of  
15 filing fees to be paid by any person who files an appeal under sub. (1) (c) or (e) or s.  
16 230.44 (1) (a) or (b) with the commission on or after the effective date of the rules  
17 promulgated under this subsection. Fees paid under this subsection shall be  
18 deposited in the general fund as general purpose revenue — earned.

19 **SECTION 6295.** 230.80 (4) of the statutes is amended to read:

20 230.80 (4) “Governmental unit” means any association, authority, board,  
21 commission, department, independent agency, institution, office, society or other  
22 body in state government created or authorized to be created by the constitution or  
23 any law, including the legislature, the office of the governor and the courts.  
24 “Governmental unit” does not mean the University of Wisconsin Hospitals and  
25 Clinics Authority or any political subdivision of the state or body within one or more

1 political subdivisions which is created by law or by action of one or more political  
2 subdivisions.

3 **SECTION 6296.** 231.01 (5) (a) 6. of the statutes is created to read:

4 231.01 (5) (a) 6. The University of Wisconsin Hospitals and Clinics Authority.

5 **SECTION 6297b.** 231.13 (2) of the statutes is amended to read:

6 231.13 (2) The authority shall pledge the revenues derived and to be derived  
7 from a project and other related health facilities, educational facilities or child care  
8 centers for the purposes specified in sub. (1), and additional bonds may be issued  
9 which may rank on a parity with other bonds relating to the project to the extent and  
10 on the terms and conditions provided in the bond resolution. Such pledge shall be  
11 valid and binding from the time when the pledge is made, the revenues so pledged  
12 by the authority shall immediately be subject to the lien of such pledge without any  
13 physical delivery thereof or further act and the lien of any such pledge shall be valid  
14 and binding as against all parties having claims of any kind in tort, contract or  
15 otherwise against the authority, irrespective of whether such parties have notice  
16 thereof. Neither the bond resolution nor any financing statement, continuation  
17 statement or other instrument by which a pledge is created or by which the  
18 authority's interest in revenues is assigned need be filed or recorded in any public  
19 records in order to perfect the lien thereof as against 3rd parties, except that a copy  
20 thereof shall be filed in the records of the authority and with the secretary of state  
21 department of financial institutions.

22 **SECTION 6298.** 231.20 of the statutes is amended to read:

23 **231.20 Waiver of construction and bidding requirements.** In exercising  
24 its powers under s. 101.12, the department of industry, labor and human relations  
25 development or any city, village, town or county may, within its discretion for proper

1 cause shown, waive any particular requirements relating to public buildings,  
2 structures, grounds, works and improvements imposed by law upon projects under  
3 this chapter; the requirements of s. 101.13 may not be waived, however. If, however,  
4 the prospective lessee so requests in writing, the authority shall, through the  
5 participating health institution, participating educational institution or  
6 participating child care provider as its agent, call for construction bids in such  
7 manner as is determined by the authority with the approval of the lessee.

8 **SECTION 6299.** 231.35 (3) (intro.) of the statutes is amended to read:

9 231.35 (3) (intro.) Subject to sub. (4), the authority may guarantee a loan under  
10 this section that is made on or before the effective date of this subsection ... [revisor  
11 inserts date], if all of the following apply:

12 **SECTION 6300.** 231.35 (6) (b) of the statutes is amended to read:

13 231.35 (6) (b) The authority may use money from the rural hospital loan fund  
14 to guarantee loans ~~that it makes~~ made for the purposes described in sub. (3) (b), if  
15 the authority sets out the terms and conditions of the guarantee in a guarantee  
16 agreement that complies with the rules promulgated by the department of  
17 development under sub. (7) (b).

18 **SECTION 6301.** Chapter 233 of the statutes is created to read:

19 **CHAPTER 233**

20 **UNIVERSITY OF WISCONSIN**

21 **HOSPITALS AND CLINICS AUTHORITY**

22 **233.01 Definitions.** In this chapter:

23 (1) "Authority" means the University of Wisconsin Hospitals and Clinics  
24 Authority.

25 (2) "Board of directors" means the governing board of the authority.

1           (3) “Board of regents” means the board of regents of the University of Wisconsin  
2 System.

3           (4) “Bond” means a bond, note or other obligation of the authority issued under  
4 this chapter, including any refunding bond, other than the lease agreement or  
5 indebtedness described under s. 233.03 (12).

6           (5) “Bond resolution” means a resolution of the board of directors authorizing  
7 the issuance of, or providing terms and conditions related to, bonds and includes,  
8 where appropriate, any trust agreement, trust indenture, indenture of mortgage or  
9 deed of trust providing terms and conditions for bonds.

10          (6) “Lease agreement” means the lease agreement that is required to be  
11 entered into between the board of directors and the board of regents under s. 233.04  
12 (7) or a lease agreement that is entered into between the board of directors and the  
13 board of regents under s. 233.04 (7g).

14          (7) “On-campus facilities” means facilities that are located on land owned by  
15 the state, that are under the control of the board of regents and that are primarily  
16 related to the operation of the University of Wisconsin Hospitals and Clinics and its  
17 related services.

18           **233.02 University of Wisconsin Hospitals and Clinics Authority:**  
19 **creation; organization of board of directors.** (1) There is created a public body  
20 corporate and politic to be known as the “University of Wisconsin Hospitals and  
21 Clinics Authority”. The board of directors shall consist of the following members:

22           (a) Three members nominated by the governor, and with the advice and consent  
23 of the senate appointed, for 3-year terms.

24           (b) Three members of the board of regents appointed by the president of the  
25 board of regents.

1 (c) The chancellor of the University of Wisconsin-Madison or his or her  
2 designee.

3 (d) The dean of the University of Wisconsin-Madison Medical School.

4 (e) A chairperson of a department at the University of Wisconsin-Madison  
5 Medical School, appointed by the chancellor of the University of Wisconsin-Madison.

6 (f) A faculty member of a University of Wisconsin-Madison health professions  
7 school, other than the University of Wisconsin-Madison Medical School, appointed  
8 by the chancellor of the University of Wisconsin-Madison.

9 (g) The secretary of administration or his or her designee.

10 (h) Two nonvoting members appointed by the governor, one of whom shall be  
11 an employe or a representative of a labor organization recognized or certified to  
12 represent employes in one of the collective bargaining units specified in s. 111.05 (5)

13 (a) and one of whom shall be an employe or a representative of a labor organization  
14 recognized or certified to represent employes in one of the collective bargaining units  
15 specified in s. 111.825 (1m).

16 **(2)** A vacancy on the board of directors shall be filled in the same manner as  
17 the original appointment to the board of directors for the remainder of the unexpired  
18 term, if any.

19 **(3)** A member of the board of directors may not be compensated for his or her  
20 services but shall be reimbursed for actual and necessary expenses, including travel  
21 expenses, incurred in the performance of his or her duties.

22 **(4)** No cause of action of any nature may arise against and no civil liability may  
23 be imposed upon a member of the board of directors for any act or omission in the  
24 performance of his or her powers and duties under this chapter, unless the person  
25 asserting liability proves that the act or omission constitutes wilful misconduct.

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1           (8) The members of the board of directors shall annually elect a chairperson  
2 and may elect other officers as they consider appropriate. Six voting members of the  
3 board of directors constitute a quorum for the purpose of conducting the business and  
4 exercising the powers of the authority, notwithstanding the existence of any vacancy.  
5 The members of the board of directors specified under sub. (1) (c) and (g) may not be  
6 the chairperson of the board of directors for purposes of 1995 Wisconsin Act ... (this  
7 act), section 9159 (2). The board of directors may take action upon a vote of a majority  
8 of the members present, unless the bylaws of the authority require a larger number.

9           (9) The board of directors shall appoint a chief executive officer who shall not  
10 be a member of the board of directors and who shall serve at the pleasure of the board  
11 of directors. The chief executive officer shall receive such compensation as the board  
12 of directors fixes. The chief executive officer or other person designated by resolution  
13 of the board of directors shall keep a record of the proceedings of the authority and  
14 shall be custodian of all books, documents and papers filed with the authority, the  
15 minute book or journal of the authority and its official seal. The chief executive  
16 officer or other person may cause copies to be made of all minutes and other records  
17 and documents of the authority and may give certificates under the official seal of  
18 the authority to the effect that such copies are true copies, and all persons dealing  
19 with the authority may rely upon such certificates.

20           **233.03 Powers of authority.** The authority shall have all the powers  
21 necessary or convenient to carry out the purposes and provisions of this chapter. In  
22 addition to all other powers granted by this chapter, the authority may:

23           (1) Adopt bylaws and policies and procedures for the regulation of its affairs  
24 and the conduct of its business.

1           **(2)** Sue and be sued; have a seal and alter the seal at pleasure; have perpetual  
2 existence; maintain an office; negotiate and enter into leases; accept gifts or grants,  
3 but not including research grants in which the grant investigator is an employe of  
4 the board of regents; accept bequests or loans; accept and comply with any lawful  
5 conditions attached to federal financial assistance; and make and execute other  
6 instruments necessary or convenient to the exercise of the powers of the authority.

7           **(5)** Procure insurance on its debt obligations.

8           **(7)** Subject to ss. 233.04 (4) to (4r) and 233.10 and ch. 40 and 1995 Wisconsin  
9 Act .... (this act), section 9159 (4), and the duty to engage in collective bargaining with  
10 employes in a collective bargaining unit for which a representative is recognized or  
11 certified under subch. V of ch. 111, employ any agent, employe or special advisor that  
12 the authority finds necessary and fix his or her compensation and provide any  
13 employe benefits, including an employe pension plan.

14           **(8)** Appoint any technical or professional advisory committee that the  
15 authority finds necessary and define the duties, and provide reimbursement for the  
16 expenses, of the committee.

17           **(9)** (a) With any other person, establish, govern and participate in the operation  
18 and financing of any corporation or partnership that provides health-related  
19 services, if the articles of incorporation of any such corporation conform with par. (b)  
20 and if the corporation or partnership provides the secretary of administration, the  
21 legislative fiscal bureau and the legislative audit bureau access to examine any  
22 books, records or other documents maintained by the corporation or partnership and  
23 relating to its expenditures, revenues, operations or structure. The authority may  
24 provide administrative and financial services to any such corporation or  
25 partnership.

1 (b) The articles of incorporation of any corporation under par. (a) shall provide  
2 that the secretary of administration, the legislative fiscal bureau and the legislative  
3 audit bureau have the access required under par. (a).

4 (10) Enter into procurement contracts with the board of regents or joint  
5 contracts with the board of regents for procurements from 3rd parties and may enter  
6 into other contracts, rental agreements and cooperative agreements and other  
7 necessary arrangements with the board of regents which may be necessary and  
8 convenient for the missions, purposes, objects and uses of the authority authorized  
9 by law.

10 (11) Issue bonds in accordance with ss. 233.20 to 233.27.

11 (12) Seek financing from, and incur indebtedness to, the Wisconsin Health and  
12 Educational Facilities Authority.

13 (13) Construct or improve facilities that are on state-owned land, if approval  
14 requirements under s. 16.85 (14) are met and if the state agency having authority  
15 to approve construction or improvement projects on the land approves the project.

16 (15) Acquire, design, construct or improve any facility that is not located on  
17 state-owned land.

18 (16) Buy, sell and lease real estate.

19 **233.04 Duties of authority.** The authority shall do all of the following:

20 (1) By October 1, 1997, and annually thereafter, submit to the chief clerk of  
21 each house of the legislature under s. 13.172 (2), the president of the board of regents,  
22 the secretary of administration and the governor a report on the patient care,  
23 education, research and community service activities and accomplishments of the  
24 authority and an audited financial statement, certified by an independent auditor,

1 of the authority's operations. The financial statement shall include a separate  
2 accounting of the use of the payment under sub. (7) (f).

3 (2) Subject to subs. (4) to (4r) and s. 233.10, develop and implement a personnel  
4 structure and other employment policies for employes of the authority.

5 (3) Contract for any legal services required for the authority.

6 (3b) (b) Paragraph (a) does not apply unless a lease agreement under sub. (7)  
7 or (7g), an affiliation agreement under sub. (7m) or (7p), and a contractual services  
8 agreement under sub. (4) or (4m) are in effect that comply with all applicable  
9 requirements of those provisions. In the event any of these agreements are not in  
10 effect, the on-campus facilities and all assets and liabilities, tangible personal  
11 property, contracts, rules, policies and procedures and pending matters of the  
12 authority shall transfer to or otherwise become the obligation of the board of regents.

13 (4) Subject to 1995 Wisconsin Act .... (this act), section 9159 (2) (k), negotiate  
14 and enter into a contractual services agreement with the University of Wisconsin  
15 Hospitals and Clinics Board for the provision of services by employes of the  
16 University of Wisconsin Hospitals and Clinics Board beginning on June 29, 1996, for  
17 an initial period of not more than 2 years. The agreement shall include all of the  
18 following:

19 (a) A provision that requires the authority to make adequate payments to the  
20 University of Wisconsin Hospitals and Clinics Board for any services provided under  
21 the agreement in advance of their need by the University of Wisconsin Hospitals and  
22 Clinics Board to pay its employes for such services.

23 (b) A provision on a mechanism for the resolution of disputes.

24 (4m) (a) Submit any modification, extension or renewal of the contractual  
25 services agreement under sub. (4) to the joint committee on finance. No extension

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1 or renewal of the contractual services agreement may be for a period of more than  
2 2 years. If the cochairpersons of the committee do not notify the authority and the  
3 University of Wisconsin Hospitals and Clinics Board that the committee has  
4 scheduled a meeting for the purpose of reviewing the modification, extension or  
5 renewal of the agreement within 14 working days after the date of the submittal  
6 under this paragraph, the modification, extension or renewal of the agreement may  
7 be made as proposed by the authority and the University of Wisconsin Hospitals and  
8 Clinics Board. If, within 14 working days after the date of the submittal under this  
9 paragraph, the cochairpersons of the committee notify the authority and the  
10 University of Wisconsin Hospitals and Clinics Board that the committee has  
11 scheduled a meeting for the purpose of reviewing the proposed modification,  
12 extension or renewal of the agreement, the modification, extension or renewal of the  
13 agreement may be made only upon approval of the committee.

14 (b) If the committee schedules a meeting under par. (a) with respect to an  
15 extension or renewal of the agreement and does not approve the agreement, the  
16 on-campus facilities and all assets and liabilities, tangible personal property,  
17 contracts, rules, policies and procedures and pending matters of the authority shall  
18 transfer to or otherwise become the obligation of the board of regents.

19 **(4r)** (a) Not contract for those services that are provided to the authority by the  
20 University of Wisconsin Hospitals and Clinics Board by state employes in the  
21 collective bargaining units specified in s. 111.825 (1m) with any person other than  
22 the University of Wisconsin Hospitals and Clinics Board.

23 (b) The authority shall not employ or retain any person to perform the services  
24 specified in par. (a) other than a person employed by the University of Wisconsin  
25 Hospitals and Clinics Board.

1           (5) Establish the authority's annual budget and monitor the fiscal  
2 management of the authority.

3           (6) Procure liability insurance covering its officers, employees and agents and  
4 procure insurance against any loss in connection with its property and other assets.

5           (7) Subject to 1995 Wisconsin Act .... (this act), section 9159 (2) (k), negotiate  
6 and enter into a lease agreement with the board of regents to lease the on-campus  
7 facilities beginning on June 29, 1996, for an initial period of not more than 5 years.  
8 The lease agreement shall include all of the following:

9           (a) A provision that requires the authority to pay the state an amount  
10 determined under this paragraph for the lease of the on-campus facilities that are  
11 leased under the agreement. The amount of the rental payment for the on-campus  
12 facilities may not be less than the greater of the following:

13           1. An amount equal to the debt service accruing during the term of the lease  
14 agreement on all outstanding bonds issued by the state for the purpose of financing  
15 the acquisition, construction or improvement of on-campus facilities that are leased  
16 under the agreement, regardless of whether these bonds are issued before or after  
17 the lease agreement is entered into. The definition of "bond" under s. 233.01 (4) does  
18 not apply to this subdivision.

19           2. A nominal amount determined by the parties to be necessary to prevent the  
20 lease agreement from being unenforceable because of a lack of consideration.

21           (b) A provision that requires the authority to conduct its operations in such a  
22 way so that it will not adversely affect the exclusion of interest on bonds issued by  
23 the state from gross income under 26 USC 103 for federal income tax purposes.

24           (c) A provision that gives the state ownership of all of the following:

1           1. Any improvements or modifications made by the authority to on-campus  
2 facilities that are leased to the authority under the lease agreement.

3           2. Any facility that the authority constructs on state-owned land.

4           (d) A provision that specifies an amount and that exempts any construction or  
5 improvement project on state-owned land that costs less than the amount from  
6 review and approval under s. 16.85 (14).

7           (e) Any provision necessary to ensure that the general management and  
8 operation of the on-campus facilities are consistent with the mission and  
9 responsibilities of the University of Wisconsin System specified in ss. 36.01 and  
10 36.09.

11           (f) A provision that requires the board of regents to make a payment to the  
12 authority on June 28, 1996, equal to the unencumbered balance in the appropriation  
13 account under s. 20.285 (1) (kb), 1993 stats., on such date and requires the authority  
14 to accept liability for all encumbrances against the appropriation on that date.

15           (g) A provision that protects the board of regents from all liability associated  
16 with the management, operation, use or maintenance of the on-campus facilities.  
17 No such provision shall make the authority liable for the acts or omissions of any  
18 officer, employe or agent of the board of regents, including any student who is  
19 enrolled at an institution or center within the University of Wisconsin System,  
20 unless the officer, employe or agent acts at the direction of the authority.

21           (h) A provision on a mechanism for the resolution of disputes.

22           **(7g)** (a) Submit any modification, extension or renewal of the lease agreement  
23 under sub. (7) to the joint committee on finance. No extension or renewal of the lease  
24 agreement may be for a period of more than 5 years. If the cochairpersons of the  
25 committee do not notify the authority and the board of regents that the committee

1 has scheduled a meeting for the purpose of reviewing the modification, extension or  
2 renewal of the agreement within 14 working days after the date of the submittal  
3 under this paragraph, the modification, extension or renewal of the agreement may  
4 be made as proposed by the authority and the board of regents. If, within 14 working  
5 days after the date of the submittal under this paragraph, the cochairpersons of the  
6 committee notify the authority and the board of regents that the committee has  
7 scheduled a meeting for the purpose of reviewing the proposed modification,  
8 extension or renewal of the agreement, the modification, extension or renewal of the  
9 agreement may be made only upon approval of the committee.

10 (b) If the committee schedules a meeting under par. (a) with respect to an  
11 extension or renewal of the agreement and does not approve the agreement, the  
12 on-campus facilities and all assets and liabilities, tangible personal property,  
13 contracts, rules, policies and procedures and pending matters of the authority shall  
14 transfer to or otherwise become the obligation of the board of regents.

15 **(7m)** Subject to 1995 Wisconsin Act .... (this act), section 9159 (2) (k), negotiate  
16 and enter into an affiliation agreement with the board of regents. The affiliation  
17 agreement shall take effect on June 29, 1996. The initial period of the affiliation  
18 agreement shall run concurrently with the initial period of the lease agreement  
19 under sub. (7), and the affiliation agreement shall include all of the following:

20 (a) A provision that ensures the authority retains cash reserves at a level not  
21 lower than the level recommended by the independent auditor specified under sub.  
22 (1).

23 (b) Provisions that ensure support of the educational, research and clinical  
24 activities of the University of Wisconsin-Madison by the authority.

1 (c) A provision that requires the development of standards relating to the  
2 selection and financing by the authority of any corporation or partnership that  
3 provides health-related services. The standards shall be consistent with the  
4 missions of the authority and the board of regents.

5 (d) A provision that requires the board of regents to make reasonable charges  
6 for any services provided by the board of regents to the authority.

7 (e) A provision establishing a mechanism for the resolution of disputes.

8 **(7p)** (a) Submit any modification, extension or renewal of the affiliation  
9 agreement under sub. (7m) to the joint committee on finance. No extension or  
10 renewal of the affiliation agreement may be for a period of more than 5 years. If the  
11 cochairpersons of the committee do not notify the authority and the board of regents  
12 that the committee has scheduled a meeting for the purpose of reviewing the  
13 modification, extension or renewal of the agreement within 14 working days after the  
14 date of the submittal under this paragraph, the modification, extension or renewal  
15 of the agreement may be made as proposed by the authority and the board of regents.  
16 If, within 14 working days after the date of the submittal under this paragraph, the  
17 cochairpersons of the committee notify the authority and the board of regents that  
18 the committee has scheduled a meeting for the purpose of reviewing the proposed  
19 modification, extension or renewal of the agreement, the modification, extension or  
20 renewal of the agreement may be made only upon approval of the committee.

21 (b) If the committee schedules a meeting under par. (a) with respect to an  
22 extension or renewal of the agreement and does not approve the agreement, the  
23 on-campus facilities and all assets and liabilities, tangible personal property,  
24 contracts, rules, policies and procedures and pending matters of the authority shall  
25 transfer to or otherwise become the obligation of the board of regents.

1           **(7s)** Prior to negotiation of extension or renewal of the initial lease agreement  
2 under sub. (7) or the initial affiliation agreement under sub. (7m), notify the  
3 legislative audit bureau and cooperate with the bureau in its performance of the  
4 audit required under s. 13.94 (1) (o).

5           **(8)** Use the building commission as a financial consultant to assist and  
6 coordinate the issuance of bonds under this chapter.

7           **(9)** Provide, on a monthly basis, the secretary of administration with such  
8 financial and statistical information as is required by the secretary of  
9 administration.

10           **(10)** Operate a poison control center under s. 146.57. If Children's Hospital of  
11 Wisconsin in the city of Milwaukee ceases to operate a poison control center under  
12 s. 146.57, the authority shall administer a statewide poison control program.

13           **233.10 Appointment of employes; employe compensation and benefits.**

14           **(1)** Subject to s. 233.04 (4) to (4r) and 1995 Wisconsin Act ... (this act), section 9159  
15 (2) and (4), the authority shall employ such employes as it may require and shall  
16 determine the qualifications and duties of its employes. Appointments to and  
17 promotions in the authority shall be made according to merit and fitness.

18           **(2)** Subject to subs. (3), (3m), (3r) and (3t) and ch. 40 and the duty to engage  
19 in collective bargaining with employes in a collective bargaining unit for which a  
20 representative is recognized or certified under subch. V of ch. 111, the authority shall  
21 determine all of the following:

22           (a) The compensation of the employes of the authority.

23           (b) The kinds of leave to which an employe of the authority is entitled, including  
24 paid annual leave of absence, paid sick leave and unpaid leave of absence, except that  
25 unused sick leave accumulated prior to July 1, 1997, shall be carried over and made

1 available for the employe's use for appropriate sick leave purposes or for conversion  
2 as provided under s. 40.05 (4) (b), (bd), (be), (bm) or (bp).

3 (c) Any other employment benefits to which an employe of the authority is  
4 entitled.

5 **(3)** (a) In this subsection and subs. (3m), (4) and (6), "carry-over employe"  
6 means an employe of the authority who satisfies all of the following:

7 1. The employe is offered employment by the authority on or before June 29,  
8 1996.

9 2. Immediately prior to beginning employment with the authority, the employe  
10 was employed by the state other than in an academic staff appointment.

11 3. The position in which the employe was employed under subd. 2. was at the  
12 University of Wisconsin Hospital and Clinics.

13 (b) If an employe of the authority is a member of a collective bargaining unit  
14 under subch. V of ch. 111 for which a representative has been recognized or certified,  
15 the authority shall, from June 29, 1996, to June 30, 1997, adhere to the terms of the  
16 carry-over employe's employment that are specified in the collective bargaining  
17 agreement covering the carry-over employe.

18 (c) If an employe of the authority is a carry-over employe and is an employe to  
19 whom par. (b) does not apply, the authority shall, when setting the terms of the  
20 carry-over employe's employment during the period beginning on June 29, 1996, and  
21 ending on June 30, 1997, do all of the following:

22 1. Pay to the carry-over employe the same compensation that the employe  
23 would have received if he or she were employed by the state in the position at the  
24 University of Wisconsin Hospitals and Clinics on June 29, 1996.

1           2. Grant to the carry-over employe, except when he or she is on an unpaid leave  
2 of absence, a paid holiday on each of the days specified in s. 230.35 (4) (a) as of the  
3 last day of the employe's employment as a state employe and holiday compensatory  
4 time off as specified in s. 230.35 (4) (b) as of the last day of the employe's employment  
5 as a state employe if the employe was entitled to those benefits on that day.

6           3. Grant to the carry-over employe the same paid annual leave of absence, paid  
7 sick leave and unpaid leave of absence that the employe received as of the last day  
8 of his or her employment as a state employe.

9           4. Grant to the carry-over employe military leave, treatment of military leave,  
10 jury service leave and voting leave in accordance with s. 230.35 (3) and (4) (e) and,  
11 to the extent applicable, rules of the department of employment relations governing  
12 such leaves for employes in the classified service as of the last day of the employe's  
13 employment as a state employe if the employe was entitled to those benefits on that  
14 day.

15           5. Grant to the carry-over employe the same opportunity for employe training  
16 provided under s. 230.046 as of the last day of his or her employment as a state  
17 employe if the employe was entitled to those benefits on that day.

18           (d) If an employe of the authority is not a carry-over employe and is an employe  
19 to whom par. (b) does not apply, the authority shall, from June 29, 1996, to June 30,  
20 1997, provide that employe the same rights, benefits and compensation provided to  
21 a carry-over employe under par. (c) who holds a position at the authority with similar  
22 duties.

23           **(3m)** Unless expressly prohibited under ch. 40 or under federal law, and, for  
24 a carry-over employe who is a member of a collective bargaining unit under subch.  
25 V of ch. 111 for which a representative has been recognized or certified, subject to a

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1 collective bargaining agreement under subch. V of ch. 111, the authority shall, from  
2 June 29, 1996, to June 30, 1997, not change to the detriment of a carry-over employe  
3 any employe benefit plan provided to the carry-over employe as of the last day of the  
4 employe's employment as a state employe.

5 **(3r)** (a) In this subsection and sub. (3t), "carry-over employe" means an  
6 employe of the authority who satisfies all of the following:

7 1. The employe is offered employment by the authority on or before June 29,  
8 1996.

9 2. Immediately prior to beginning employment with the authority, the employe  
10 was employed in an academic staff appointment.

11 3. The position in which the employe was employed under subd. 2. was at the  
12 University of Wisconsin Hospital and Clinics.

13 (b) If an employe of the authority is a carry-over employe, the authority shall,  
14 when setting the terms of the carry-over employe's employment for the period  
15 beginning on June 29, 1996, and ending on June 30, 1997, do all of the following:

16 1. Enter into an employment contract for such period with the carry-over  
17 employe. For such period, the contract shall provide the carry-over employe with the  
18 same procedural guarantees provided to persons having academic staff  
19 appointments under s. 36.15 on June 29, 1996.

20 2. Pay to the carry-over employe the same compensation that the employe  
21 would have received if he or she were employed by the state in his or her academic  
22 staff appointment at the University of Wisconsin Hospitals and Clinics on June 29,  
23 1996.

24 3. Grant to the carry-over employe, except when he or she is on an unpaid leave  
25 of absence, a paid holiday on each of the days specified as a holiday in policies and

1 procedures established by the board of regents under s. 36.15 (2) as of the last day  
2 of the employe's employment as a state employe and any holiday compensatory time  
3 off that may be specified in policies and procedures established by the board of  
4 regents under s. 36.15 (2) as of the last day of the employe's employment in the  
5 academic staff appointment.

6 4. Grant to the carry-over employe the same paid annual leave of absence, paid  
7 sick leave and unpaid leave of absence that the employe received as of the last day  
8 of his or her employment in the academic staff appointment.

9 5. Grant to the carry-over employe military leave, treatment of military leave,  
10 jury service leave and voting leave in accordance with policies and procedures  
11 established by the board of regents under s. 36.15 (2) and, as of the last day of the  
12 employe's employment in the academic staff appointment.

13 6. Grant to the carry-over employe the same opportunity for any employe  
14 training that may be provided under policies and procedures established by the  
15 board of regents under s. 36.15 (2) as of the last day of his or her employment in the  
16 academic staff appointment.

17 **(3t)** Unless expressly prohibited under ch. 40 or under federal law, the  
18 authority shall, from June 29, 1996, to June 30, 1997, not change to the detriment  
19 of a carry-over employe any employe benefit plan provided to the carry-over employe  
20 as of the last day of the employe's employment in the academic staff appointment.

21 **(4)** Notwithstanding the requirement that an employe be a state employe, a  
22 carry-over employe of the authority who was employed in a position in the classified  
23 service immediately prior to beginning employment with the authority shall, from  
24 June 29, 1996, to June 30, 1997, have the same transfer rights under s. 230.29 and

1 the rules of the department of employment relations governing transfers as a person  
2 who holds a position in the classified service.

3 (6) An employe of the authority to whom s. 230.44 (1) (g) applies may appeal  
4 personnel decisions of the authority to the personnel commission.

5 **233.13 Closed records.** Except as provided in s. 103.13, the authority may  
6 keep records of the following personnel matters closed to the public:

7 (1) Examination scores and ranks and other evaluations of applicants.

8 (2) Dismissals, demotions and other disciplinary actions.

9 (3) Addresses and home telephone numbers of employes.

10 (4) Pay survey data obtained from identifiable nonpublic employers.

11 (5) Names of nonpublic employers contributing pay survey data.

12 **233.17 Liability limited.** (1) Neither the state, any political subdivision of  
13 the state nor any officer, employe or agent of the state or a political subdivision who  
14 is acting within the scope of employment or agency is liable for any debt, obligation,  
15 act or omission of the authority.

16 (2) (a) No officer, employe or agent of the board of regents, including any  
17 student who is enrolled at an institution or center within the University of Wisconsin  
18 System, is an agent of the authority unless the officer, employe or agent acts at the  
19 express written direction of the authority.

20 (b) Notwithstanding par. (a), no member of the faculty or academic staff of the  
21 University of Wisconsin System, acting within the scope of his or her employment,  
22 may be considered, for liability purposes, as an agent of the authority.

23 **233.20 Issuance of bonds.** (1) The authority may issue bonds for any  
24 corporate purpose. All bonds are negotiable for all purposes, notwithstanding their  
25 payment from a limited source.

1           **(2)** The bonds of each issue shall be payable from sources specified in the bond  
2 resolution under which the bonds are issued or in a related trust agreement, trust  
3 indenture, indenture of mortgage or deed of trust.

4           **(3)** The authority may not issue bonds unless the issuance is first authorized  
5 by a bond resolution. Bonds shall bear the dates, mature at the times not exceeding  
6 30 years from their dates of issue, bear interest at the rates, be payable at the times,  
7 be in the denominations, be in the form, carry the registration and conversion  
8 privileges, be executed in the manner, be payable in lawful money of the United  
9 States at the places, and be subject to the terms of redemption, that the bond  
10 resolution provides. The bonds shall be executed by the manual or facsimile  
11 signatures of the officers of the authority designated by the board. The bonds may  
12 be sold at public or private sale at the price, in the manner and at the time  
13 determined by the board. Pending preparation of definitive bonds, the authority may  
14 issue interim receipts or certificates that shall be exchanged for the definitive bonds.

15           **(4)** Any bond resolution may contain provisions, which shall be a part of the  
16 contract with the holders of the bonds that are authorized by the bond resolution,  
17 regarding any of the following:

18           (a) Pledging or assigning specified assets or revenues of the authority.

19           (b) Setting aside reserves or sinking funds, and the regulation, investment and  
20 disposition of these funds.

21           (c) Limitations on the purpose to which or the investments in which the  
22 proceeds of the sale of any issue of bonds may be applied.

23           (d) Limitations on the issuance of additional bonds, the terms upon which  
24 additional bonds may be issued and secured and the terms upon which additional  
25 bonds may rank on a parity with, or be subordinate or superior to, other bonds.

1 (e) Funding, refunding, advance refunding or purchasing outstanding bonds.

2 (f) Procedures, if any, by which the terms of any contract with bondholders may  
3 be amended, the amount of bonds the holders of which must consent to the  
4 amendment and the manner in which this consent may be given.

5 (g) Defining the acts or omissions to act that constitute a default in the duties  
6 of the authority to the bondholders, and providing the rights and remedies of the  
7 bondholders in the event of a default.

8 (h) Other matters relating to the bonds that the board considers desirable.

9 (5) Neither the members of the board nor any person executing the bonds is  
10 liable personally on the bonds or subject to any personal liability or accountability  
11 by reason of the issuance of the bonds, unless the personal liability or accountability  
12 is the result of wilful misconduct.

13 **233.21 Bond security.** The authority may secure bonds by a trust agreement,  
14 trust indenture, indenture of mortgage or deed of trust by and between the authority  
15 and one or more corporate trustees. A bond resolution providing for the issuance of  
16 bonds so secured shall mortgage, pledge, assign or grant security interests in some  
17 or all of the revenues to be received by, and property of, the authority and may contain  
18 those provisions for protecting and enforcing the rights and remedies of the  
19 bondholders that are reasonable and proper and not in violation of law. A bond  
20 resolution may contain other provisions determined by the board to be reasonable  
21 and proper for the security of the bondholders.

22 **233.22 Bonds not public debt. (1)** The state is not liable on bonds and the  
23 bonds are not a debt of the state. All bonds shall contain a statement to this effect  
24 on the face of the bond. A bond issue does not, directly or indirectly or contingently,  
25 obligate the state or a political subdivision of the state to levy any tax or make any

1 appropriation for payment of the bonds. Nothing in this section prevents the  
2 authority from pledging its full faith and credit to the payment of bonds.

3 (2) Nothing in this chapter authorizes the authority to create a debt of the state,  
4 and all bonds issued by the authority are payable, and shall state that they are  
5 payable, solely from the funds pledged for their payment in accordance with the bond  
6 resolution authorizing their issuance or in any trust indenture or mortgage or deed  
7 of trust executed as security for the bonds. The state is not liable for the payment  
8 of the principal of or interest on a bond or for the performance of any pledge,  
9 mortgage, obligation or agreement that may be undertaken by the authority. The  
10 breach of any pledge, mortgage, obligation or agreement undertaken by the  
11 authority does not impose pecuniary liability upon the state or a charge upon its  
12 general credit or against its taxing power.

13 **233.23 State pledge.** The state pledges to and agrees with the bondholders,  
14 and persons that enter into contracts with the authority under this chapter, that the  
15 state will not limit or alter the rights vested in the authority by this chapter before  
16 the authority has fully met and discharged the bonds, and any interest due on the  
17 bonds, and has fully performed its contracts, unless adequate provision is made by  
18 law for the protection of the bondholders or those entering into contracts with the  
19 authority.

20 **233.26 Refunding bonds.** (1) The authority may issue bonds to fund or  
21 refund any outstanding bond, including the payment of any redemption premium on  
22 the outstanding bond and any interest accrued or to accrue to the earliest or any  
23 subsequent date of redemption, purchase or maturity.

24 (2) The authority may apply the proceeds of any bond issued to fund or refund  
25 any outstanding bond to purchase, retire at maturity or redeem any outstanding

1 bond. The authority may, pending application, place the proceeds in escrow to be  
2 applied to the purchase, retirement at maturity or redemption of any outstanding  
3 bond at any time.

4 **233.27 Limit on the amount of outstanding bonds.** The authority may not  
5 issue bonds or incur indebtedness described under s. 233.03 (12) if, after the bonds  
6 are issued or the indebtedness is incurred, the aggregate principal amount of the  
7 authority's outstanding bonds, together with all indebtedness described under s.  
8 233.03 (12) would exceed \$50,000,000. Bonds issued to fund or refund outstanding  
9 bonds, or indebtedness incurred to pay off or purchase outstanding indebtedness, is  
10 not included in calculating compliance with the \$50,000,000 limit.

11 **SECTION 6301j.** 233.03 (7) of the statutes, as affected by 1995 Wisconsin Act ....  
12 (this act), is repealed and recreated to read:

13 233.03 (7) Subject to s. 233.10 and ch. 40 and 1995 Wisconsin Act .... (this act),  
14 section 9159 (4) and the duty to engage in collective bargaining with employes in a  
15 collective bargaining unit for which a representative is recognized or certified under  
16 subch. I of ch. 111, employ any agent, employe or special advisor that the authority  
17 finds necessary and fix his or her compensation and provide any employe benefits,  
18 including an employe pension plan.

19 **SECTION 6301m.** 233.10 (2) (intro.) of the statutes, as affected by 1995  
20 Wisconsin Act .... (this act), is repealed and recreated to read:

21 233.10 (2) (intro.) Subject to subs. (3), (3m), (3r) and (3t) and ch. 40 and the duty  
22 to engage in collective bargaining with employes in a collective bargaining unit for  
23 which a representative is recognized or certified under subch. I of ch. 111:

24 **SECTION 6301p.** 233.10 (6) of the statutes, as created by 1995 Wisconsin Act  
25 .... (this act), is repealed.

**SECTION 6302**

1           **SECTION 6302.** 234.01 (5k) of the statutes is amended to read:

2           234.01 **(5k)** “Financial institution” means a bank, savings bank, savings and  
3 loan association, credit union, insurance company, finance company, mortgage  
4 banker registered under s. ~~440.72~~ 224.72, community development corporation,  
5 small business investment corporation, pension fund or other lender which provides  
6 commercial loans in this state.

7           **SECTION 6302c.** 234.04 (2) of the statutes is amended to read:

8           234.04 **(2)** The authority may make or participate in the making and enter into  
9 commitments for the making of long-term mortgage loans to eligible sponsors of  
10 housing projects for occupancy by persons and families of low and moderate income,  
11 or for the making of homeownership mortgage loans or housing rehabilitation loans  
12 to persons and families of low and moderate income, an applicant under s. 234.59 or  
13 other eligible beneficiaries as defined in s. 234.49. The loans may be made only upon  
14 the determination by the authority that they are not otherwise available from  
15 private lenders upon reasonably equivalent terms and conditions. The authority  
16 may not make a loan to a person if it receives a certification under s. ~~46.255~~ 73.255  
17 (7) that the person is delinquent in child support or maintenance payments. The  
18 authority may employ, for such compensation as it determines, the services of any  
19 financial institution in connection with any loan.

20           **SECTION 6302j.** 234.265 (2) of the statutes is amended to read:

21           234.265 **(2)** Records or portions of records consisting of personal or financial  
22 information provided by a person seeking a grant or loan under s. 234.08, 234.49,  
23 234.59, 234.65, 234.67, 234.68, 234.69, 234.70, 234.765, 234.82, 234.83, 234.84,  
24 234.87, 234.90, 234.905 or 234.907, seeking a loan under ss. 234.621 to 234.626,  
25 seeking financial assistance under s. 234.66 or under ss. 234.75 to 234.802, seeking

1 investment of funds under s. 234.03 (18m) or in which the authority has invested  
2 funds under s. 234.03 (18m), unless the person consents to disclosure of the  
3 information.

4 **SECTION 6302r.** 234.49 (1) (c) of the statutes is amended to read:

5 234.49 (1) (c) "Eligible beneficiary" means a person for whom the authority has  
6 not received a certification from the department of ~~health and social services~~ revenue  
7 under s. ~~46.255~~ 73.255 (7) or a family who or which falls within the income limits  
8 specified in par. (f).

9 **SECTION 6303.** 234.49 (2) (a) 4. of the statutes is amended to read:

10 234.49 (2) (a) 4. To designate as an authorized lender the authority or any local  
11 government agency, housing authority under s. 59.075, 61.73, 66.395 or 66.40, bank,  
12 savings bank, savings and loan institution, mortgage banker registered under s.  
13 ~~440.72~~ 224.72 or credit union, if the designee has a demonstrated history or potential  
14 of ability to adequately make and service housing rehabilitation loans.

15 **SECTION 6304.** 234.59 (1) (h) of the statutes is amended to read:

16 234.59 (1) (h) "Mortgage banker" means a mortgage banker registered under  
17 s. ~~440.72~~ 224.72, but does not include a person licensed under s. 138.09.

18 **SECTION 6304c.** 234.59 (3) (c) of the statutes is amended to read:

19 234.59 (3) (c) The authority shall notify an eligible lender if it receives a  
20 certification under s. ~~46.255~~ 73.255 (7) that a person is delinquent in child support  
21 or maintenance payments. An eligible lender may not make a loan to an applicant  
22 if it receives notification under this paragraph concerning the applicant.

23 **SECTION 6304p.** 234.65 (3) (f) of the statutes is amended to read:

1           234.65 (3) (f) The authority has not received a certification under s. 46.255  
2           73.255 (7) that the person receiving the loan is delinquent in child support or  
3           maintenance payments.

4           **SECTION 6305.** 234.75 (10) of the statutes is amended to read:

5           234.75 (10) "State agency" means any office, department, agency, institution  
6           of higher education, association, society or other body in state government created  
7           or authorized to be created by the constitution or any law which is entitled to expend  
8           moneys appropriated by law, including the legislature and the courts, and the  
9           authority, the Bradley center sports and entertainment corporation, the University  
10          of Wisconsin Hospitals and Clinics Authority and the health and educational  
11          facilities authority.

12          **SECTION 6305i.** 234.82 (title) of the statutes is amended to read:

13          **234.82** (title) **Business improvement or start-up loan guarantee**  
14          **program.**

15          **SECTION 6305j.** 234.82 (1) (a) of the statutes is renumbered 234.82 (1) (a)  
16          (intro.) and amended to read:

17          234.82 (1) (a) (intro.) "Eligible business" means a any of the following:

18          1. A business that is primarily engaged in or derives a substantial percentage  
19          of its annual gross revenue from furnishing goods, services, lodging, recreation  
20          facilities or amusement facilities to tourists or from furnishing goods or services to  
21          such businesses.

22          **SECTION 6305k.** 234.82 (1) (a) 2. of the statutes is created to read:

23          234.82 (1) (a) 2. A business that derives more than 50% of its annual gross  
24          revenue from furnishing lodging.

25          **SECTION 6305km.** 234.82 (2) (intro.) of the statutes is amended to read:

1           234.82 (2) GUARANTEE REQUIREMENTS. (intro.) The authority may use money  
2 from the Wisconsin development reserve fund to guarantee a business improvement  
3 or start-up loan if all of the following apply:

4           **SECTION 6305L.** 234.82 (3) (a) of the statutes is amended to read:

5           234.82 (3) (a) The person is engaged in an eligible business under sub. (1) (a)  
6 1. or intends to engage in an eligible business under sub. (1) (a) 2.

7           **SECTION 6305m.** 234.82 (3) (b) of the statutes is amended to read:

8           234.82 (3) (b) The annual gross revenue of the person, together with any  
9 parent, subsidiary or affiliate corporation, does not exceed \$2,500,000 or, if the  
10 person intends to engage in an eligible business under sub. (1) (a) 2., the annual gross  
11 revenue of the person, together with any parent, subsidiary or affiliate corporation,  
12 will not exceed \$2,500,000.

13           **SECTION 6305n.** 234.82 (3) (c) of the statutes is amended to read:

14           234.82 (3) (c) The person, together with any parent, subsidiary or affiliate  
15 corporation, employs fewer than 25 employes on a full-time basis or, if the person  
16 intends to engage in an eligible business under sub. (1) (a) 2., the person, together  
17 with any parent, subsidiary or affiliate corporation, will employ fewer than 25  
18 employes on a full-time basis.

19           **SECTION 6305np.** 234.82 (4) (a) of the statutes is amended to read:

20           234.82 (4) (a) The borrower uses the loan proceeds for upgrading, renovating  
21 or expanding an eligible business under sub. (1) (a) 1. or for start-up costs for an  
22 eligible business under sub. (1) (a) 2. Loan proceeds may be used for direct or related  
23 expenses associated with the purchase or improvement of land, buildings,  
24 machinery, equipment or inventory. Loan proceeds may not be used to refinance  
25 existing debt or for operating or entertainment expenses.

1           **SECTION 6305nr.** 234.84 of the statutes is created to read:

2           **234.84 Job training loan guarantee program. (1) GUARANTEE**  
3           **REQUIREMENTS.** The authority may use money from the Wisconsin development  
4           reserve fund to guarantee a loan under this section if all of the following apply:

5           (a) The borrower is an employer in this state.

6           (b) The loan qualifies as an eligible loan under sub. (2).

7           (c) The lender is a financial institution that enters into an agreement under s.  
8           234.93 (2) (a).

9           **(2) ELIGIBLE LOANS.** A loan is eligible for guarantee of collection from the  
10          Wisconsin development reserve fund under s. 234.93 if all of the following apply:

11          (a) The borrower uses the loan proceeds for expenses related to employe  
12          training or retraining or for purchasing equipment or upgrading facilities for  
13          purposes related to employe training or retraining.

14          (b) Loan proceeds are not used to refinance existing debt or for operating or  
15          entertainment expenses.

16          (c) The interest rate on the loan, including any origination fees or other charges,  
17          is approved by the authority.

18          (d) The loan term does not extend beyond 3 years if the loan proceeds are used  
19          exclusively for expenses related to instruction or training, or beyond 5 years if the  
20          loan proceeds are used for purchasing equipment or upgrading facilities.

21          (e) The total principal amount of all loans to the borrower that are guaranteed  
22          under this section does not exceed \$250,000.

23          (f) The financial institution obtains a security interest in the physical plant,  
24          equipment or other assets if the loan proceeds are used for purchasing equipment or  
25          upgrading facilities.

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1 (g) The financial institution believes that it is reasonably likely that the  
2 borrower will be able to repay the loan in full with interest.

3 (h) The financial institution agrees to the percentage of guarantee established  
4 for the loan by the authority.

5 **(3) GUARANTEE OF COLLECTION.** (a) Subject to par. (b), the authority shall  
6 guarantee collection of a percentage of the principal of any loan eligible for a  
7 guarantee under sub. (1). The authority shall establish the percentage of the  
8 principal of an eligible loan that will be guaranteed, using the procedures described  
9 in the agreement under s. 234.93 (2) (a). The authority may establish a single  
10 percentage for all guaranteed loans or establish different percentages for eligible  
11 loans on an individual basis.

12 (b) Except as provided in s. 234.93 (3), the total outstanding guaranteed  
13 principal amount of all loans that the authority may guarantee under par. (a) may  
14 not exceed \$14,000,000.

15 **SECTION 6305p.** 234.90 (3) (d) of the statutes is amended to read:

16 234.90 **(3)** (d) The authority has not received a certification under s. ~~46.255~~  
17 73.255 (7) that the farmer is delinquent in making child support or maintenance  
18 payments.

19 **SECTION 6305r.** 234.90 (3g) (c) of the statutes is amended to read:

20 234.90 **(3g)** (c) The authority has not received a certification under s. ~~46.255~~  
21 73.255 (7) that the farmer is delinquent in making child support or maintenance  
22 payments.

23 **SECTION 6305t.** 234.905 (3) (d) of the statutes is amended to read:

1           234.905 (3) (d) The authority has not received a certification under s. 46.255  
2           73.255 (7) that the farmer is delinquent in making child support or maintenance  
3           payments.

4           **SECTION 6307m.** 236.02 (3) of the statutes is amended to read:

5           236.02 (3) "County planning agency" means a rural county planning agency  
6           authorized by s. ~~27.015~~ 27.019, a county park commission authorized by s. 27.02  
7           except that in a county with a county executive or county administrator, the county  
8           park manager appointed under s. 27.03 (2), a county zoning agency authorized by s.  
9           59.97 or any agency created by the county board and authorized by statute to plan  
10          land use.

11          **SECTION 6308.** 236.02 (4) of the statutes is amended to read:

12          236.02 (4) "Department" means the department of agriculture, ~~trade and~~  
13          ~~consumer protection~~ development.

14          **SECTION 6309.** 236.12 (2) (a) of the statutes is amended to read:

15          236.12 (2) (a) Two copies for each of the state agencies required to review the  
16          plat to the department which shall examine the plat for compliance with ss. 236.13  
17          (1) (d) and (2m), 236.15, 236.16, 236.20 and 236.21 (1) and (2). If the subdivision  
18          abuts or adjoins a state trunk highway or connecting highway, the department shall  
19          transmit 2 copies to the department of transportation so that agency may determine  
20          whether it has any objection to the plat on the basis of its rules as provided in s.  
21          236.13. ~~If the subdivision is not served by a public sewer and provision for such~~  
22          ~~service has not been made, the department shall transmit 2 copies to the department~~  
23          ~~of industry, labor and human relations so that agency may determine whether it has~~  
24          ~~any objection to the plat on the basis of its rules as provided in s. 236.13.~~ In lieu of  
25          this procedure the agencies may designate local officials to act as their agents in

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1 examining the plats for compliance with the statutes or their rules by filing a written  
2 delegation of authority with the approving body.

3 **SECTION 6310.** 236.13 (1) (d) of the statutes is amended to read:

4 236.13 (1) (d) The rules of the department of industry, labor and human  
5 relations relating to lot size and lot elevation necessary for proper sanitary  
6 conditions in a subdivision not served by a public sewer, where provision for public  
7 sewer service has not been made;

8 **SECTION 6311.** 236.13 (2m) of the statutes is amended to read:

9 236.13 (2m) As a further condition of approval when lands included in the plat  
10 lie within 500 feet of the ordinary high-water mark of any navigable stream, lake  
11 or other body of navigable water or if land in the proposed plat involves lake or stream  
12 shorelands referred to in s. 236.16, the department of natural resources, to prevent  
13 pollution of navigable waters, or the department of industry, labor and human  
14 relations development, to protect the public health and safety, may require  
15 assurance of adequate drainage areas for private sewage disposal systems and  
16 building setback restrictions, or provisions by the owner for public sewage disposal  
17 facilities for waters of the state, industrial wastes and other wastes, as defined in s.  
18 144.01. The public sewage disposal facilities may consist of one or more systems as  
19 the department of natural resources or the department of industry, labor and human  
20 relations development determines on the basis of need for prevention of pollution of  
21 the waters of the state or protection of public health and safety.

22 **SECTION 6313b.** 250.08 (3) of the statutes is amended to read:

23 250.08 (3) PRIMARY HEALTH CARE SERVICES GRANTS. From the appropriation  
24 under s. 20.435 (1) (cp), the department shall award up to \$750,000 in each fiscal year  
25 \$500,000 in fiscal year 1995-96 and up to \$250,000 in fiscal year 1996-97 as grants

1 to applying local health departments. Grants under this subsection shall be  
2 awarded, under procedures and criteria developed by the department, for the  
3 provision, primarily by nurse practitioners who meet the qualifications for  
4 certification as medical assistance providers by the department and by public health  
5 nurses, of primary health care services in, among other places, maternal and child  
6 health clinics and community health settings. Award of a grant to a local health  
7 department under this subsection is conditioned upon receipt by the department of  
8 an agreement by the county, city or village that has established the local health  
9 department to provide funds or in-kind services to match 25% of the amount of a  
10 grant awarded.

11 **SECTION 6314.** 250.10 of the statutes is amended to read:

12 **250.10 Grant for dental services.** From the appropriation under s. 20.435  
13 (1) (de), the department shall provide funding in each fiscal year to the Marquette  
14 ~~university school of dentistry~~ University School of Dentistry for the provision of  
15 dental services by the Marquette ~~university school of dentistry~~ University School of  
16 Dentistry in correctional centers in Milwaukee County and clinics in the city of  
17 Milwaukee.

18 **SECTION 6316.** 252.076 (3) of the statutes is amended to read:

19 252.076 (3) Management of the 2 jointly housed units shall be separate and  
20 distinct. The county home unit shall for all purposes be deemed part of, and managed  
21 and operated by the same authorities as any previously established and existing  
22 county home of the county. Except as otherwise provided by statute and so far as  
23 applicable, this section and ss. 252.073 and 252.08 shall continue to apply to a jointly  
24 housed county tuberculosis sanatorium and ss. ~~49.14 and 49.15~~ 49.70 and 49.703  
25 shall apply to a jointly housed county home or a unit of a jointly housed county home.

1           **SECTION 6317.** 252.08 (3) of the statutes is amended to read:

2           252.08 (3) Inpatient care exceeding 30 days for pulmonary tuberculosis  
3 patients not eligible for federal medicare benefits, for medical assistance under  
4 subch. V of ch. 49 or for general health care services funded by a relief block grant  
5 under subch. II of ch. 49 may be reimbursed if provided by a facility contracted by  
6 the department. If the patient has private health insurance, the state shall pay the  
7 difference between health insurance payments and total charges.

8           **SECTION 6318.** 252.10 (6) (g) of the statutes is amended to read:

9           252.10 (6) (g) The reimbursement by the state under pars. (a) to (f) shall apply  
10 only until to funds that the department allocates for the reimbursement under the  
11 appropriation under s. 20.435 (1) (e) is totally expended.

12           **SECTION 6319.** 252.12 (2) (a) (intro.) of the statutes is amended to read:

13           252.12 (2) (a) *Acquired immunodeficiency syndrome services.* (intro.) From the  
14 appropriations under s. 20.435 (1) (a) and (am), the department shall distribute ~~not~~  
15 ~~more than \$2,765,400 in fiscal year 1993-94 and not more than \$3,222,100 in fiscal~~  
16 ~~year 1994-95 and from the appropriations under s. 20.435 (1) (mc) and (md) and (6)~~  
17 ~~(mc) the department shall distribute not more than \$177,000 in each fiscal year~~  
18 funds for the provision of services to individuals with or at risk of contracting  
19 acquired immunodeficiency syndrome, as follows:

20           **SECTION 6320.** 252.12 (2) (a) 7. of the statutes is amended to read:

21           252.12 (2) (a) 7. 'Contracts for counseling and laboratory testing services.' The  
22 department shall distribute funding of ~~not more than \$442,200 in fiscal year 1993-94~~  
23 ~~and not more than \$510,300 in fiscal year 1994-95~~ in each fiscal year to contract with  
24 organizations to provide, at alternate testing sites, anonymous counseling services  
25 and laboratory testing services for the presence of HIV.

**SECTION 6321**

1           **SECTION 6321.** 252.12 (2) (a) 8. of the statutes is amended to read:

2           252.12 (2) (a) 8. 'Life care and early intervention services.' The department  
3 shall award not more than ~~\$1,457,500 in fiscal year 1993-94 and not more than~~  
4 ~~\$1,647,700 in fiscal year 1994-95~~ each year in grants to applying organizations for  
5 the provision of needs assessments; assistance in procuring financial, medical, legal,  
6 social and pastoral services; counseling and therapy; homecare services and  
7 supplies; advocacy; and case management services. These services shall include  
8 early intervention services. The department shall also award not more than  
9 \$111,500 in each year from the appropriation under s. 20.435 (7) (md) for the services  
10 under this subdivision. The state share of payment for case management services  
11 that are provided under s. 49.45 (25) (be) to recipients of medical assistance shall be  
12 paid from the appropriation under s. 20.435 (1) (am).

13           **SECTION 6321g.** 252.12 (2) (c) of the statutes is created to read:

14           252.12 (2) (c) *HIV prevention grants.* From the appropriation under s. 20.435  
15 (7) (md), the department shall award to applying nonprofit corporations or public  
16 agencies up to \$75,000 in each fiscal year, on a competitive basis, as grants for  
17 services to prevent HIV. Criteria for award of the grants shall include all of the  
18 following:

19           1. The scope of proposed services, including the proposed targeted population  
20 and numbers of persons proposed to be served.

21           2. The proposed methodology for the prevention services, including  
22 distribution and delivery of information and appropriateness of the message  
23 provided.

24           3. The qualifications of the applicant nonprofit corporation or public agency  
25 and its staff.

1           4. The proposed allocation of grant funds to the nonprofit corporation or public  
2 agency staff and services.

3           5. The proposed method by which the applicant would evaluate the impact of  
4 the grant funds awarded.

5           **SECTION 6322.** 252.14 (1) (d) of the statutes is amended to read:

6           252.14 (1) (d) "Inpatient health care facility" means a hospital, nursing home,  
7 community-based residential facility, county home, county mental health complex,  
8 tuberculosis sanatorium or other place licensed or approved by the department  
9 under ss. ~~49.14, 49.16, 49.171,~~ 49.70, 49.71, 49.72, 50.02, 50.03, 50.35, 51.08, 51.09,  
10 58.06, 252.073 and 252.076 or a facility under s. 45.365, 48.62, 51.05, 51.06 or 252.10  
11 or ch. 142.

12           **SECTION 6323.** 252.15 (2) (a) 7. ak. of the statutes is amended to read:

13           252.15 (2) (a) 7. ak. A physician, based on information provided to the  
14 physician, determines and certifies in writing that the affected person has been  
15 significantly exposed. The certification shall accompany the request for testing and  
16 disclosure. If the affected person who is significantly exposed is a physician, he or  
17 she may not make this determination or certification. The information that is  
18 provided to a physician to document the occurrence of a significant exposure and the  
19 physician's certification that an affected person has been significantly exposed,  
20 under this subd. 7. ak., shall be provided on a report form that is developed by the  
21 department of ~~industry, labor and human relations~~ development under s. 101.02 (19)  
22 (a) or on a report form that the department of ~~industry, labor and human relations~~  
23 development determines, under s. 101.02 (19) (b), is substantially equivalent to the  
24 report form that is developed under s. 101.02 (19) (a).

25           **SECTION 6324.** 252.16 (2) of the statutes is amended to read:

1           252.16 (2) SUBSIDY PROGRAM. From the appropriation under s. 20.435 (1) (am),  
2           the department shall distribute ~~not more than \$197,900 in fiscal year 1993-94 and~~  
3           ~~not more than \$280,400 in fiscal year 1994-95~~ funding in each fiscal year to subsidize  
4           the premium costs under s. 252.17 (2) and, under this subsection, the premium costs  
5           for continuation coverage available to an individual who has HIV infection and who  
6           is unable to continue his or her employment or must reduce his or her hours because  
7           of an illness or medical condition arising from or related to HIV infection.

8           **SECTION 6324g.** 252.22 (title) and (1) to (3) of the statutes are renumbered  
9           93.12 (title) and (1) to (3).

10          **SECTION 6324h.** 252.22 (4) of the statutes is renumbered 93.12 (4) and  
11          amended to read:

12          93.12 (4) The department, after conducting an evaluation for each specialty  
13          area and after receiving a fee for each specialty area from the laboratory, shall issue  
14          a certificate of approval to the laboratory covering those examinations which have  
15          met the minimum standards established by the department. The department shall  
16          issue an interim certificate of approval for an approved laboratory that applies for  
17          initial certification, which shall be valid for the remainder of the calendar year for  
18          which it is issued. Certification renewals shall be issued on a calendar-year basis.  
19          Specialty fees for certification of an initially certified laboratory and a certified  
20          laboratory that applies to expand its current certification with newly established  
21          specialties shall be prorated at one-twelfth of the annual fee for each month  
22          remaining in the calendar year for which the certificate of approval is issued. A  
23          certificate of approval shall be revoked by the department if the minimum standards  
24          established by the department for certification are not met within 2 successive

**SECTION 6324h**

1 evaluations. Fees collected under this subsection shall be credited to the  
2 appropriation under s. 20.115 (1) (gb).

3 **SECTION 6324i.** 252.22 (5) and (6) of the statutes are renumbered 93.12 (5) and  
4 (6).

5 **SECTION 6324j.** 252.22 (7) of the statutes is renumbered 93.12 (7) and amended  
6 to read:

7 93.12 (7) The department shall promulgate rules establishing a fee schedule  
8 to offset the cost of the certification of laboratories and the collection of fees under  
9 sub. (4).

10 **SECTION 6324k.** 252.22 (8) and (9) of the statutes are renumbered 93.12 (8) and  
11 (9).

12 **SECTION 6326.** 253.085 (1) of the statutes is amended to read:

13 253.085 (1) The department shall conduct an outreach program to make  
14 low-income pregnant women aware of the importance of early prenatal health care  
15 and of the availability of medical assistance benefits under ~~ss. 49.45 to 49.47~~ subch.  
16 IV of ch. 49 and other types of funding for prenatal care, to refer women to prenatal  
17 care services in the community and to make follow-up contacts with women referred  
18 to prenatal care services.

19 **SECTION 6327.** 254.02 (3) (a) of the statutes is amended to read:

20 254.02 (3) (a) ~~The departments~~ department of agriculture, trade and consumer  
21 protection, the department of corrections, industry, labor and human relations the  
22 department of development, and the department of natural resources shall enter into  
23 memoranda of understanding with the department to establish protocols for the  
24 department to review proposed rules of those state agencies relating to air and water

1 quality, occupational health and safety, institutional sanitation, toxic substances,  
2 indoor air quality, food protection or waste handling and disposal.

3 **SECTION 6328g.** 254.151 (1) (intro.) of the statutes is renumbered 254.151  
4 (intro.) and amended to read:

5 **254.151 Lead poisoning or lead exposure prevention grants.** (intro.)

6 From the appropriation under s. 20.435 (1) (ef), the department shall award the  
7 following grants ~~to~~ under criteria that the department shall establish in rules  
8 promulgated under this section:

9 (1) To fund educational programs about the dangers of lead poisoning or lead  
10 exposure; ~~to.~~

11 (2) To fund lead poisoning or lead exposure screening, care coordination and  
12 follow-up services, including lead inspections, to children under age 6 who are not  
13 covered by a 3rd-party payer; ~~to.~~

14 (3) To fund administration or enforcement of responsibilities delegated under  
15 s. 254.152; ~~to.~~

16 (4) To fund other activities related to lead poisoning or lead exposure; ~~or to.~~

17 (5) To fund any combination of ~~these~~ the purposes: under subs. (1) to (4).

18 **SECTION 6328h.** 254.151 (1) (a) to (c) of the statutes are repealed.

19 **SECTION 6328i.** 254.151 (2) of the statutes is renumbered 254.151 (6) and  
20 amended to read:

21 254.151 (6) ~~From the appropriation under s. 20.435 (1) (ef), the department~~  
22 ~~shall award not more than \$40,000 in each fiscal year to~~ To develop and implement  
23 outreach and education programs for health care providers to inform them of the  
24 need for lead poisoning or lead exposure screening and of the requirements of this  
25 subchapter relating to lead poisoning or lead exposure.

1           **SECTION 6330.** 254.176 (2) (e) of the statutes is amended to read:

2           254.176 (2) (e) A person who engages in the business of installing or servicing  
3 heating, ventilating or air conditioning equipment if the person is registered with the  
4 department of ~~industry, labor and human relations~~ development and if the person  
5 engages in activities that constitute lead hazard reduction, only to the extent that  
6 the activities are within the scope of his or her registration.

7           **SECTION 6331.** 254.22 (4) of the statutes is amended to read:

8           254.22 (4) Assist the department of ~~industry, labor and human relations~~  
9 development with the enforcement of s. 101.123.

10          **SECTION 6332.** 254.33 of the statutes is amended to read:

11          **254.33 Public policy.** Since radiations and their sources can be instrumental  
12 in the improvement of the health and welfare of the public if properly utilized, and  
13 may be destructive or detrimental to life or health if carelessly or excessively  
14 employed or may detrimentally affect the environment of the state if improperly  
15 utilized, it is hereby declared to be the public policy of this state to encourage the  
16 constructive uses of radiation and to prohibit and prevent exposure to radiation in  
17 amounts which are or may be detrimental to health. It is further the policy to advise,  
18 consult and cooperate with the department of ~~industry, labor and human relations~~  
19 development and other agencies of the state, the federal government, other states  
20 and interstate agencies and with affected groups, political subdivisions and  
21 industries; and, in general, to conform as nearly as possible to nationally accepted  
22 standards in the promulgation and enforcement of rules.

23          **SECTION 6333.** 254.34 (1) (intro.) of the statutes is amended to read:

24          254.34 (1) (intro.) The department and the department of ~~industry, labor and~~  
25 ~~human relations~~ development shall:

1           **SECTION 6334.** 254.34 (2) (intro.) of the statutes is amended to read:

2           254.34 (2) (intro.) The department, serving as the lead agency, and the  
3 department of ~~industry, labor and human relations~~ development may:

4           **SECTION 6335.** 254.35 (1) of the statutes is amended to read:

5           254.35 (1) APPLICATION. Every site in this state having an ionizing radiation  
6 installation, not exempted by this section or the rules of the department shall be  
7 registered by the department by January 1, 1964, by the person in control of an  
8 installation, including installations in sites that are administered by a state agency  
9 or in an institution under the jurisdiction of a state agency, and no such ionizing  
10 radiation installation may be operated thereafter unless the site has been duly  
11 registered by January 1 of each year and a notice of the registration is possessed by  
12 the person in control. Every site having an ionizing radiation installation  
13 established in this state after July 20, 1985, shall be registered prior to its operation.  
14 The application for registration shall be made on forms provided by the department  
15 which shall be devised to obtain any information that is considered necessary for  
16 evaluation of hazards. Multiple radiation sources at a single radiation installation  
17 and under the control of one person shall be listed on a single registration form.  
18 Registration fees shall be levied in accordance with sub. (3). Registration alone shall  
19 not imply approval of manufacture, storage, use, handling, operation or disposal of  
20 the radiation installation or radioactive materials, but shall serve merely to inform  
21 the department of the location and character of radiation sources. The department  
22 shall furnish the department of ~~industry, labor and human relations~~ development  
23 with a copy of each amended and new registration. Persons engaged in  
24 manufacturing, demonstration, sale, testing or repair of radiation sources shall not  
25 be required to list such sources on the registration form.

1           **SECTION 6336.** 254.37 (1) of the statutes is amended to read:

2           254.37 (1) NOTIFICATION OF VIOLATION AND ORDER OF ABATEMENT. Whenever the  
3 department or the department of ~~industry, labor and human relations~~ development  
4 finds, upon inspection and examination, that a source of radiation as constructed,  
5 operated or maintained results in a violation of this subchapter or of any rules  
6 promulgated under this subchapter, it shall notify the person in control that is  
7 causing, allowing or permitting the violation as to the nature of the violation and  
8 order that, prior to a specified time, the person in control shall cease and abate  
9 causing, allowing or permitting the violation and take such action as may be  
10 necessary to have the source of radiation constructed, operated, or maintained in  
11 compliance with this subchapter and rules promulgated under this subchapter.

12           **SECTION 6337.** 254.37 (2) of the statutes is amended to read:

13           254.37 (2) ORDERS. The department or the department of ~~industry, labor and~~  
14 ~~human relations~~ development shall issue and enforce such orders or modifications  
15 of previously issued orders as may be required in connection with proceedings under  
16 this subchapter. The orders shall be subject to review by the department upon  
17 petition of the persons affected. Whenever the department or the department of  
18 ~~industry, labor and human relations~~ development finds that a condition exists which  
19 constitutes an immediate threat to health due to violation of this subchapter or any  
20 rule or order promulgated under this subchapter, it may issue an order reciting the  
21 existence of the threat and the findings pertaining to the threat. The department or  
22 the department of ~~industry, labor and human relations~~ development may summarily  
23 cause the abatement of the violation.

24           **SECTION 6338.** 254.37 (3) of the statutes is amended to read:

1           254.37 (3) RULES. The department shall enforce the rules pertaining to ionizing  
2 radiation in establishments principally engaged in furnishing medical, surgical,  
3 chiropractic and other health services to persons and animals. The department of  
4 ~~industry, labor and human relations~~ development shall enforce the rules pertaining  
5 to ionizing radiation in industrial establishments. The department shall notify the  
6 department of ~~industry, labor and human relations~~ development and deliver to it a  
7 copy of each new registration and at such time a decision shall be made as to which  
8 state agency shall enforce the rules pertaining to ionizing radiation. The department  
9 and the department of ~~industry, labor and human relations~~ development are directed  
10 to consult with the radiation protection council in case of jurisdictional problems.

11           **SECTION 6339.** 254.38 of the statutes is amended to read:

12           **254.38 Impounding materials.** The department or department of ~~industry,~~  
13 ~~labor and human relations~~ development may impound or order the sequestration of  
14 sources of radiation in the possession of any person who is not equipped to observe  
15 or who fails to observe safety standards to protect health that are established in rules  
16 promulgated by the department or the department of ~~industry, labor and human~~  
17 ~~relations~~ development.

18           **SECTION 6340.** 254.45 of the statutes is amended to read:

19           **254.45 Penalties.** Any person who violates any provision of this subchapter  
20 or any rule or order of the department, or of the department of ~~industry, labor and~~  
21 ~~human relations~~ development, issued under this subchapter shall forfeit not less  
22 than \$10 nor more than \$500. Each day of continued violation after notice of the fact  
23 that a violation is being committed shall be considered a separate offense. If the  
24 injury or death of an employe is caused by a failure of an employer to observe or

1 enforce any rule issued under this subchapter, compensation and death benefits  
2 shall be increased by 15% as provided in s. 102.57.

3 **SECTION 6341.** 254.51 (2) of the statutes is amended to read:

4 254.51 (2) The department shall enter into memoranda of understanding with  
5 the department of agriculture, trade and consumer protection, the department of  
6 ~~industry, labor and human relations~~ development and the department of natural  
7 resources regarding the investigation and control of animal-borne and vector-borne  
8 disease.

9 **SECTION 6342.** 254.56 of the statutes is amended to read:

10 **254.56 Public places.** The owner and occupant and everyone in charge of a  
11 public building, as defined in s. 101.01 ~~(2)~~ ~~(g)~~ (12), shall keep the building clean and  
12 sanitary.

13 **SECTION 6343.** 254.73 (1) of the statutes is amended to read:

14 254.73 (1) Every hotel with sleeping accommodations with more than 12  
15 bedrooms above the first story shall, between the hours of 12 midnight and 6 a.m.  
16 provide a system of security personnel patrol, or of mechanical and electrical devices,  
17 or both, adequate, according to standards established by the department of ~~industry,~~  
18 ~~labor and human relations~~ development, to warn all guests and employes in time to  
19 permit their evacuation in case of fire.

20 **SECTION 6343m.** 254.74 (1m) of the statutes is created to read:

21 254.74 (1m) (a) The department may grant an applicant for a permit to  
22 maintain, manage or operate a bed and breakfast establishment a waiver from the  
23 requirement specified under s. 254.61 (1) (f) if the department determines that all  
24 of the following are true:

25 1. The public health, safety or welfare would not be jeopardized.

**SECTION 6343m**

1           2. The establishment seeking the waiver is in compliance with the  
2 requirements under s. 256.61 (1) (a) to (e).

3           (b) A waiver granted under par. (a) is valid for the period of validity of a permit  
4 that is issued to the applying bed and breakfast establishment under s. 254.64 (1)  
5 (b).

6           **SECTION 6344.** 254.78 of the statutes is amended to read:

7           **254.78 (title) Authority of department of industry, labor and human**  
8 **relations development.** Nothing in this chapter shall affect the authority of the  
9 department of industry, labor and human relations development relative to places  
10 of employment, elevators, boilers, fire escapes, fire protection, or the construction of  
11 public buildings.

12           **SECTION 6345.** 254.79 of the statutes is amended to read:

13           **254.79 Joint employment.** The department and the department of industry,  
14 labor and human relations development may employ experts, inspectors or other  
15 assistants jointly.

16           **SECTION 6346.** 255.05 (1) (a) of the statutes is amended to read:

17           255.05 (1) (a) "Institution" means any hospital, nursing home, county home,  
18 county mental hospital, tuberculosis sanatorium, community-based residential  
19 facility or other place licensed or approved by the department under ss. ~~49.14, 49.16,~~  
20 ~~49.171, 49.70, 49.71, 49.72,~~ 50.02, 50.03, 50.35, 51.08, 51.09, 58.06, 252.073 and  
21 252.076.

22           **SECTION 6347.** 255.06 (2) (intro.) of the statutes is amended to read:

23           255.06 (2) BREAST CANCER SCREENING PROGRAM. (intro.) From the appropriation  
24 under s. 20.435 (1) (cc), the department shall administer a breast cancer screening  
25 program and shall, in each fiscal year, do all of the following:

1           **SECTION 6348.** 255.06 (2) (a) (intro.) of the statutes is amended to read:

2           255.06 (2) (a) (intro.) Award not more than \$422,600 as grants for provision of  
3 ~~mammography~~ breast cancer screening services to women who are aged 40 years or  
4 older and who reside in the 12 rural counties that the department specifies by rule  
5 as having the highest incidence in the state of late-stage breast cancer. Grants shall  
6 be awarded to an applying hospital or organization that has a mammography unit  
7 available for use in an area of service under this paragraph and that is selected by  
8 the department under procedures established by the department. Payment for  
9 services provided under a grant shall be as follows:

10           **SECTION 6349.** 255.06 (2) (c) of the statutes is amended to read:

11           255.06 (2) (c) Distribute not more than \$115,200 in each fiscal year as a grant  
12 to the city of Milwaukee public health department for the performance of breast  
13 cancer screening activities with the use of a mobile mammography van.

14           **SECTION 6350.** 255.06 (3) of the statutes is repealed.

15           **SECTION 6351.** 255.30 (4) of the statutes is amended to read:

16           255.30 (4) The state ~~superintendent~~ department of ~~public instruction~~  
17 education shall prepare and circulate to each public and private educational  
18 institution in this state instructions and recommendations for implementing the eye  
19 safety provisions of this section.

20           **SECTION 6352.** 301.001 of the statutes is amended to read:

21           **301.001 Purposes of chapters.** The purposes of this chapter and chs. 302 to  
22 304 are to prevent delinquency and crime by an attack on ~~its~~ their causes; to provide  
23 a just, humane and efficient program of rehabilitation of offenders; and to coordinate  
24 and integrate corrections programs with other social services. In creating the  
25 department of corrections, chs. 301 to 304, the legislature intends that the state

1 continue to avoid sole reliance on incarceration of offenders and continue to develop,  
2 support and maintain professional community programs and placements.

3 **SECTION 6353m.** 301.01 (4) of the statutes is amended to read:

4 301.01 (4) "State correctional institution" means a state prison under s. 302.01  
5 or a secured correctional facility, as defined in s. 48.02 (15m).

6 **SECTION 6353p.** 301.025 of the statutes is created to read:

7 **301.025 Division of juvenile corrections.** The division of juvenile  
8 corrections shall exercise the powers and perform the duties of the department that  
9 relate to juvenile correctional services and institutions, juvenile offender review,  
10 aftercare, corrective sanctions, the juvenile boot camp program under s. 48.532, the  
11 serious juvenile offender program under s. 48.538 and youth aids.

12 **SECTION 6353r.** 301.026 of the statutes is created to read:

13 **301.026 Gang violence prevention.** The gang violence prevention council  
14 shall conduct public hearings and surveys to solicit the opinions and  
15 recommendations of citizens and public officials regarding strategies and programs  
16 to prevent children from becoming influenced by and involved with gangs and, based  
17 on those opinions and recommendations, submit an annual report to the appropriate  
18 standing committees of the legislature under s. 13.172 (3), the cochairpersons of the  
19 joint committee on finance and the secretary, and otherwise provide information and  
20 recommendations to interested persons, on ways to improve those existing strategies  
21 and programs and ways to establish new strategies and programs to prevent children  
22 from becoming influenced by and involved with gangs.

23 **SECTION 6354.** 301.027 of the statutes is created to read:

1           **301.027 Treatment program at one or more juvenile correctional**  
2 **institutions.** The department shall maintain a cottage-based intensive alcohol and  
3 other drug abuse program at one or more juvenile correctional institutions.

4           **SECTION 6355.** 301.03 (2) of the statutes is amended to read:

5           301.03 (2) Supervise the custody and discipline of all prisoners and the  
6 maintenance of state correctional institutions and the prison industries therein  
7 under s. 303.01.

8           **SECTION 6355L.** 301.03 (3) of the statutes is amended to read:

9           301.03 (3) Administer parole and, probation and community supervision  
10 matters, except that the decision to grant or deny parole to inmates shall be made  
11 by the parole commission and the decision to revoke probation or parole in cases in  
12 which there is no waiver of the right to a hearing shall be made by the division of  
13 hearings and appeals in the department of administration. The secretary may grant  
14 special action parole releases under s. 304.02. The department shall promulgate  
15 rules establishing a drug testing program for probationers and parolees and persons  
16 on community supervision. The rules shall provide for assessment of fees upon  
17 probationers and parolees and persons on community supervision to partially offset  
18 the costs of the program.

19           **SECTION 6355m.** 301.03 (3r) of the statutes is amended to read:

20           301.03 (3r) If any restitution ordered under s. 973.20 (1) remains unpaid at the  
21 time that a person's probation, community supervision or sentence expires, or he or  
22 she is discharged by the department, give to the person upon release, or send to the  
23 person at his or her last-known address, written notification that a civil judgment  
24 may be issued against the person for the unpaid restitution.

**SECTION 6356m**

1           **SECTION 6356m.** 301.03 (9m) of the statutes, as created by 1993 Wisconsin Act  
2 377, is repealed.

3           **SECTION 6356p.** 301.03 (10) of the statutes is created to read:

4           301.03 **(10)** (a) Execute the laws relating to the detention, reformation and  
5 correction of delinquents.

6           (b) Direct the aftercare of and supervise all delinquents under its jurisdiction  
7 and exercise such functions as it deems appropriate for the prevention of  
8 delinquency.

9           (c) Promote the enforcement of laws for the protection of delinquent children.  
10 To this end, the department shall cooperate with courts assigned to exercise  
11 jurisdiction under ch. 48, county departments under s. 46.215, 46.22 and 46.23 and  
12 licensed child welfare agencies and institutions in providing community-based  
13 programming, including in-home programming and intensive supervision, for  
14 delinquent children. The department shall also establish and enforce standards for  
15 the development and delivery of services provided by the department under ch. 48  
16 in regard to children who have been adjudicated delinquent.

17           (d) Administer the juvenile offender review program in the division of juvenile  
18 corrections in the department. The program shall be responsible for decisions  
19 regarding case planning and the release of juvenile offenders from juvenile  
20 correctional institutions to aftercare and corrective sanctions placements.

21           (e) Provide educational programs in all secured correctional facilities, as  
22 defined in s. 48.02 (15m).

23           (f) Provide health services and psychiatric services for residents of all secured  
24 correctional facilities, as defined in s. 48.02 (15m).

25           **SECTION 6356r.** 301.031 of the statutes is created to read:

1           **301.031 County youth corrections budget and contract. (1) BUDGET. (a)**

2           Each county department under s. 46.215, 46.22 or 46.23 shall submit its final budget  
3           for services directly provided or purchased to the department by December 31  
4           annually. The final budget shall be submitted on a uniform budget reporting form  
5           that the department shall develop and distribute for use and that shall include all  
6           of the following:

7           1. Uniform definitions of target populations and of programs and services that  
8           a county provides or purchases using funds allocated and distributed under s. 46.40.

9           2. Planned expenditures for the programs and services specified in subd. 1. that  
10          are separately identified by at least the following sources of funding:

11          a. State-distributed funds.

12          b. Funds obtained from levy of county property tax.

13          c. Client and 3rd-party fees.

14          d. Other funds.

15          3. Estimates of the number of clients to be served under each program or service  
16          that the county plans to provide or purchase using funds allocated under s. 301.26.

17          (b) The department shall submit a model of the contract under sub. (2g) (a) to  
18          each county department under ss. 46.215, 46.22 and 46.23 by May 1 annually.

19          **(2) ASSESSMENT OF NEEDS.** Before developing and submitting a proposed budget  
20          to the county executive or county administrator or the county board, the county  
21          departments listed in sub. (1) shall assess needs and inventory resources and  
22          services, using an open public participation process.

23          **(2g) CONTRACT. (a)** The department shall annually submit to the county board  
24          of supervisors in a county with a single-county department or the county boards of  
25          supervisors in counties with a multicounty department a proposed written contract

1 containing the allocation of funds and such administrative requirements as  
2 necessary. The contract as approved may contain conditions of participation  
3 consistent with federal and state law. The contract may also include provisions  
4 necessary to ensure uniform cost accounting of services. Any changes to the proposed  
5 contract shall be mutually agreed upon. The county board of supervisors in a county  
6 with a single-county department or the county boards of supervisors in counties with  
7 a multicounty department shall approve the contract before January 1 of the year  
8 in which it takes effect unless the department grants an extension. The county board  
9 of supervisors in a county with a single-county department or the county boards of  
10 supervisors in counties with a multicounty department may designate an agent to  
11 approve addenda to any contract after the contract has been approved.

12 (b) The department may not approve contracts for amounts in excess of  
13 available revenues. The county board of supervisors in a county with a single-county  
14 department or the county boards of supervisors in counties with a multicounty  
15 department may appropriate funds for juvenile delinquency-related services.  
16 Actual expenditure of county funds shall be reported in compliance with procedures  
17 developed by the department, and shall comply with standards guaranteeing quality  
18 of care comparable to similar facilities.

19 (c) The joint committee on finance may require the department to submit  
20 contracts between county departments under ss. 46.215, 46.22 and 46.23 and  
21 providers of service to the committee for review and approval.

22 **(2r) WITHHOLDING FUNDS.** (a) The department, after reasonable notice, may  
23 withhold a portion of the appropriation allocated to a county department under s.  
24 46.215, 46.22 or 46.23 if the department determines that that portion of the allocated  
25 appropriation:

1           1. Is for services which duplicate or are inconsistent with services being  
2 provided or purchased by the department or other county departments receiving  
3 grants-in-aid or reimbursement from the department.

4           2. Is inconsistent with state or federal statutes, rules or regulations, in which  
5 case the department may also arrange for provision of services by an alternate  
6 agency. The department may not arrange for provision of services by an alternate  
7 agency unless the joint committee on finance or a review body designated by the  
8 committee reviews and approves the department's determination.

9           3. Is for the treatment of alcoholics in treatment facilities which have not been  
10 approved by the department of health and social services in accordance with s. 51.45  
11 (8).

12           4. Is for inpatient treatment in excess of an average of 21 days, as provided in  
13 s. 51.423 (12), excluding care for patients at the centers for the developmentally  
14 disabled.

15           5. Is inconsistent with the provisions of the county department's contract under  
16 sub. (2g).

17           (b) If the department withholds a portion of the allocable appropriation under  
18 par. (a), the county department affected by the action of the department may submit  
19 to the county board of supervisors in a county with a single-county department or  
20 to its designated agent or the county boards of supervisors in counties with a  
21 multicounty department or their designated agents a plan to rectify the deficiency  
22 found by the department. The county board of supervisors or its designated agent  
23 in a county with a single-county department or the county boards of supervisors in  
24 counties with a multicounty department or their designated agents may approve or  
25 amend the plan and may submit for departmental approval the plan as adopted. If

1 a multicounty department is administering a program, the plan may not be  
2 submitted unless each county board of supervisors which participated in the  
3 establishment of the multicounty department, or its designated agent, adopts it.

4 (3) OPEN PUBLIC PARTICIPATION PROCESS. (a) *Citizen advisory committee.* 1.  
5 Except as provided in par. (b), the county board of supervisors of each county or the  
6 county boards of supervisors of 2 or more counties jointly shall establish, in  
7 accordance with subd. 2. or 3., a citizen advisory committee to the county  
8 departments under ss. 46.215, 46.22 and 46.23. The citizen advisory committee shall  
9 advise in the formulation of the budget under sub. (1).

10 2. The citizen advisory committee established under s. 46.031 (3) (a) may also  
11 serve as the citizen advisory committee under subd. 1.

12 3. If the citizen advisory committee established under s. 46.031 (3) (a) does not  
13 also serve as the citizen advisory committee under subd. 1., membership on the  
14 committee under subd. 1. shall be determined by the county board of supervisors in  
15 a county with a single-county committee or by the county boards of supervisors in  
16 counties with a multicounty committee and shall include representatives of those  
17 persons receiving services, providers of service and citizens. A majority of the  
18 members of the committee shall be citizen and service consumers. The committee's  
19 membership may not consist of more than 25% county supervisors, nor of more than  
20 20% service providers. The chairperson of the committee shall be appointed by the  
21 county board of supervisors establishing it. In the case of a multicounty committee,  
22 the chairperson shall be nominated by the committee and approved by the county  
23 boards of supervisors establishing it. The county board of supervisors in a county  
24 with a single-county committee or the county boards of supervisors in counties with

1 a multicounty committee may designate an agent to determine the membership of  
2 the committee and to appoint the committee chairperson or approve the nominee.

3 (b) *Alternate process.* The county board of supervisors or the boards of 2 or more  
4 counties acting jointly may submit a report to the department on the open public  
5 participation process used under sub. (2). The county board of supervisors may  
6 designate an agent, or the boards of 2 or more counties acting jointly may designate  
7 an agent, to submit the report. If the department approves the report, establishment  
8 of a citizen advisory committee under par. (a) is not required.

9 (c) *Yearly report.* The county board of supervisors or its designated agent, or  
10 the boards of 2 or more counties acting jointly or their designated agent, shall submit  
11 to the department a list of members of the citizen advisory committee under par. (a)  
12 or a report on the open public participation process under par. (b) on or before July  
13 1 of each year.

14 **SECTION 6356t.** 301.032 of the statutes is created to read:

15 **301.032 Juvenile delinquency-related services; supervisory functions**  
16 **of state department.** (1) (a) The department shall supervise the administration  
17 of juvenile delinquency-related services. The department shall submit to the federal  
18 authorities state plans for the administration of juvenile delinquency-related  
19 services in such form and containing such information as the federal authorities  
20 require, and shall comply with all requirements prescribed to ensure their  
21 correctness.

22 (b) All records of the department and all county records relating to juvenile  
23 delinquency-related services shall be open to inspection at all reasonable hours by  
24 authorized representatives of the federal government. Notwithstanding s. 48.396  
25 (2), all county records relating to the administration of such services shall be open

1 to inspection at all reasonable hours by authorized representatives of the  
2 department.

3 (c) The department may at any time audit all county records relating to the  
4 administration of juvenile delinquency-related services and may at any time  
5 conduct administrative reviews of county departments under ss. 46.215, 46.22 and  
6 46.23. If the department conducts such audit or administrative review in a county,  
7 the department shall furnish a copy of the audit or administrative review report to  
8 the chairperson of the county board of supervisors and the county clerk in a county  
9 with a single-county department or to the county boards of supervisors and the  
10 county clerks in counties with a multicounty department, and to the director of the  
11 county department under s. 46.21, 46.22 or 46.23.

12 (2) The county administration of all laws relating to juvenile  
13 delinquency-related services shall be vested in the officers and agencies designated  
14 in the statutes.

15 **SECTION 6358.** 301.048 (9) of the statutes is repealed.

16 **SECTION 6358m.** 301.06 of the statutes is renumbered 301.06 (intro.) and  
17 amended to read:

18 **301.06 Education and prevention.** (intro.) The department may develop  
19 do all of the following:

20 (1) Develop and maintain education and prevention programs.

21 **SECTION 6358p.** 301.06 (2) of the statutes is created to read:

22 301.06 (2) Study causes and methods of prevention and treatment of juvenile  
23 delinquency and related social problems. The department may utilize all powers  
24 provided by the statutes, including the authority to accept grants of money or

1 property from federal, state or private sources, and enlist the cooperation of other  
2 agencies and state departments.

3 **SECTION 6358r.** 301.07 of the statutes is amended to read:

4 **301.07 Cooperation with federal government.** The department may  
5 cooperate with the federal government in carrying out federal acts concerning adult  
6 corrections and youth corrections.

7 **SECTION 6358x.** 301.08 (1) (b) 1. of the statutes is amended to read:

8 301.08 (1) (b) 1. Contract with public, private or voluntary agencies for the  
9 purchase of goods, care and services for persons committed or sentenced to a state  
10 correctional or penal institution, placed on probation or community supervision to  
11 the department by a court of record, or released from a state correctional or penal  
12 institution. Services shall include, but are not limited to, diagnostic services,  
13 evaluation, treatment, counseling, referral and information, day care, inpatient  
14 hospitalization, transportation, recreation, special education, vocational training,  
15 work adjustment, sheltered employment, special living arrangements and legal and  
16 protective services.

17 **SECTION 6359.** 301.08 (1) (c) of the statutes is created to read:

18 301.08 (1) (c) 1. In this paragraph:

19 a. "Administrative supervision" means the supervision of a probationer or  
20 parolee in which the department requires that a minimum of one face-to-face  
21 contact occur every 6 months between the probationer or parolee and a  
22 representative of the department and that the probationer or parolee submit a  
23 monthly report to the department.

24 b. "Minimum supervision" means the supervision of a probationer or parolee  
25 in which the department requires that a minimum of one face-to-face contact occur

1 every 90 days between the probationer or parolee and a representative of the  
2 department and that the probationer or parolee submit a monthly report to the  
3 department.

4 2. Beginning on January 1, 1996, the department may contract with public,  
5 private or voluntary vendors for the supervision of probationers and parolees who  
6 are under minimum supervision or administrative supervision. The contract shall  
7 authorize any such vendor to charge a fee to probationers and parolees sufficient to  
8 cover the cost of supervision and administration of the contract. If the department  
9 collects any moneys from a vendor under the contract, the department shall credit  
10 those moneys to the appropriation account under s. 20.410 (1) (ge). The department  
11 shall promulgate rules for fees, collections, reporting and verification regarding  
12 probationers and parolees supervised by the vendor.

13 **SECTION 6360.** 301.08 (2) (a) of the statutes is amended to read:

14 301.08 (2) (a) All care and services purchased by the department and all care  
15 and services relating to juvenile delinquency purchased by a county department  
16 under s. 46.215, 46.22 or 46.23 shall be authorized and contracted for under the  
17 standards established under this subsection. For purchases of \$10,000 or less the  
18 requirement for a written contract may be waived by the department. No contract  
19 is required for care provided by foster homes required to be licensed under s. 48.62.  
20 If the department directly contracts for services, it shall follow the procedures in this  
21 subsection in addition to meeting purchasing requirements established in s. 16.75.

22 **SECTION 6360m.** 301.085 of the statutes is created to read:

23 **301.085 Payment of benefits.** (1) The department may make payments of  
24 benefits directly to persons who are authorized to receive those payments in

**SECTION 6360m**

1 accordance with law and rules of the department on behalf of the counties. The  
2 department may charge the counties for the cost of making those payments.

3 (2) The department may make juvenile delinquency-related payments directly  
4 to recipients, vendors or providers in accordance with law and rules of the  
5 department on behalf of the counties which have contracts to have such payments  
6 made on their behalf.

7 (3) The county department under s. 46.215, 46.22 or 46.23 shall provide the  
8 department with information which the department shall use to determine each  
9 person's eligibility and amount of payment. The county department under s. 46.215,  
10 46.22 or 46.23 shall provide the department all necessary information in the manner  
11 prescribed by the department.

12 (4) The department shall disburse from state or federal funds or both the entire  
13 amount and charge the county for its share under s. 301.26.

14 **SECTION 6361.** 301.12 of the statutes is created to read:

15 **301.12 Uniform fee schedule; collections.** The department of corrections  
16 shall establish fees for juvenile correctional services provided by that department  
17 which shall be included in the uniform system of fees established by the department  
18 of health and social services under s. 46.03 (18). Collections and liability  
19 enforcement of fee chargeable services for the department of corrections shall be  
20 performed by the department of health and social services under ss. 46.03 (18), 46.10  
21 and 48.36.

22 **SECTION 6362.** 301.135 (1) of the statutes is amended to read:

23 301.135 (1) The department may contract with counties to provide electronic  
24 monitoring services relating to criminal offenders ~~and to children who are placed on~~

**SECTION 6362**

1 ~~electronic monitoring under s. 48.21 (4m), 48.34 (3g) or 48.355 (6) (d) 3.~~ The  
2 department shall charge a fee to counties for providing these services.

3 **SECTION 6362g.** 301.135 (2) of the statutes is amended to read:

4 301.135 (2) The department may charge a fee to offenders under its supervision  
5 to cover the costs associated with electronic monitoring. The department may charge  
6 a fee under this subsection or the department or the attorney general may collect  
7 under s. 301.325, but the state may not collect for the same expenses twice.

8 **SECTION 6363.** 301.135 (3m) of the statutes is repealed.

9 **SECTION 6363g.** 301.16 (1n) of the statutes is created to read:

10 301.16 (1n) In addition to the institutions under sub. (1), the department shall  
11 establish a maximum security correctional institution that constitutes the prison  
12 expansion project enumerated in 1995 Wisconsin Act .... (this act), section 9108 (1)  
13 (b), and that is located at a site selected by the building commission.

14 **SECTION 6363h.** 301.18 (1) (bw) of the statutes is created to read:

15 301.18 (1) (bw) Provide the facilities necessary for the correctional institution  
16 under s. 301.16 (1n).

17 **SECTION 6363j.** 301.20 of the statutes is created to read:

18 **301.20 Training school for delinquent boys.** The department, with the  
19 approval of the governor, may purchase or accept a gift of land for a suitable site for  
20 an additional training school for delinquent boys and erect and equip such buildings  
21 as it deems necessary at such time as funds may be allocated for that purpose by the  
22 building commission. The training school or other additional facilities for delinquent  
23 boys financed by the authorized 1965-67 building program shall be located north of  
24 a line between La Crosse and Manitowoc. The department shall operate and  
25 maintain the institution for the treatment of delinquent boys who are placed under

1 the supervision of the department under s. 48.34 (4h) or (4m). All laws pertaining  
2 to the care of children received under s. 48.34 shall apply. Officers and employes of  
3 the institution are subject to the same laws as apply to other facilities described in  
4 s. 48.557.

5 **SECTION 6363m.** 301.205 of the statutes is created to read:

6 **301.205 Reimbursement to visiting families.** The department may  
7 reimburse families visiting girls at a secured correctional facility, as defined in s.  
8 48.02 (15m). If the department decides to provide the reimbursement, it shall  
9 establish criteria for the level of reimbursement, which shall include family income  
10 and size and other relevant factors.

11 **SECTION 6363p.** 301.26 of the statutes is created to read:

12 **301.26 Community youth and family aids.** (1) PROCEDURES. The  
13 department shall develop procedures for the implementation of this section and  
14 standards for the development and delivery of juvenile delinquency-related services  
15 under ch. 48, and shall provide consultation and technical assistance to aid counties  
16 in implementation and service delivery. The department shall establish information  
17 systems, monitoring and evaluation procedures to report periodically to the governor  
18 and legislature on the state impact of this section.

19 (2) RECEIPT OF FUNDS. (a) All funds to counties under this section shall be  
20 allocated to county departments under ss. 46.21, 46.22 and 46.23 subject to ss. 46.495  
21 (2) and 301.031, except that monthly advance payments to the counties may be less  
22 than one-twelfth of the contracted amounts. No reimbursement may be made to any  
23 multicounty department until the counties which established the department have  
24 drawn up a detailed contractual agreement, approved by the secretary, setting forth  
25 the plans for joint sponsorship.

1 (b) Uniform fees collected or received by counties under s. 46.03 (18) for services  
2 provided under this section shall be applied to cover the cost of the services.

3 (c) All funds to counties under this section shall be used to purchase or provide  
4 juvenile delinquency-related services under ch. 48, except that no funds to counties  
5 under this section may be used for purposes of land purchase, building construction  
6 or maintenance of buildings under s. 46.17, 46.175 or 301.37, for reimbursement of  
7 costs under s. 48.209, for city lockups or for reimbursement of care costs in temporary  
8 shelter care under s. 48.22. Funds to counties under this section may be used for  
9 reimbursement of costs of program services, other than basic care and supervision  
10 costs, in juvenile secure detention facilities.

11 **(2m) PUBLIC PARTICIPATION PROCESS.** In determining the use of funds under this  
12 section, county departments under ss. 46.21, 46.22 and 46.23 shall assess needs  
13 using an open public participation process which involves representatives of those  
14 receiving services.

15 **(3) GRANTS-IN-AID.** (a) Receipt of funds under this subsection is contingent  
16 upon use of a public participation process required under sub. (2m).

17 (c) Within the limits of the appropriations under s. 20.410 (3) (cd) and (oo), the  
18 department shall allocate funds to each county for services under this section.

19 (dm) The department may carry forward for a county from one calendar year  
20 to another funds allocated under this subsection that are not spent or encumbered.  
21 The amount that the department may carry forward for a county under this  
22 paragraph may not exceed 5% of the amount allocated to the county for the 12-month  
23 period ending December 31. The funds carried forward under this paragraph do not  
24 affect a county's base allocation.

1 (e) The department may carry forward \$500,000 or 10% of its funds allocated  
2 under this subsection and not encumbered or carried forward under par. (dm) by  
3 counties by December 31, whichever is greater, to the next 2 calendar years. The  
4 department may transfer moneys from or within s. 20.410 (3) (cd) to accomplish this  
5 purpose. The department may allocate these transferred moneys to counties with  
6 persistently high rates of juvenile arrests for serious offenses during the next 2  
7 calendar years to improve community-based juvenile delinquency-related services.  
8 The allocation does not affect a county's base allocation.

9 (em) The department may carry forward any emergency funds allocated under  
10 sub. (7) (e) and not encumbered or carried forward under par. (dm) by December 31  
11 to the next 2 calendar years. The department may transfer moneys from or within  
12 s. 20.410 (3) (cd) to accomplish this purpose. The department may allocate these  
13 transferred moneys to counties that are eligible for emergency payments under sub.  
14 (7) (e). The allocation does not affect a county's base allocation.

15 **(4) STATE SERVICES.** (a) Except as provided in pars. (c) and (cm), the department  
16 of corrections shall bill counties or deduct from the allocations under s. 20.410 (3) (cd)  
17 for the costs of care, services and supplies purchased or provided by the department  
18 of corrections for each person receiving services under ss. 48.34 and 48.366 or the  
19 department of health and social services for each person receiving services under s.  
20 51.35 (3). The department of corrections may not bill a county for or deduct from a  
21 county's allocation the cost of care, services and supplies provided to a person subject  
22 to an order under s. 48.366 after the person reaches 18 years of age. Payment shall  
23 be due within 60 days after the billing date. If any payment has not been received  
24 within 60 days, the department of corrections may withhold aid payments in the  
25 amount due from the appropriation under s. 20.410 (3) (cd).

1           (b) Assessment of costs under par. (a) shall be made periodically on the basis  
2 of the per person per day cost estimate specified in par. (d) 2. to 4. Except as provided  
3 in pars. (bm), (c) and (cm), liability shall apply to county departments under s. 46.21,  
4 46.22 or 46.23 in the county of the court exercising jurisdiction under ch. 48 for each  
5 person receiving services from the department of corrections under ss. 48.34 and  
6 48.366 or the department of health and social services under s. 51.35 (3). Except as  
7 provided in pars. (bm), (c) and (cm), in multicounty court jurisdictions, the county of  
8 residency within the jurisdiction shall be liable for costs under this subsection.  
9 Assessment of costs under par. (a) shall also be made according to the general  
10 placement type or level of care provided, as defined by the department, and prorated  
11 according to the ratio of the amount designated under sub. (3) (c) to the total  
12 applicable estimated costs of care, services and supplies provided by the department  
13 of corrections under ss. 48.34 and 48.366 and the department of health and social  
14 services under s. 51.35 (3).

15           (bm) Notwithstanding par. (b), the county department under s. 46.21, 46.22 or  
16 46.23 of the county of residency of a child who has been adjudicated delinquent by  
17 a court of another county or by a court of another multicounty jurisdiction may  
18 voluntarily assume liability for the costs payable under par. (a). A county  
19 department may assume liability under this paragraph by a written agreement  
20 signed by the director of the county department that assumes liability under this  
21 paragraph and the director of the county department that is otherwise liable under  
22 par. (b).

23           (c) Notwithstanding pars. (a), (b) and (bm), the department of corrections shall  
24 pay, from the appropriation under s. 20.410 (3) (hm), the costs of care, services and  
25 supplies provided for each person receiving services under ss. 48.34, 48.366 and

1 51.35 (3) who was under the guardianship of the department of health and social  
2 services pursuant to an order under ch. 48 at the time that the person was  
3 adjudicated delinquent.

4 (cm) 1. Notwithstanding pars. (a), (b) and (bm), the department shall transfer  
5 funds from the appropriation under s. 20.410 (3) (cg) to the appropriations under s.  
6 20.410 (3) (hm), (ho) and (hr) for the purpose of reimbursing juvenile correctional  
7 institutions, secured child caring institutions, as defined in s. 48.02 (15g), alternate  
8 care providers, aftercare supervision providers and corrective sanctions supervision  
9 providers for costs incurred beginning on July 1, 1996, for the care of any child 14  
10 years of age or over who has been placed in a juvenile correctional facility based on  
11 a delinquent act that is a violation of s. 939.31, 939.32 (1) (a), 940.01, 940.02, 940.03,  
12 940.05, 940.21, 940.225 (1), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10 (2),  
13 943.23 (1g), (1m) or (1r), 943.32 (2), 948.02 (1), 948.025, 948.30, 948.35 (1) (b) or  
14 948.36.

15 2. Notwithstanding pars. (a), (b) and (bm), the department shall transfer funds  
16 from the appropriation under s. 20.410 (3) (cg) to the appropriations under s. 20.410  
17 (3) (hm), (ho) and (hr) for the purpose of reimbursing juvenile correctional  
18 institutions, secured child caring institutions, as defined in s. 48.02 (15g), alternate  
19 care providers, aftercare supervision providers and corrective sanctions supervision  
20 providers for costs incurred beginning on July 1, 1996, for the care of any child 14  
21 years of age or over and under 18 years of age who has been placed in a juvenile  
22 correctional facility under s. 48.366 based on a delinquent act that is a violation of  
23 s. 940.01, 940.02, 940.05 or 940.225 (1).

1           3. The per person daily reimbursement rate for juvenile correctional services  
2 under this paragraph shall be equal to the per person daily cost assessment to  
3 counties under par. (d) 3m. and 4. for juvenile correctional services.

4           (d) 1. Except as provided in pars. (e) to (g), for services under s. 48.34, all  
5 payments and deductions made under this subsection and uniform fee collections  
6 made under s. 46.03 (18) shall be deposited in the appropriation under s. 20.410 (3)  
7 (hm).

8           1m. Except as provided in pars. (e) to (g), for services under s. 48.366, all  
9 payments and deductions made under this subsection and uniform fee collections  
10 made under s. 46.03 (18) shall be deposited in the appropriation under s. 20.410 (3)  
11 (hm).

12           3m. Beginning on July 1, 1996, and ending on December 31, 1996, the per  
13 person daily cost assessment to counties shall be \$153.98 for care in a child caring  
14 institution, \$106.82 for care in a group home for children, \$23.80 for care in a foster  
15 home, \$68.58 for care in a treatment foster home, \$82.11 for departmental corrective  
16 sanctions services and \$11.48 for departmental aftercare services.

17           4. Beginning on January 1, 1997, and ending on June 30, 1997, the per person  
18 daily cost assessment to counties shall be \$157.08 for care in a child caring  
19 institution, \$108.98 for care in a group home for children, \$24.29 for care in a foster  
20 home, \$69.95 for care in a treatment foster home, \$82.11 for departmental corrective  
21 sanctions services and \$11.48 for departmental aftercare services.

22           (dt) For serious juvenile offender services, all uniform fee collections under s.  
23 46.03 (18) shall be deposited in the appropriation account under s. 20.410 (3) (hm).

24           (e) For foster care, treatment foster care, group home care and institutional  
25 child care to delinquent children under ss. 48.553 (3) and (8), 48.557 and 49.19 (10)

1 (d) all payments and deductions made under this subsection and uniform fee  
2 collections under s. 46.03 (18) shall be deposited in the appropriation under s. 20.410  
3 (3) (ho).

4 (ed) For foster care, treatment foster care, group home care and institutional  
5 child care to serious juvenile offenders under ss. 48.533 (3) and (8), 48.557 and 49.19  
6 (10) (d) all uniform fee collections under s. 46.03 (18) shall be deposited in the  
7 appropriation under s. 20.410 (3) (ho).

8 (eg) For corrective sanctions services under s. 48.533 (2), all payments and  
9 deductions made under this subsection and uniform fee collections under s. 46.03  
10 (18) shall be deposited in the appropriation under s. 20.410 (3) (hr).

11 (f) For services under s. 51.35 (3), payments made under par. (d) for services  
12 to children who are ineligible for medical assistance under subch. IV of ch. 49 and  
13 uniform fee collections under s. 46.03 (18) shall be deposited in the appropriation  
14 under s. 20.435 (2) (gk) and all other payments made under this subsection shall be  
15 deposited in the general fund and treated as a nonappropriated receipt.

16 (g) For juvenile field and institutional aftercare services under ch. 48 and for  
17 the juvenile offender review program, all payments and deductions made under this  
18 subsection and uniform fee collections under s. 46.03 (18) shall be deposited in the  
19 general fund and shall be treated as a nonappropriated receipt.

20 **(6) PERFORMANCE STANDARDS.** (a) The intent of this subsection is to develop  
21 criteria to assist the legislature in allocating funding, excluding funding for base  
22 allocations, from the appropriations under s. 20.410 (3) (cd) and (oo) for purposes  
23 described in this section.

24 (b) The department shall submit recommendations to the joint committee on  
25 finance regarding performance standards criteria to be used to determine whether

1 counties are successfully diverting juveniles from juvenile correctional institutions  
2 and into less restrictive community programs and are successfully rehabilitating  
3 children adjudged delinquent on or before December 31, 1987. Beginning on  
4 January 1, 1988, counties shall provide information requested by the department in  
5 order to apply the criteria and assess performances.

6 (7) ALLOCATIONS OF FUNDS. Within the limits of the availability of federal funds  
7 and of the appropriations under s. 20.410 (3) (cd) and (oo), the department shall  
8 allocate funds for community youth and family aids for the period beginning on July  
9 1, 1996, and ending on June 30, 1997, as provided in this subsection to county  
10 departments under ss. 46.215, 46.22 and 46.23 as follows:

11 (a) For community youth and family aids under this section, amounts not to  
12 exceed \$37,243,500 for the last 6 months of 1996 and \$37,347,600 for the first 6  
13 months of 1997.

14 (e) For emergencies related to community youth and family aids under this  
15 section, amounts not to exceed \$125,000 for the last 6 months of 1996 and \$125,000  
16 for the first 6 months of 1997. A county is eligible for payments under this paragraph  
17 only if it has a population of not more than 45,000.

18 (h) For counties that are participating in the corrective sanctions program  
19 under s. 48.533 (2), \$1,062,400 in the last 6 months of 1996 and \$1,062,400 in the first  
20 6 months of 1997 for the provision of corrective sanctions services for children from  
21 that county. In distributing funds to counties under this paragraph, the department  
22 shall determine a county's distribution by dividing the amount allocated under this  
23 paragraph by the number of slots authorized for the program under s. 48.533 (2) and  
24 multiplying the quotient by the number of slots allocated to that county by  
25 agreement between the department and the county. The department may transfer

1 funds among counties as necessary to distribute funds based on the number of slots  
2 allocated to each county.

3 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the  
4 allocations specified in sub. (7) (a), the department shall allocate \$666,700 in the last  
5 6 months of 1996 and \$666,700 in the first 6 months of 1997 for alcohol and other drug  
6 abuse treatment programs.

7 **SECTION 6363r.** 301.263 of the statutes is created to read:

8 **301.263 Community intervention program.** (1) From the appropriation  
9 under s. 20.410 (3) (f), the department shall distribute \$3,750,000 in each year to  
10 counties for early intervention services for first offenders and for intensive  
11 community-based intervention services for seriously chronic offenders.

12 (2) To determine eligibility for a payment under sub. (1), the department shall  
13 require a county to submit a plan for the expenditure of that payment that ensures  
14 that the county targets the programs to be funded under that payment appropriately.

15 (3) The department shall distribute 33% of the amounts distributed under sub.  
16 (1) based on each county's proportion of the violent Part I juvenile arrests reported  
17 statewide under the uniform crime reporting system of the office of justice assistance  
18 in the department of administration, during the most recent 2-year period for which  
19 that information is available. The department shall distribute 33% of the amounts  
20 distributed under sub. (1) based on each county's proportion of the number of  
21 children statewide who are placed in a juvenile correctional institution, during the  
22 most recent 2-year period for which that information is available. The department  
23 shall distribute 34% of the amounts distributed under sub. (1) based on each county's  
24 proportion of the total Part I juvenile arrests reported statewide under the uniform

1 crime reporting system of the office of justice assistance, during the most recent  
2 2-year period for which that information is available.

3 **SECTION 6363t.** 301.265 of the statutes is created to read:

4 **301.265 Diversion of youth from gang activities.** (1) From the  
5 appropriation under s. 20.410 (3) (jk), the department shall allocate \$250,000 in each  
6 fiscal year to enter into a contract with an organization to provide services in a county  
7 having a population of 500,000 or more for the diversion of youths from gang  
8 activities into productive activities, including placement in appropriate educational,  
9 recreational and employment programs. Notwithstanding s. 16.75, the department  
10 may enter into a contract under this subsection without soliciting bids or proposals  
11 and without accepting the lowest responsible bid or offer.

12 (2) From the appropriation under s. 20.410 (3) (p), the department shall  
13 allocate \$300,000 in each fiscal year to the organization that it has contracted with  
14 under sub. (1) for alcohol and other drug abuse education and treatment services for  
15 participants in that organization's youth diversion program.

16 (3) From the appropriation under s. 20.410 (3) (jk), the department shall  
17 allocate \$100,000 in each fiscal year to enter into a contract with an organization to  
18 provide services in Racine County, and \$100,000 in each fiscal year to enter into a  
19 contract with an organization to provide services in Kenosha County, for the  
20 diversion of youths from gang activities into productive activities, including  
21 placement in appropriate educational, recreational and employment programs, and  
22 for alcohol or other drug abuse education and treatment services for participants in  
23 that organization's youth diversion program. Notwithstanding s. 16.75, the  
24 department may enter into a contract under this subsection without soliciting bids  
25 or proposals and without accepting the lowest responsible bid or offer.

1           **SECTION 6363v.** 301.27 (1) of the statutes is amended to read:

2           301.27 (1) CHARGES. In compliance with the compensation plan established  
3 under s. 230.12 (3), the department may make and determine charges for meals,  
4 living quarters, laundry and other services furnished to employes of the state  
5 correctional institutions and members of the employe's family maintained as such.  
6 All moneys received from each person on account of these services shall be used for  
7 operation of the institutions under s. 20.410 (1) (a) and (3) (a), (hm) and (j). If a  
8 chaplain employed in any institution administered by the department is not  
9 furnished a residence by the state, \$1,800 or 20% of the chaplain's salary, whichever  
10 is greater, is designated as his or her housing allowance.

11           **SECTION 6363x.** 301.28 (1) of the statutes, as affected by 1993 Wisconsin Act  
12 377, is amended to read:

13           301.28 (1) In this section, "correctional officer" means any person classified as  
14 a correctional officer employed by the state whose principal duty is the supervision  
15 of inmates at a prison, as defined in s. 302.01, ~~or the supervision of children at a~~  
16 ~~secured correctional facility, as defined in s. 48.02 (15m), operated by the~~  
17 ~~department.~~

18           **SECTION 6364.** 301.32 (title) and (1) of the statutes are amended to read:

19           **301.32 (title) Property of prisoners, residents and probationers. (1)**  
20 PROPERTY DELIVERED TO STEWARD; CREDIT AND DEBIT. All money including wages and  
21 other property delivered to an officer or employe of any institution for the benefit of  
22 a prisoner or resident shall be delivered to the steward, who shall enter the property  
23 upon his or her books to the credit of a the prisoner or resident. The property may  
24 be used only under the direction and with the approval of the superintendent or  
25 warden and for the crime victim and witness assistance surcharge under s. 973.045

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1 (4), the deoxyribonucleic acid analysis surcharge under s. 973.046 or the benefit of  
2 the prisoner or resident. If the money remains uncalled for one year after the  
3 prisoner's or resident's death or departure from the institution, the superintendent  
4 shall deposit it in the general fund. If any prisoner or resident leaves property, other  
5 than money, uncalled for at an institution for one year, the superintendent shall sell  
6 the property and deposit the proceeds in the general fund. If any person satisfies the  
7 department, within 5 years after the deposit, of his or her right to the deposit, the  
8 department shall direct the department of administration to draw its warrant in  
9 favor of the claimant and it shall charge the same to the appropriation made by s.  
10 20.913 (3) (bm).

11 **SECTION 6364c.** 301.32 (3) (a) of the statutes is amended to read:

12 301.32 (3) (a) All money or other property paid or delivered to a probation and  
13 parole agent or other employe of the department by or for the benefit of any person  
14 on probation, community supervision or parole shall be immediately transmitted to  
15 the department and it shall enter the same upon its books to his or her credit. The  
16 property shall be used only under the direction of the department.

17 **SECTION 6364d.** 301.32 (3) (b) of the statutes is amended to read:

18 301.32 (3) (b) If the person on probation, community supervision or parole  
19 absconds, the money shall be credited to the revolving fund created by s. 304.075; and  
20 other property if not called for within one year shall be sold by the department and  
21 the proceeds shall be credited to the fund.

22 **SECTION 6364g.** 301.325 of the statutes is created to read:

23 **301.325 Prisoner reimbursement to the state.** The department may  
24 charge a prisoner for some or all of the costs to the department of the prisoner's  
25 incarceration. The department may collect from the inmate during his or her

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1 incarceration or after his or her release or both. Upon the request of the department,  
2 the attorney general may bring a civil action to recover costs under this section that  
3 the department has been unable to collect. The department may not recover under  
4 this section for any costs already recovered as otherwise provided in chs. 301 to 303.  
5 The department shall promulgate rules providing a method of charging under this  
6 section that is based on a prisoner's ability to pay and providing procedures for  
7 collection of the costs.

8 **SECTION 6364L.** 301.35 (2) (am) of the statutes is created to read:

9 301.35 (2) (am) A person on community supervision.

10 **SECTION 6364m.** 301.36 (1) of the statutes is amended to read:

11 301.36 (1) GENERAL AUTHORITY. The department shall investigate and  
12 supervise all of the state correctional institutions and all secure detention facilities  
13 and familiarize itself with all of the circumstances affecting their management and  
14 usefulness. ~~The department may take enforcement action as to a secure detention~~  
15 ~~facility or the juvenile portion of a county jail only after consultation with the~~  
16 ~~department of health and social services.~~

17 **SECTION 6365.** 301.36 (5) of the statutes is amended to read:

18 301.36 (5) ENFORCEMENT BY ATTORNEY GENERAL AND DISTRICT ATTORNEYS. Upon  
19 request of the department, the attorney general or the district attorney serving the  
20 proper county shall aid in any investigation, inspection, hearing or trial had under  
21 this chapter or those sections of ch. 48 relating to powers of the department, and shall  
22 institute and prosecute all necessary actions or proceedings for the enforcement of  
23 those provisions and for the punishment of violations of those provisions. The  
24 attorney general or district attorney so requested shall report or confer with the  
25 department regarding the request, within 30 days after receipt of the request.

1           **SECTION 6365g.** 302.01 of the statutes is amended to read:

2           **302.01 State prisons named and defined.** The penitentiary at Waupun is  
3 named "Waupun Correctional Institution". The correctional treatment center at  
4 Waupun is named "Dodge Correctional Institution". The penitentiary at Green Bay  
5 is named "Green Bay Correctional Institution". The medium/maximum penitentiary  
6 at Portage is named "Columbia Correctional Institution". The medium security  
7 institution at Oshkosh is named "Oshkosh Correctional Institution". The medium  
8 security penitentiary near Fox Lake is named "Fox Lake Correctional Institution".  
9 The penitentiary at Taycheedah is named "Taycheedah Correctional Institution".  
10 The medium security penitentiary at Plymouth is named "Kettle Moraine  
11 Correctional Institution". The penitentiary at the village of Sturtevant in Racine  
12 county is named "Racine Correctional Institution". The resource facility at Oshkosh  
13 is named "Wisconsin Resource Center". The institutions named in this section, the  
14 correctional ~~institution~~ institutions authorized under s. 301.16 (1n) or (1o),  
15 correctional institution authorized under s. 301.046 (1), correctional institution  
16 authorized under s. 301.048 (4) (b), minimum security correctional institutions  
17 authorized under s. 301.13, and state-local shared correctional facilities when  
18 established under s. 301.14, are state prisons.

19           **SECTION 6365j.** 302.14 of the statutes is amended to read:

20           **302.14 (title) Property of deceased inmates, parolees ~~or~~, probationers**  
21 **or persons on community supervision, disposition.** When an inmate of a  
22 prison or a parolee of an institution or a person on probation or community  
23 supervision to the department dies leaving an estate of \$150 or less in the trust of  
24 the warden, superintendent or secretary, the warden, superintendent or secretary  
25 shall try to determine whether or not the estate is to be probated. If probate

1 proceedings are not commenced within 90 days, the warden, superintendent or  
2 secretary shall turn over the money or securities to the nearest of kin as evidenced  
3 by the records of the institution and the department.

4 **SECTION 6366m.** 302.18 (7) of the statutes is amended to read:

5 302.18 (7) Except as provided in s. 973.013 (3m), the department of corrections  
6 shall keep all prisoners under 16 years of age in secured juvenile correctional  
7 facilities or secured child caring institutions, but the department of health and social  
8 services, ~~with the concurrence of the department of corrections~~, may transfer them  
9 to adult correctional institutions after they attain 16 years of age.

10 **SECTION 6367.** 302.31 of the statutes, as affected by 1993 Wisconsin Act 385,  
11 is amended to read:

12 **302.31 Use of jails.** The county jail may be used for the detention of persons  
13 charged with crime and committed for trial; for the detention of persons committed  
14 to secure their attendance as witnesses; to imprison persons committed pursuant to  
15 a sentence or held in custody by the sheriff for any cause authorized by law; for the  
16 detention of persons sentenced to imprisonment in state penal institutions or a  
17 county house of correction, until they are removed to those institutions; for the  
18 detention of persons participating in the intensive sanctions program; for the  
19 temporary detention of persons in the custody of the department; and for other  
20 detentions authorized by law. The county jail may be used for the temporary  
21 placement of persons in the custody of the department, and persons who have  
22 attained the age of ~~18~~ 17 years but have not attained the age of 25 years who are  
23 under the supervision of the department of health and social services under s. 48.355  
24 (4) or 48.366 and who have been taken into custody pending revocation of aftercare

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1 supervision under s. 48.357 (5) (e) or 48.366 (5) or corrective sanctions supervision  
2 under s. 48.357 (5) (e).

3 **SECTION 6367m.** 302.31 of the statutes, as affected by 1993 Wisconsin Act 385  
4 and 1995 Wisconsin Act .... (this act), is repealed and recreated to read:

5 **302.31 Use of jails.** The county jail may be used for the detention of persons  
6 charged with crime and committed for trial; for the detention of persons committed  
7 to secure their attendance as witnesses; to imprison persons committed pursuant to  
8 a sentence or held in custody by the sheriff for any cause authorized by law; for the  
9 detention of persons sentenced to imprisonment in state penal institutions or a  
10 county house of correction, until they are removed to those institutions; for the  
11 detention of persons participating in the intensive sanctions program; for the  
12 temporary detention of persons in the custody of the department; and for other  
13 detentions authorized by law. The county jail may be used for the temporary  
14 placement of persons in the custody of the department, and persons who have  
15 attained the age of 17 years but have not attained the age of 25 years who are under  
16 the supervision of the department under s. 48.355 (4) or 48.366 and who have been  
17 taken into custody pending revocation of aftercare supervision under s. 48.357 (5) (e)  
18 or 48.366 (5) or corrective sanctions supervision under s. 48.357 (5) (e).

19 **SECTION 6367x.** 302.33 (2) (a) 3. of the statutes is amended to read:

20 302.33 (2) (a) 3. After verification by the department, it shall reimburse the  
21 county or tribal governing body at a rate of \$36 per person per day prior to January  
22 1, 1993, and \$40 per person per day thereafter, subject to the conditions in subds. 1.  
23 and 2. If the amount provided under s. 20.410 (1) (bn), ~~after payment is made under~~  
24 ~~subd. 4.,~~ for any fiscal year is insufficient to provide complete reimbursement at that  
25 rate, the department shall prorate the payments under this subdivision to counties

1 or tribal governing bodies for that fiscal year. The department shall not reimburse  
2 a county or tribal governing body unless that county or tribal governing body informs  
3 the department of the amount of reimbursement to which it is entitled under this  
4 subsection no later than September 1 of the fiscal year following the fiscal year for  
5 which reimbursement is requested.

6 **SECTION 6368c.** 302.33 (2) (a) 4. of the statutes is repealed.

7 **SECTION 6369.** 302.38 (3) of the statutes is amended to read:

8 302.38 (3) The maximum amount that a governmental unit may pay for the  
9 costs of medical or hospital care under this section is limited for that care to the  
10 amount payable by medical assistance under ~~ss. 49.43 to 49.47~~ subch. IV of ch. 49,  
11 except s. 49.468, for care for which a medical assistance rate exists. No provider of  
12 medical or hospital care may bill a prisoner under sub. (1) for the cost of care  
13 exceeding the amount paid under this subsection by the governmental unit. If no  
14 medical assistance rate exists for the care provided, there is no limitation under this  
15 subsection.

16 **SECTION 6369q.** 302.386 (2m) of the statutes is created to read:

17 302.386 (2m) The department shall collect moneys under sub. (2) for medical  
18 and dental services furnished to residents under sub. (1) and credit those moneys to  
19 the appropriation account under s. 20.410 (1) (gi).

20 **SECTION 6370.** 302.386 (3) of the statutes is renumbered 302.386 (3) (a) and  
21 amended to read:

22 302.386 (3) (a) The Except as provided in par. (b), the department may require  
23 a resident housed in a prison identified in s. 302.01 or in a secured correctional  
24 facility as defined in s. 48.02 (15m) who earns wages during residency and who  
25 receives medical or dental services to pay a deductible, coinsurance, copayment or

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1 similar charge upon the medical or dental service that he or she receives. The  
2 department shall collect the allowable deductible, coinsurance, copayment or similar  
3 charge.

4 (c) No provider of services may deny care or services because the resident is  
5 unable to pay the applicable deductible, coinsurance, copayment or similar charge,  
6 but an inability to pay these charges does not relieve the resident of liability for the  
7 charges unless the department excepts or waives the liability under criteria that the  
8 department shall establish by rule.

9 **SECTION 6371.** 302.386 (3) (b) of the statutes is created to read:

10 302.386 (3) (b) If the resident under par. (a) requests the medical services or  
11 dental services, the department shall require the resident to pay the deductible,  
12 coinsurance, copayment or similar charge. The department may not charge the  
13 person less than \$2.50 for each request. The requirements under this paragraph are  
14 subject to the exception and waiver provisions under par. (c).

15 **SECTION 6371g.** 302.386 (3) (d) of the statutes is created to read:

16 302.386 (3) (d) The department shall credit all moneys that it collects under  
17 this subsection to the appropriation account under s. 20.410 (1) (gi).

18 **SECTION 6372.** 302.386 (4) (a) of the statutes is amended to read:

19 302.386 (4) (a) The specific medical or dental services on which a deductible,  
20 coinsurance, copayment or similar charge may be imposed under sub. (3) (a) or must  
21 be imposed under sub. (3) (b).

22 **SECTION 6373.** 302.386 (4) (b) of the statutes is amended to read:

23 302.386 (4) (b) The amounts of deductibles, coinsurances, copayments or  
24 similar charges ~~that may be imposed on~~ for the medical or dental services under par.  
25 (a).

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1           **SECTION 6373m.** 302.386 (6) of the statutes is created to read:

2           302.386 (6) The department may collect a deductible, coinsurance, copayment  
3 or similar charge under this section or the department or the attorney general may  
4 collect under s. 301.325, but the state may not collect for the same expense twice.

5           **SECTION 6374.** 302.425 (1) of the statutes is renumbered 302.425 (1) (intro.)  
6 and amended to read:

7           302.425 (1) DEFINITION. (intro.) In this section, “jail”:

8           (b) “Jail” includes a house of correction and a Huber facility under s. 303.09.

9           **SECTION 6375.** 302.425 (1) (a) of the statutes is created to read:

10          302.425 (1) (a) “County department” has the meaning given in s. 48.02 (2g).

11          **SECTION 6376.** 302.425 (2g) of the statutes is created to read:

12          302.425 (2g) COUNTY DEPARTMENTS AND DEPARTMENT OF HEALTH AND SOCIAL  
13 SERVICES; GENERAL AUTHORITY. Subject to the limitations under sub. (3m), a county  
14 department or the department of health and social services may place in the home  
15 detention program any child who is in its custody or under its supervision.

16          **SECTION 6377.** 302.425 (2m) of the statutes is amended to read:

17          302.425 (2m) INTENSIVE SANCTIONS PROGRAM PARTICIPANTS. Notwithstanding the  
18 agreement requirements under sub. (3), the department of corrections may place any  
19 intensive sanctions program participant in a home detention program.

20          **SECTION 6378.** 302.425 (3) of the statutes is amended to read:

21          302.425 (3) (title) PLACEMENT OF A PRISONER IN THE PROGRAM. If a prisoner  
22 described under sub. (2) and the department of corrections agree, the sheriff may  
23 place the prisoner in the home detention program and provide that the prisoner be  
24 detained at the prisoner’s place of residence or other place designated by the sheriff  
25 and be monitored by an active electronic monitoring system. The sheriff shall

1 establish reasonable terms of detention and ensure that the prisoner is provided a  
2 written statement of those terms, including a description of the detention monitoring  
3 procedures and requirements and of any applicable liability issues. The terms may  
4 include a requirement that the prisoner pay the county a daily fee to cover the county  
5 costs associated with monitoring him or her.

6 **SECTION 6379.** 302.425 (3m) of the statutes is created to read:

7 302.425 (3m) PLACEMENT OF A CHILD IN THE PROGRAM. Upon the agreement of  
8 the department of corrections, the county department or the department of health  
9 and social services may place the child in the home detention program and provide  
10 that the child be detained at the child's place of residence or other place designated  
11 by the county department or the department of health and social services and be  
12 monitored by an active electronic monitoring system. The county department or the  
13 department of health and social services shall provide reasonable terms of detention  
14 and ensure that the child receives a written statement of those terms, including a  
15 description of the detention monitoring procedures and requirements and of any  
16 applicable liability issues. The terms may include a requirement that the child or  
17 his or her parent or guardian pay the county or state a daily fee to cover the costs  
18 associated with monitoring him or her.

19 **SECTION 6380.** 302.425 (4) of the statutes is amended to read:

20 302.425 (4) DEPARTMENTAL DUTIES. The department of corrections shall ensure  
21 that electronic monitoring equipment units are available, pursuant to contractual  
22 agreements with county sheriffs, county departments and the department of health  
23 and social services, throughout the state on an equitable basis. If a prisoner is chosen  
24 under sub. (3) or a child is chosen under sub. (3m) to participate in the home  
25 detention program, the department of corrections shall install and monitor

1 electronic monitoring equipment. The department of corrections shall charge the  
2 county a daily per prisoner fee or per child fee, whichever is applicable, to cover the  
3 department's costs for these services.

4 **SECTION 6381.** 302.425 (6) of the statutes is amended to read:

5 302.425 (6) ESCAPE. Any intentional failure of a prisoner to remain within the  
6 limits of his or her detention or to return to his or her place of detention, as specified  
7 in the terms of detention under sub. (3), is considered an escape under s. 946.42 (3)  
8 (a).

9 **SECTION 6382.** 303.01 (1) (b) of the statutes is amended to read:

10 303.01 (1) (b) The department, with the approval of the prison industries board  
11 and after a hearing is held under par. (c), may establish industries for the  
12 employment of inmates in the state prisons or residents in any correctional  
13 institution operated by the department for holding in secure custody persons  
14 adjudged delinquent. Except as provided in par. (d), prison industries may engage  
15 in manufacturing articles for and providing services to the state and its political  
16 subdivisions and any tax-supported institution or nonprofit agency and for sale of  
17 such articles and services to other states or political divisions thereof or to the United  
18 States. The department shall fix the price of all products and services as near the  
19 market price as possible. Supplies, materials and equipment may be reconditioned  
20 by prison industries for sale under s. 16.72.

21 **SECTION 6383.** 303.01 (2) (e) of the statutes is amended to read:

22 303.01 (2) (e) Maintain auto shops in connection with auto schools and may  
23 receive from licensed automobile dealers and regularly established automobile  
24 repair shops vehicles to be repaired, painted or otherwise processed by inmates or  
25 residents of the school;

**SECTION 6384**

1           **SECTION 6384.** 303.01 (2) (em) of the statutes is created to read:

2           303.01 (2) (em) Lease space, with or without equipment, within the precincts  
3 of state prisons, as specified in s. 302.02, to not more than 3 private businesses to  
4 employ prison inmates to manufacture products or components or to provide services  
5 for sale on the open market. The department shall comply with s. 16.75 in selecting  
6 businesses under this paragraph. The department may select a business or enter  
7 into a lease under this paragraph only with the approval of the joint committee on  
8 finance. The department shall consult with appropriate trade organizations and  
9 labor unions prior to issuing requests for proposals and prior to selecting proposals  
10 under this paragraph. Each such private business may conduct its operations as a  
11 private business, subject to the wage standards under sub. (4), the disposition of  
12 earnings under sub. (8), the requirements for notification and hearing under sub. (1)  
13 (c), the requirement for prison industries board approval under s. 303.015 (1) (b) and  
14 the authority of the department to maintain security and control in its institutions.  
15 The private business and its operations are not a prison industry. Inmates employed  
16 by the private business are not subject to the requirements of inmates participating  
17 in prison industries, except as provided in this paragraph;

18           **SECTION 6385.** 303.01 (2) (em) of the statutes, as created by 1995 Wisconsin Act  
19 .... (this act), is amended to read:

20           303.01 (2) (em) Lease space, with or without equipment, within the precincts  
21 of state prisons, as specified in s. 302.02, or within the confines of correctional  
22 institutions operated by the department for holding in secure custody persons  
23 adjudged delinquent, to not more than 3 private businesses to employ prison inmates  
24 and institution residents to manufacture products or components or to provide  
25 services for sale on the open market. The department shall comply with s. 16.75 in

1 selecting businesses under this paragraph. The department may select a business  
2 or enter into a lease under this paragraph only with the approval of the joint  
3 committee on finance. The department shall consult with appropriate trade  
4 organizations and labor unions prior to issuing requests for proposals and prior to  
5 selecting proposals under this paragraph. Each such private business may conduct  
6 its operations as a private business, subject to the wage standards under sub. (4), the  
7 disposition of earnings under sub. (8), the requirements for notification and hearing  
8 under sub. (1) (c), the requirement for prison industries board approval under s.  
9 303.015 (1) (b) and the authority of the department to maintain security and control  
10 in its institutions. The private business and its operations are not a prison industry.  
11 Inmates employed by the private business are not subject to the requirements of  
12 inmates participating in prison industries, except as provided in this paragraph;

13 **SECTION 6386.** 303.01 (2) (f) of the statutes is amended to read:

14 303.01 (2) (f) Lease or purchase land within the state for the employment of  
15 prisoners or residents; and

16 **SECTION 6387.** 303.01 (2) (g) of the statutes is amended to read:

17 303.01 (2) (g) Construct barracks for the safekeeping of prisoners or residents  
18 employed in the prison industries outside the prison or institution proper on the  
19 prison or institution premises.

20 **SECTION 6388.** 303.01 (4) of the statutes is amended to read:

21 303.01 (4) WAGE STANDARDS. All inmates and residents shall be paid a wage  
22 ~~which~~ that is based on the productivity of the work the inmates and residents  
23 perform. Wages may be established at an hourly rate plus an incentive wage based  
24 on productivity and piecework formulas may be created. However, wages shall not  
25 be set at a rate such as to cause a deficit on operations. Changes in inmate and

1 resident wage rate schedules may not be made without approval of the prison  
2 industries board.

3 **SECTION 6389.** 303.01 (6) of the statutes is amended to read:

4 303.01 (6) GOAL. To the extent possible, prison industries shall be operated in  
5 a manner that is similar to private business and industry. The primary goal of prison  
6 industries shall be to operate in a profitable manner. Within this goal, inmates or  
7 residents employed in prison industries shall be provided with training and work  
8 experience that allows them to develop skills necessary to retain employment in  
9 outside business and industry. Consistent with available resources, inmates or  
10 residents employed in prison industries may be required to take education courses  
11 related to their work to enhance their capacity for employment upon release from  
12 prison or an institution specified under sub. (1) (b).

13 **SECTION 6390.** 303.01 (8) of the statutes is amended to read:

14 303.01 (8) DISPOSITION OF EARNINGS. The department has the authority to  
15 determine how much, if any, of the earnings of an inmate or resident may be spent  
16 and for what purposes they may be spent within the confines of the prison or  
17 institution. The department shall distribute earnings for the crime victim and  
18 witness assistance surcharge under s. 973.045 (4), for the deoxyribonucleic acid  
19 analysis surcharge under s. 973.046 (4) and for compliance with s. 303.06 (2) and may  
20 distribute earnings for the support of the inmate's or resident's dependents and for  
21 other obligations either acknowledged by the inmate or resident in writing or which  
22 have been reduced to judgment that may be satisfied according to law. The  
23 department shall credit all moneys that it collects from earnings of inmates and  
24 residents under sub. (2) (em) to the appropriation account under s. 20.410 (1) (gi).

25 **SECTION 6391.** 303.015 (1) (c) of the statutes is amended to read:

**SECTION 6391**

1           303.015 (1) (c) Prior to submission to the legislative council staff for review  
2 under s. 227.15, departmental rules relating to hiring, termination, evaluation and  
3 compensation of, or other conditions of employment for, inmates or residents in  
4 prison industries shall be submitted to the board for approval. Board authority over  
5 rules shall not extend to determination of which inmates or residents are eligible for  
6 employment in prison industries or to security matters.

7           **SECTION 6393.** 303.06 (1) of the statutes is amended to read:

8           303.06 (1) Except as authorized in sub. ~~(2)~~ this section, no goods, except farm  
9 machinery, farm implements and tools, cordage rope and ply goods, manufactured  
10 wholly or partly by inmates in any state, city or county penal institution may be  
11 offered for sale in the open market.

12           **SECTION 6394.** 303.06 (2) of the statutes is amended to read:

13           303.06 (2) The department may enter into or renew a contract with a  
14 manufacturer or distributor to have prison industries provide products, components  
15 or services if at the time that the contract is originally entered into the products,  
16 components or services have been supplied to the manufacturer or distributor for the  
17 previous 12 months by a facility outside the United States. The department shall  
18 collect not less than 5% nor more than 20% of the gross wages of inmates or residents  
19 earned under such a contract to be credited to the appropriation under s. 20.455 (5)  
20 (i).

21           **SECTION 6395.** 303.06 (3) of the statutes is created to read:

22           303.06 (3) A private business may sell products, components or services under  
23 s. 303.01 (2) (em) in the open market. Similar products, components or services from  
24 a prison industry program from another state may be sold in the open market.

25           **SECTION 6398m.** 303.065 (5) (dm) of the statutes is created to read:

**SECTION 6398m**

1           303.065 (5) (dm) Payment for legal representation under s. 977.07 (2), 977.075  
2 or 977.076;

3           **SECTION 6398p.** 303.065 (6) of the statutes is created to read:

4           303.065 (6) The department shall credit all moneys that it collects under sub.  
5 (5) (a) and (d) to the appropriation account under s. 20.410 (1) (gi).

6           **SECTION 6398r.** 303.065 (7) of the statutes is created to read:

7           303.065 (7) The department may receive payments for its costs under this  
8 section or the department or the attorney general may collect under s. 301.325, but  
9 the state may not collect for the same expense twice.

10          **SECTION 6399.** 303.066 of the statutes is created to read:

11          **303.066 Wisconsin conservation corps projects.** The department may  
12 sponsor Wisconsin conservation corps projects under s. 16.20 (8g).

13          **SECTION 6399m.** 303.066 of the statutes, as affected by 1995 Wisconsin Act ....  
14 (this act), is amended to read:

15          **303.066 Wisconsin conservation corps projects.** The department may  
16 sponsor Wisconsin conservation corps projects under s. ~~16.20~~ 106.215 (8g).

17          **SECTION 6400.** 303.21 (1) (b) of the statutes is amended to read:

18          303.21 (1) (b) Inmates are included under par. (a) if they are participating in  
19 a structured work program away from the institution grounds under s. 302.15.  
20 Inmates are not included under par. (a) if they are employed in a prison industry  
21 under s. 303.06 (2), participating in a work release program under s. 303.065 (2),  
22 participating in employment with a private business under s. 303.01 (2) (em) or  
23 participating in the transitional employment program, but they are eligible for  
24 worker's compensation benefits as provided under ch. 102.

**SECTION 6401**

1           **SECTION 6401.** 303.21 (1) (b) of the statutes, as affected by 1995 Wisconsin Act  
2 .... (this act), is repealed and recreated to read:

3           303.21 (1) (b) Inmates are included under par. (a) if they are participating in  
4 a structured work program away from the institution grounds under s. 302.15.  
5 Inmates are not included under par. (a) if they are employed in a prison industry  
6 under s. 303.06 (2), participating in a work release program under s. 303.065 (2),  
7 participating in employment with a private business under s. 303.01 (2) (em) or  
8 participating in the transitional employment program, but they are eligible for  
9 worker's compensation benefits under ch. 102. Residents subject to s. 303.01 (1) (b)  
10 are not included under par. (a) but they are eligible for worker's compensation  
11 benefits under ch. 102.

12           **SECTION 6402.** 303.215 of the statutes is amended to read:

13           **303.215** (title) **Compensation to prisoners or residents injured in**  
14 **prison industries employment.** In accordance with s. 102.03 (2), for an inmate  
15 of a state institution or a resident subject to s. 303.01 (1) (b) employed under s. 303.06  
16 (2), compensation under ch. 102 on being released from the applicable institution,  
17 ~~either on parole or, on final discharge~~ or in accordance with ch. 48, whichever is  
18 applicable, is the exclusive remedy against the department and any employe of the  
19 department for any injury sustained by the inmate or resident while performing  
20 service growing out of and incidental to that employment. The department shall  
21 make any payments required under this section from the revolving appropriation for  
22 the operation of prison industries or, if there is no revolving appropriation for the  
23 operation of prison industries, from the general fund.

24           **SECTION 6403.** 303.22 of the statutes is amended to read:

**SECTION 6403**

1           **303.22 Work on Sundays and holidays.** No prisoner shall, or resident  
2           subject to s. 303.01 (1) (b), may be compelled to work on Sunday or a legal holiday,  
3           except ~~it be on~~ if the work is necessary household work or when the work is necessary  
4           to maintain the management or discipline of the institution.

5           **SECTION 6405.** 304.06 (1) (b) of the statutes, as affected by 1993 Wisconsin Act  
6           377, is amended to read:

7           304.06 (1) (b) Except as provided in sub. (1m) or s. 161.49 (2), 302.045 (3) or  
8           973.0135, the parole commission may parole an inmate of the Wisconsin state  
9           prisons or any felon or any person serving at least one year or more in a county house  
10          of correction or a county reforestation camp organized under s. 303.07, when he or  
11          she has served 25% of the sentence imposed for the offense, or 6 months, whichever  
12          is greater. ~~The parole commission may parole a participant in the youthful offender~~  
13          ~~program under s. 48.537 when he or she has participated in that program for 2 years.~~  
14          Except as provided in s. 939.62 (2m) or 973.014, the parole commission may parole  
15          an inmate serving a life term when he or she has served 20 years, as modified by the  
16          formula under s. 302.11 (1) and subject to extension using the formulas under s.  
17          302.11 (2). The person serving the life term shall be given credit for time served prior  
18          to sentencing under s. 973.155, including good time under s. 973.155 (4). The  
19          secretary may grant special action parole releases under s. 304.02. The department  
20          or the parole commission shall not provide any convicted offender or other person  
21          sentenced to the department's custody any parole eligibility or evaluation until the  
22          person has been confined at least 60 days following sentencing.

23          **SECTION 6405m.** 304.06 (1) (b) of the statutes, as affected by 1993 Wisconsin  
24          Act 377 and 1995 Wisconsin Act ... (this act), is repealed and recreated to read:

**SECTION 6405m**

1           304.06 (1) (b) Except as provided in sub. (1m) or s. 161.49 (2), 302.045 (3) or  
2           973.0135, the parole commission may parole an inmate of the Wisconsin state  
3           prisons or any felon or any person serving at least one year or more in a county house  
4           of correction or a county reforestation camp organized under s. 303.07, when he or  
5           she has served 25% of the sentence imposed for the offense, or 6 months, whichever  
6           is greater. The parole commission may parole a participant in the serious juvenile  
7           offender program under s. 48.538 when he or she has participated in that program  
8           for 2 years. Except as provided in s. 939.62 (2m) or 973.014, the parole commission  
9           may parole an inmate serving a life term when he or she has served 20 years, as  
10          modified by the formula under s. 302.11 (1) and subject to extension using the  
11          formulas under s. 302.11 (2). The person serving the life term shall be given credit  
12          for time served prior to sentencing under s. 973.155, including good time under s.  
13          973.155 (4). The secretary may grant special action parole releases under s. 304.02.  
14          The department or the parole commission shall not provide any convicted offender  
15          or other person sentenced to the department's custody any parole eligibility or  
16          evaluation until the person has been confined at least 60 days following sentencing.

17          **SECTION 6406.** 304.07 of the statutes, as affected by 1993 Wisconsin Act 385,  
18          is renumbered 48.535.

19          **SECTION 6407x.** 304.073 of the statutes is created to read:

20          **304.073 Administrative and minimum supervision. (1)** In this section:

21          (a) "Administrative supervision" has the meaning given in s. 301.08 (1) (c) 1.

22          a.

23          (b) "Minimum supervision" has the meaning given in s. 301.08 (1) (c) 1. b.

24          **(2)** Beginning on January 1, 1996, the department shall charge a fee to any  
25          probationer or parolee who is under minimum or administrative supervision and is

1 supervised by the department. The fee does not apply if the person is supervised by  
2 a vendor under s. 301.08 (1) (c) 2. The department shall set the fee sufficient to cover  
3 the cost of supervision. The department shall collect moneys for the fee charged  
4 under this subsection and credit those moneys to the appropriation account under  
5 s. 20.410 (1) (ge).

6 (3) The department shall promulgate rules setting the rate under sub. (2) and  
7 providing the procedure and timing for collecting the fee charged under sub. (2).

8 **SECTION 6408.** 304.074 of the statutes is created to read:

9 **304.074 Reimbursement fee for persons on probation, community**  
10 **supervision and parole. (1)** In this section:

11 (a) "Administrative supervision" has the meaning given in s. 301.08 (1) (c) 1.

12 a.

13 (b) "Minimum supervision" has the meaning given in s. 301.08 (1) (c) 1. b.

14 (2) Beginning on January 1, 1996, the department shall charge a fee to  
15 probationers and parolees and persons on community supervision to partially  
16 reimburse the department for the costs of providing supervision and services. The  
17 department shall set varying rates for probationers and parolees and persons on  
18 community supervision based on ability to pay and with the goal of receiving at least  
19 \$1 per day, if appropriate, from each probationer and parolee and person on  
20 community supervision. The department shall not charge a fee while the  
21 probationer or parolee is or person on community supervision exempt under sub. (3).  
22 The department shall collect moneys for the fees charged under this subsection and  
23 credit those moneys to the appropriation account under s. 20.410 (1) (gf).

1           (3) The department may decide not to charge a fee under sub. (2) to any  
2 probationer or parolee or person on community supervision while he or she meets any  
3 of the following conditions:

4           (a) Is unemployed.

5           (b) Is pursuing a full-time course of instruction approved by the department.

6           (c) Is undergoing treatment approved by the department and is unable to work.

7           (d) Has a statement from a physician certifying to the department that the  
8 probationer or parolee or person on community supervision should be excused from  
9 working for medical reasons.

10          (4) The fee under sub. (2) does not apply to any probationer or parolee who is  
11 under minimum or administrative supervision.

12          (5) The department shall promulgate rules setting rates under sub. (2) and  
13 providing the procedure and timing for collecting fees charged under sub. (2).

14          **SECTION 6408g.** 304.075 of the statutes is amended to read:

15          **304.075** (title) ~~Probationer and parolee loan~~ Loan fund for persons on  
16 probation, community supervision or parole. The department shall create a  
17 revolving fund out of any moneys in its hands belonging to probationers and parolees  
18 and persons on community supervision who absconded, or whose whereabouts are  
19 unknown. The fund shall be used to defray the expenses of clothing, transportation,  
20 maintenance and other necessities for probationers and parolees and persons on  
21 community supervision who are without means to secure those necessities. All  
22 payments made from the fund shall be repaid by probationers or parolees and  
23 persons on community supervision for whose benefit they are made whenever  
24 possible; and any moneys belonging to them so paid into the revolving fund shall be

1 repaid to them in accordance with law, in case a claim therefor is filed with the  
2 department upon showing the legal right of the claimant to such money.

3 **“SECTION 6409c.** 340.01 (7m) of the statutes is amended to read:

4 340.01 **(7m)** “Commercial driver license” means a license issued to a person by  
5 this state or another jurisdiction which is in accordance with the requirements of the  
6 federal commercial motor vehicle safety act of 1986, 49 USC ~~2701 to 2716~~ 31301 to  
7 31317, and which authorizes the licensee to operate certain commercial motor  
8 vehicles.

9 **SECTION 6409g.** 340.01 (7r) of the statutes is amended to read:

10 340.01 **(7r)** “Commercial driver license information system” means the  
11 information system established pursuant to the federal commercial motor vehicle  
12 safety act of 1986, 49 USC ~~2701 to 2716~~ 31301 to 31317, to serve as a clearinghouse  
13 for information related to the licensing and identification of commercial motor  
14 vehicle drivers.

15 **SECTION 6409m.** 340.01 (56) (a) (intro.) of the statutes is amended to read:

16 340.01 **(56)** (a) (intro.) Means a motor vehicle which carries ~~10~~ 16 or more  
17 passengers in addition to the operator or a motor vehicle painted in accordance with  
18 s. 347.44 (1) for the purpose of transporting:

19 **SECTION 6409r.** 341.08 (2) (am) of the statutes is created to read:

20 341.08 **(2)** (am) If the applicant is a natural person registering a farm truck  
21 under s. 341.26 (3) (a) 1., the applicant’s social security number.

22 **SECTION 6409s.** 341.08 (2) (cm) of the statutes is created to read:

23 341.08 **(2)** (cm) If the applicant is registering a farm truck under s. 341.26 (3)  
24 (a) 1., certification that the applicant had at least \$6,000 in gross farm profits, as  
25 defined in s. 71.58 (4), in at least one of the 2 previous taxable years, or that the

**SECTION 6409s**

1 applicant expects to have at least \$6,000 in gross farm profits, as defined in s. 71.58  
2 (4), in the current taxable year.

3 **SECTION 6409t.** 341.08 (4) of the statutes is amended to read:

4 341.08 (4) Applications for renewal of registration shall contain the  
5 information required in sub. (2) for original applications or such parts thereof as the  
6 department deems necessary to assure the proper registration of the vehicle, except  
7 that all applications for renewal of registration of farm trucks under s. 341.26 (3) (a)  
8 1. shall contain the information specified in sub. (2) (am) and (cm). The department  
9 may require that applications for renewal of registration be accompanied by the  
10 certificate of title issued for the vehicle only when the true ownership or proper  
11 registration of the vehicle is in doubt and cannot be resolved from records maintained  
12 by the department.

13 **SECTION 6409v.** 341.08 (8) of the statutes is created to read:

14 341.08 (8) The department may not disclose a social security number obtained  
15 from an applicant under sub. (2) (am) to any person except to the department of  
16 revenue for the sole purpose of determining the applicant's eligibility to register the  
17 farm truck under s. 341.26 (3) (a) 1.

18 **SECTION 6410b.** 341.25 (1) (a) of the statutes is amended to read:

19 341.25 (1) (a) For each automobile or station wagon, a fee of \$40 ~~\$45~~, except  
20 that an automobile registered in this state prior to September 1, 1947, at a fee of less  
21 than \$18 shall be registered at such lesser fee plus an additional fee of \$2.

22 **SECTION 6410c.** 341.26 (3) (a) 1. of the statutes is amended to read:

23 341.26 (3) (a) 1. For each farm truck having a gross weight of 12,000 pounds  
24 or less, a biennial fee of \$42. ~~Registration plates issued under this subdivision expire~~  
25 ~~on the last day of February of even-numbered years.~~

**SECTION 6410e**

1           **SECTION 6410e.** 341.297 (2) of the statutes is renumbered 341.297 (2) (a) and  
2 amended to read:

3           341.297 (2) (a) A farm truck having a gross weight of 12,000 pounds or less, as  
4 specified in s. 341.26 (3) (a) 1. ~~The registration period for such a farm truck begins~~  
5 ~~on March 1 of an even-numbered year and ends on the last day of February of the~~  
6 ~~next even-numbered year~~ All such farm trucks shall be registered by the department  
7 according to the monthly series of registration prescribed by par. (b).

8           **SECTION 6410f.** 341.297 (2) (b) of the statutes is created to read:

9           341.297 (2) (b) There are established 24 registration periods, each to be  
10 designated by a calendar month and to start on the first day of such month and end  
11 on the last day of the 24th month from the date of commencing. The department shall  
12 so administer the monthly series system of registration as to distribute the work of  
13 registering farm trucks as uniformly as practicable throughout the calendar year.

14           **SECTION 6410g.** 341.43 of the statutes is amended to read:

15           **341.43 Audits.** The department may conduct such audits as it deems  
16 necessary to determine the adequacy of fees paid under the international  
17 registration plan or other proportional registration law or agreement and taxes and  
18 fees paid under s. 341.45. Audits shall be conducted during normal business hours.  
19 Credits shall be given for overpayments and deficiencies shall be assessed, with  
20 interest. Actual and necessary expenses incurred by an auditor, plus wages, may be  
21 assessed against the person audited.

22           **SECTION 6410h.** 341.45 (title) of the statutes is amended to read:

23           **341.45 (title) Importation in vehicle tanks regulated; taxes.**

24           **SECTION 6410j.** 341.45 (1g) (a) of the statutes is amended to read:

**SECTION 6410j**

1           341.45 (1g) (a) ~~Every~~ Except as provided in subs. (3) and (4g), every person who  
2 purchases or obtains motor vehicle fuel or an alternate fuel outside of this state and  
3 operates any qualified motor vehicle into this state upon a highway and transports  
4 that fuel in an attached or unattached fuel supply tank for the sole purpose of  
5 operating the qualified motor vehicle shall pay the Wisconsin motor vehicle fuel or  
6 alternate fuels tax and the oil inspection fee under s. 168.12 on the gallons consumed  
7 by the qualified motor vehicle while operated on the highways of this state. The  
8 person shall pay the tax and fee by purchasing motor vehicle fuel or alternate fuels  
9 within this state in an amount that is equivalent to the gallonage consumed while  
10 operating the qualified motor vehicle on the highways of this state, or by remitting  
11 the tax and fee directly to the department or to another jurisdiction that is a party  
12 to the international fuel tax agreement.

13           **SECTION 6410k.** 341.45 (1g) (b) of the statutes is amended to read:

14           341.45 (1g) (b) The department may require any person required to pay under  
15 par. (a) to report on forms prescribed by it, to display evidence of compliance with par.  
16 (a) and to pay taxes and fees in the manner specified by the department.

17           (c) The department shall require any person convicted of evading the tax or fee  
18 due under par. (a) to report on forms and in the manner prescribed by the  
19 department.

20           **SECTION 6410m.** 341.45 (2) of the statutes is amended to read:

21           341.45 (2) Every person regularly or habitually operating qualified motor  
22 vehicles upon the highways of any other state and using in those qualified motor  
23 vehicles motor vehicle fuel or an alternate fuel purchased or obtained in this state  
24 shall be allowed a credit or refund equal to the oil inspection fee and the tax on the  
25 motor vehicle fuel or alternate fuel actually paid to the state in which it is used, but

**SECTION 6410m**

1 not to exceed the tax and fee imposed on motor vehicle fuel or alternate fuels by this  
2 state.

3 **SECTION 6410n.** 341.45 (3) of the statutes is amended to read:

4 341.45 (3) The department may enter into reciprocal agreements with the  
5 appropriate officials of any other state under which it may waive all or any part of  
6 the requirements imposed by this section upon those who use motor vehicle fuel or  
7 alternate fuels upon which the tax ~~has~~ and fee have been paid to another state if the  
8 officials of the other state grant equivalent privileges with respect to motor vehicle  
9 fuel or alternate fuels used in that state but upon which the tax ~~has~~ and fee have been  
10 paid to Wisconsin.

11 **SECTION 6410p.** 341.45 (4g) of the statutes is created to read:

12 341.45 (4g) The department may issue trip permits for 72-hour periods to  
13 persons who would otherwise be required to pay the Wisconsin motor vehicle fuel or  
14 alternate fuels tax and the oil inspection fee under sub. (1g). The department shall  
15 charge a fee of not less than \$15 for each permit issued under this subsection. A  
16 person who has obtained a permit under this subsection is exempt from the  
17 purchasing requirement of sub. (1g) (a).

18 **SECTION 6410r.** 341.45 (4m) of the statutes is created to read:

19 341.45 (4m) All oil inspection fees paid to the department of transportation  
20 under sub. (1g) (a) in excess of oil inspection fee credits or refunds under sub. (2) shall  
21 be deposited in the petroleum inspection fund. All oil inspection fees credited or  
22 refunded by the department of transportation under sub. (2) in excess of oil  
23 inspection fees paid to the department of transportation under sub. (1g) (a) shall be  
24 paid from the petroleum inspection fund.

25 **SECTION 6410s.** 341.45 (5) of the statutes is amended to read:

**SECTION 6410s**

1           341.45 (5) The department shall promulgate rules under ch. 227 necessary to  
2 administer this section. The rules shall include provisions relating to the issuance  
3 and use of the permits authorized under sub. (4g). The rules may include provisions  
4 relating to the payment of interest on late payments of motor vehicle fuel and  
5 alternate fuels taxes and oil inspection fees, and fees for the late payment or  
6 underpayment of motor vehicle fuel and alternate fuels taxes and oil inspection fees.

7           **SECTION 6410t.** 342.14 (1) of the statutes is amended to read:

8           342.14 (1) For filing an application for the first certificate of title, ~~\$5~~ \$7.50, by  
9 the owner of the vehicle.

10          **SECTION 6411b.** 342.14 (1m) of the statutes is repealed.

11          **SECTION 6411d.** 342.14 (3) of the statutes is amended to read:

12          342.14 (3) For a certificate of title after a transfer, ~~\$5~~ \$7.50, by the owner of the  
13 vehicle.

14          **SECTION 6411dg.** 342.15 (1m) of the statutes is created to read:

15          342.15 (1m) (a) No owner of a junk vehicle may transfer his or her interest in  
16 the junk vehicle except to a licensed motor vehicle salvage dealer.

17          (b) No person other than a licensed motor vehicle salvage dealer may acquire  
18 an interest in a junk vehicle from the owner of the junk vehicle.

19          (c) Paragraphs (a) and (b) do not apply to the sale, disposition or acquisition of  
20 a junk vehicle following the procedure under s. 342.40 (3) (c) or 779.415 (2).

21          **SECTION 6411dm.** 342.15 (5r) of the statutes is created to read:

22          342.15 (5r) Any person who violates sub. (1m) may be required to forfeit not  
23 more than \$1,000 for each violation.

24          **SECTION 6411e.** 343.01 (2) (cb) of the statutes is created to read:

**SECTION 6411e**

1           343.01 (2) (cb) “Motorized construction equipment” means motor-driven  
2 construction equipment designed principally for off-road use, including a  
3 motorscraper, backhoe, motorgrader, compacter, excavator, tractor, trencher and  
4 bulldozer.

5           **SECTION 6411em.** 343.01 (2) (d) of the statutes is created to read:

6           343.01 (2) (d) “Photograph” means an unretouched image recorded by a camera  
7 and reproduced on a photosensitive surface and includes a digitized image.

8           **SECTION 6411f.** 343.02 (1) of the statutes is amended to read:

9           343.02 (1) The department shall administer and enforce this chapter and may  
10 promulgate for that purpose such rules as the secretary considers necessary. Rules  
11 promulgated under this chapter may not conflict with and shall be at least as  
12 stringent as standards set by the federal commercial motor vehicle safety act, 49  
13 USC ~~2701 to 2716~~ 31301 to 31317 and the regulations adopted under that act.

14           **SECTION 6411g.** 343.03 (1) (title) of the statutes is repealed and recreated to  
15 read:

16           343.03 (1) (title) COMPLIANCE WITH FEDERAL STANDARDS.

17           **SECTION 6411ge.** 343.03 (1) (a) of the statutes is amended to read:

18           343.03 (1) (a) The department shall institute a classified driver license system  
19 meeting all federal standards under 49 USC ~~2701 to 2716~~ 31301 to 31317 and 49 CFR  
20 383.

21           **SECTION 6411gg.** 343.03 (1) (b) of the statutes is amended to read:

22           343.03 (1) (b) The department shall ~~begin issuance of~~ issue operator’s licenses  
23 in conformity with the classified driver license system to each licensee upon renewal,  
24 reinstatement or initial application by ~~April 1, 1991.~~

25           **SECTION 6411gj.** 343.03 (1) (c) of the statutes is repealed.

1           **SECTION 6411gm.** 343.03 (5) of the statutes is amended to read:

2           343.03 (5) INQUIRIES BEFORE ISSUANCE. Before issuing a license under this  
3 chapter, the department shall obtain driver record information from the national  
4 driver registry and commercial driver license information system to determine  
5 whether the applicant holds a commercial driver license, or a license that is revoked,  
6 suspended or canceled, or is otherwise disqualified. If the applicant is currently  
7 licensed in another state, the department shall obtain information on the applicant's  
8 license status with the state of licensure before issuing a license.

9           **SECTION 6411gr.** 343.03 (8) of the statutes is repealed.

10          **SECTION 6411h.** 343.05 (2) (a) 2. of the statutes is amended to read:

11          343.05 (2) (a) 2. A nonresident who has in his or her immediate possession a  
12 valid commercial driver license issued to the person in ~~his or her home~~ another  
13 jurisdiction or Mexico bearing all endorsements required for the specific class and  
14 type of vehicle being operated. A license is not valid under this subdivision if the  
15 license is restricted to operation inside the person's home jurisdiction, or if the person  
16 is otherwise violating restrictions or exceeding operating authorization stated on the  
17 person's license. If the nonresident is operating a commercial motor vehicle in  
18 interstate commerce, he or she must be at least 21 years of age.

19          **SECTION 6411j.** 343.05 (2) (c) of the statutes is amended to read:

20          343.05 (2) (c) A tow truck operator holding a valid commercial driver license  
21 who is engaged in the removal of a disabled or wrecked vehicle from the highway or  
22 eliminating a hazard is not required to hold an endorsement to his or her commercial  
23 driver license regardless of the type of vehicle being towed. This exception to the  
24 requirement for an endorsement does not apply to any subsequent towing of the

1 vehicle, including moving the vehicle from one repair facility to another, unless the  
2 one of the following applies:

3 1. The tow truck operator holds a commercial driver license and is accompanied  
4 by a driver who holds the required endorsements.

5 **SECTION 6411jg.** 343.05 (2) (c) 2. of the statutes is created to read:

6 343.05 (2) (c) 2. The vehicle is a vehicle that requires a “P” endorsement for its  
7 operation.

8 **SECTION 6411jm.** 343.05 (4) (a) 3. of the statutes is renumbered 343.05 (2) (a)  
9 5. and amended to read:

10 343.05 (2) (a) 5. A person temporarily operating motorized construction  
11 equipment designed principally for off-road use, including a motorscraper, backhoe,  
12 motorgrader, compacter, excavator, tractor, trencher and bulldozer upon a highway  
13 in this state who possesses a valid operator’s license issued to the person by the  
14 department which is not revoked, suspended, canceled, disqualified or expired. This  
15 subdivision does not apply to a truck or a construction vehicle designed or equipped  
16 for use on a highway or to any vehicle exceeding a speed of 35 miles per hour.

17 **SECTION 6411m.** 343.055 (1) (a) of the statutes is amended to read:

18 343.055 (1) (a) *General.* Except as provided in subs. (3) and (4) and  
19 notwithstanding s. 343.05 (2), operators of certain commercial motor vehicles  
20 specified in pars. (b) to (h) (j) or any rule of the department promulgated under sub.  
21 (5) are not required to hold commercial driver licenses, if the operator holds a valid  
22 operator’s license not limited to “Class M” vehicles.

23 **SECTION 6411md.** 343.055 (1) (j) of the statutes is created to read:

24 343.055 (1) (j) *Highway winter maintenance operators.* Notwithstanding ss.  
25 343.02 and 343.03 (1), the operator of the commercial motor vehicle is a town official

1 or is employed in highway winter maintenance work on a part-time basis by the  
2 town, and the vehicle is owned by or leased to the town and is being used for the  
3 purpose of snow and ice control on a town highway.

4 **SECTION 6411mg.** 343.055 (4) of the statutes is amended to read:

5 343.055 (4) EFFECT OF WAIVERS. The waivers under ~~this section~~ sub. (1) (b) to  
6 (h) shall apply to the extent permitted under federal law and the waivers under sub.  
7 (1) (b) to (j) shall exempt a person only from the requirement in s. 343.05 (2) to hold  
8 a commercial driver license to operate a commercial motor vehicle upon a highway  
9 in this state. A commercial motor vehicle operated under this waiver remains a  
10 commercial motor vehicle.

11 **SECTION 6411mm.** 343.055 (5) of the statutes is renumbered 343.055 (5) (a) and  
12 amended to read:

13 343.055 (5) (a) As soon as possible after the federal commercial motor vehicle  
14 safety act, 49 USC ~~2701 to 2716~~ 31301 to 31317, or the regulations adopted under  
15 that act permit any commercial driver license waiver, the department shall  
16 promulgate rules governing eligibility for the waiver. ~~This subsection~~ paragraph  
17 applies to waivers not permitted by federal law on May 12, 1992.

18 **SECTION 6411mp.** 343.055 (5) (b) of the statutes is created to read:

19 343.055 (5) (b) Notwithstanding par. (a), the department shall promulgate  
20 rules for the waiver under sub. (1) (j).

21 **SECTION 6411p.** 343.06 (1) (c) of the statutes is amended to read:

22 343.06 (1) (c) To any person under age 18 unless the person is enrolled in a  
23 school program or high school equivalency program and is not a habitual truant as  
24 defined in s. 118.16 (1) (a), has graduated from high school or been granted a  
25 declaration of high school graduation equivalency or is enrolled in a home-based

1 private educational program, as defined in s. 115.001 (3g), and has satisfactorily  
2 completed a course in driver education in public schools approved by the department  
3 of public instruction, or in technical colleges approved by the technical college system  
4 board, or in nonpublic and private schools which meet the minimum standards set  
5 by the department of public instruction, or has satisfactorily completed a  
6 substantially equivalent course in driver training approved by the department and  
7 given by a school licensed by the department under s. 343.61, or has satisfactorily  
8 completed a substantially equivalent course in driver education or training approved  
9 by another state and has attained the age of 16, except as provided in s. 343.07 (1).  
10 The department shall not issue a license to any person under the age of 18  
11 authorizing the operation of "Class M" vehicles unless the person has successfully  
12 completed a basic rider course approved by the department. The department may,  
13 by rule, exempt certain persons from the basic rider course requirement of this  
14 paragraph. Applicants for a license under s. 343.08 or 343.135 are exempt from the  
15 driver education, basic rider or driver training course requirement. The secretary  
16 shall prescribe rules for licensing of schools and instructors to qualify under this  
17 paragraph. The driver education course shall be made available to every eligible  
18 student in the state. Except as provided under s. 343.16 (1) (c) and (2) (cm) to (f), no  
19 operator's license may be issued unless a driver's examination has been  
20 administered by the department.

21 **SECTION 6411pg.** 343.06 (2) of the statutes is amended to read:

22 343.06 (2) ~~After March 31, 1992, the~~ The department shall not issue a  
23 commercial driver license, including a renewal, occupational or reinstated license,  
24 to any person during any period of disqualification under s. 343.315 or 49 CFR 383.51  
25 or the law of another jurisdiction in substantial conformity therewith, as the result

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1 of one or more disqualifying offenses committed on or after July 1, 1987. Beginning  
2 on April 1, 1992, the department shall cancel any commercial driver license Any  
3 person who is known to the department to have been issued to a person who is  
4 disqualified be subject to disqualification under s. 343.315 (1) (a) shall be disqualified  
5 by the department, unless the required period of disqualification specified in s.  
6 343.315 for the disqualifying offense has already expired.

7 **SECTION 6411pm.** 343.065 (title) of the statutes is amended to read:

8 **343.065** (title) ~~Intrastate restricted~~ **Restricted commercial driver**  
9 **license.**

10 **SECTION 6411pr.** 343.065 (1) of the statutes is amended to read:

11 343.065 (1) If an applicant for a commercial driver license is less than 21 years  
12 of age or does not meet the physical qualifications for drivers contained in 49 CFR  
13 391 or an alternative federally approved driver qualification program established by  
14 the department by rule but is at least 18 years of age and otherwise qualified under  
15 this chapter and the rules of the department, the department may issue the  
16 applicant a commercial driver license restricted to authorizing the operation of  
17 commercial motor vehicles ~~only within this state and~~ not in interstate commerce.

18 **SECTION 6411pt.** 343.065 (2) of the statutes is amended to read:

19 343.065 (2) A commercial driver license issued under this section shall clearly  
20 identify that the license does not authorize the operation of commercial motor  
21 vehicles ~~outside this state or~~ in interstate commerce.

22 **SECTION 6411r.** 343.10 (2) (a) 1. of the statutes is amended to read:

23 343.10 (2) (a) 1. Except for a revocation or suspension that arose out of the same  
24 incident or occurrence for which the person's license or operating privilege is  
25 currently revoked or suspended, the person's license or operating privilege was not

1 revoked or suspended previously under this chapter or ch. 344 or s. 161.50 within the  
2 one-year period immediately preceding the present revocation or suspension.

3 **“SECTION 6412be.** 343.10 (10) (a) of the statutes is amended to read:

4 343.10 (10) (a) If the petitioner’s commercial driver license has been suspended  
5 or revoked solely for a violation of s. 346.63 (1) or a local ordinance in conformity  
6 therewith or a law of a federally recognized American Indian tribe or band in this  
7 state in conformity with s. 346.63 (1) and the person was not operating a commercial  
8 motor vehicle at the time of the violation, a petition seeking issuance of an  
9 occupational license authorizing operation of “Class A”, “Class B” or “Class C”  
10 vehicles may be filed directly with the department. The petition may also seek  
11 authorization to operate “Class D” or “Class M” vehicles.

12 **SECTION 6412bg.** 343.12 (2) (h) of the statutes is amended to read:

13 343.12 (2) (h) Prior to the initial issuance or renewal of the endorsement, takes  
14 and passes a special examination prescribed by the department and administered  
15 by the department or by a 3rd-party tester under s. 343.16 (1) (b) to determine his  
16 or her ability to safely operate a school bus. This special examination may include  
17 the examination required under sub. (3). The department may renew the  
18 endorsement without retesting the licensee, except under sub. (3).

19 **SECTION 6412bh.** 343.14 (3) of the statutes is renumbered 343.14 (3) (a).

20 **SECTION 6412bj.** 343.14 (3) (b) and (c) of the statutes are created to read:

21 343.14 (3) (b) Any photograph taken of an applicant under par. (a) or s. 343.50  
22 (4) may be maintained by the department and shall be kept confidential. The  
23 department may release a photograph only to the following persons:

24 1. The person whose photograph was taken.

1           2. Any person authorized in writing by the person whose photograph was  
2 taken.

3           3. A law enforcement agency, a state agency or a federal governmental agency  
4 to perform a legally authorized function.

5           (c) Any person who has received a photograph under par. (b) shall keep the  
6 photograph confidential and may not disclose or reproduce it except as authorized.  
7 This paragraph does not apply to the person whose photograph was taken.

8           **SECTION 6412bn.** 343.14 (4) of the statutes is repealed.

9           **SECTION 6412c.** 343.15 (2) (a) of the statutes is amended to read:

10          343.15 (2) (a) In this subsection, “custody” does not mean joint legal custody  
11 as defined in s. 767.001 ~~(1)~~ (1m).

12          **SECTION 6412ca.** 343.16 (1) (a) of the statutes is amended to read:

13          343.16 (1) (a) *General.* The department shall examine every applicant for an  
14 operator’s license, including applicants for license renewal as provided in sub. (3),  
15 and every applicant for authorization to operate a vehicle class or type for which the  
16 applicant does not hold currently valid authorization, other than an instruction  
17 permit. Except as provided in sub. (2) (cm) ~~and (e) and s. 343.03 (8) (b) and (c), (e)~~  
18 and (f), the examinations of applicants for licenses authorizing operation of “Class  
19 A”, “Class B”, “Class C”, “Class D” or “Class M” vehicles shall include both a  
20 knowledge test and an actual demonstration in the form of a driving skills test of the  
21 applicant’s ability to exercise ordinary and reasonable control in the operation of a  
22 representative vehicle. The department shall not administer a driving skills test to  
23 a person applying for authorization to operate “Class M” vehicles who has failed 2  
24 previous such skills tests unless the person has successfully completed a rider course  
25 approved by the department. The department may, by rule, exempt certain persons

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1 from the rider course requirement of this paragraph. The driving skills of applicants  
2 for endorsements authorizing the operation of commercial motor vehicles equipped  
3 with air brakes, the transportation of passengers in commercial motor vehicles or the  
4 operation of school buses, as provided in s. 343.04 (2) (b), (d) or (e), shall also be tested  
5 by an actual demonstration of driving skills. The department may endorse an  
6 applicant's commercial driver license for transporting hazardous materials, or the  
7 operation of tank vehicles or vehicles towing double or triple trailers, as described  
8 in s. 343.04 (2) (a), (c) or (f), based on successful completion of a knowledge test. In  
9 administering the knowledge test, the department shall attempt to accommodate  
10 any special needs of the applicant. The Except as may be required by the department  
11 for an "H" or "S" endorsement, the knowledge test is not intended to be a test for  
12 literacy or English language proficiency. This paragraph does not prohibit the  
13 department from requiring an applicant to correctly read and understand highway  
14 signs.

15 **SECTION 6412cb.** 343.16 (2) (f) of the statutes is created to read:

16 343.16 (2) (f) "*Class D*" vehicle waiver. The department may, by rule, waive the  
17 driving skills test of a person applying for authorization to operate "Class D" vehicles  
18 who qualifies for issuance of a license under s. 343.06 (1) (c) if the applicant has  
19 successfully completed an enhanced course in driver education in public schools  
20 approved by the department of public instruction, or in technical colleges approved  
21 by the technical college system board, or in nonpublic and private schools which meet  
22 the minimum standards set by the department of public instruction, and the  
23 instructor in that course certifies that the applicant has satisfied the driving skills  
24 requirements of the course.

25 **SECTION 6412cc.** 343.17 (3) (e) 1. of the statutes is amended to read:

**SECTION 6412cc**

1           343.17 (3) (e) 1. “K” restriction, which restricts a person issued a license under  
2 s. 343.065 to from operating commercial motor vehicles ~~only within this state and not~~  
3 in interstate commerce.

4           **SECTION 6412cd.** 343.21 (1) (g) of the statutes is amended to read:

5           343.21 (1) (g) For removing a “K” restriction against operation of commercial  
6 motor vehicles ~~outside this state or~~ in interstate commerce, the same fee as for a  
7 duplicate license.

8           **SECTION 6412ce.** 343.21 (1) (jm) of the statutes is created to read:

9           343.21 (1) (jm) For reinstatement of a previously disqualified authorization to  
10 operate a commercial motor vehicle, \$50. This fee is not applicable to  
11 disqualifications under s. 343.315 (2) (g).

12           **SECTION 6412cf.** 343.21 (1) (m) of the statutes is created to read:

13           343.21 (1) (m) For reinstatement of a previously canceled license or  
14 endorsement, \$50. This fee includes reinstatement of any classification or  
15 endorsement applied for at the same time for which the applicant is qualified.

16           **SECTION 6412cg.** 343.23 (2) of the statutes is amended to read:

17           343.23 (2) The department shall maintain a file for each licensee containing  
18 the application for license, permit or endorsement, a record of reports or abstract of  
19 convictions, the status of the licensee’s authorization to operate different vehicle  
20 groups, a record of any out-of-service orders issued under s. 343.305 (7) (b) or (9)  
21 (am) and a record of any reportable accident in which the licensee has been involved,  
22 including specification of the type of license and endorsements issued under this  
23 chapter under which the licensee was operating at the time of the accident and an  
24 indication whether or not the accident occurred in the course of the licensee’s  
25 employment as a law enforcement officer, fire fighter or emergency medical

**SECTION 6412cg**

1 technician — paramedic or as a person engaged, by an authority in charge of the  
2 maintenance of the highway, in highway winter maintenance snow and ice removal  
3 during either a storm or cleanup following a storm. This information must be filed  
4 by the department so that the complete operator's record is available for the use of  
5 the secretary in determining whether operating privileges of such person shall be  
6 suspended, revoked, canceled or withheld in the interest of public safety. The record  
7 of suspensions, revocations and convictions that would be counted under s. 343.307  
8 (2) and of convictions for disqualifying offenses under s. 343.315 (2) (h) shall be  
9 maintained for at least 10 years. The record of convictions for disqualifying offenses  
10 under s. 343.315 (2) (f) shall be maintained for at least 3 years. The record of  
11 convictions for disqualifying offenses under s. 343.315 (2) (a) to (e) shall be  
12 maintained permanently, except that 5 years after a licensee transfers residency to  
13 another state such record may be transferred to another state of licensure of the  
14 licensee if that state accepts responsibility for maintaining a permanent record of  
15 convictions for disqualifying offenses. Such reports and records may be cumulative  
16 beyond the period for which a license is granted, but the secretary, in exercising the  
17 power of revocation granted under s. 343.32 (2) may consider only those reports and  
18 records entered during the 4-year period immediately preceding the exercise of such  
19 power of revocation. For purposes of this subsection, "highway winter maintenance  
20 snow and ice removal" includes plowing, sanding, salting and the operation of  
21 vehicles in the delivery of those services.

22 **SECTION 6412ch.** 343.245 (3) (b) 3. and 4. of the statutes are amended to read:

23 343.245 (3) (b) 3. Is subject to an out-of-service order in any state; or

24 4. Has more than one operator's license, except during the 10-day period  
25 beginning on the date on which the employe is issued an operator's license.; or

**SECTION 6412ci**

1           **SECTION 6412ci.** 343.245 (3) (b) 5. of the statutes is created to read:

2           343.245 (3) (b) 5. Does not possess a valid commercial driver license properly  
3 endorsed to permit operation of the vehicle.

4           **SECTION 6412cj.** 343.245 (4) (b) of the statutes is amended to read:

5           343.245 (4) (b) Any person who violates sub. (3) (b) shall be fined not more than  
6 ~~\$5,000~~ less than \$2,500 nor more than \$10,000 or imprisoned for not more than 90  
7 days or both.

8           **SECTION 6412ck.** 343.265 (1) (intro.) of the statutes is renumbered 343.265 (1)  
9 and amended to read:

10           343.265 (1) The department may accept the voluntary surrender of the  
11 operator's license of a person who has a mental or physical disability or disease or  
12 a medical condition which prevents or may prevent the person from exercising  
13 reasonable control over a motor vehicle if the person's operating privilege is not  
14 subject to suspension or revocation for any reason ~~and if either of the following~~  
15 ~~conditions are satisfied:~~

16           **SECTION 6412cL.** 343.265 (1) (a) and (b) of the statutes are repealed.

17           **SECTION 6412cm.** 343.28 (1) of the statutes is amended to read:

18           343.28 (1) Whenever a person is convicted of a moving traffic violation under  
19 chs. 341 to 349 or under a local ordinance enacted under ch. 349, the clerk of the court  
20 in which the conviction occurred, or the justice, judge or magistrate of a court not  
21 having a clerk, shall, as provided in s. 345.48, forward to the department the record  
22 of such conviction. The record of conviction forwarded to the department shall state  
23 whether the offender was involved in an accident at the time of the offense, whether  
24 the offender was operating a commercial motor vehicle at the time of the offense and,  
25 if so, whether the offender was transporting hazardous materials or operating a

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6412cm**

1 vehicle designed to carry, or actually carrying, 16 or more passengers, including the  
2 driver. Whenever a person is convicted of exceeding a posted speed limit, the record  
3 of conviction forwarded to the department shall include the number of miles per hour  
4 in excess of the posted speed limit.

5 **SECTION 6412cn.** 343.28 (2) of the statutes is amended to read:

6 343.28 (2) Whenever a person is convicted of any offense for which s. 343.31  
7 makes mandatory the revocation by the secretary of such person's operating  
8 privilege, the court in which the conviction occurred shall require the surrender to  
9 it of any license then held by such person. The clerk of the court, or the justice, judge  
10 or magistrate if the court has no clerk, shall, as provided in s. 345.48, forward to the  
11 department the record of conviction and any surrendered licenses. The record of  
12 conviction forwarded to the department shall state whether the offender was  
13 involved in an accident at the time of the offense, whether the offender was operating  
14 a commercial motor vehicle at the time of the offense and, if so, whether the offender  
15 was transporting hazardous materials or operating a vehicle designed to carry, or  
16 actually carrying, 16 or more passengers, including the driver.

17 **SECTION 6412co.** 343.305 (10) (em) of the statutes is amended to read:

18 343.305 (10) (em) One penalty for improperly refusing to submit to a test for  
19 intoxication regarding a person arrested for a violation of s. 346.63 (2m) or (7) or a  
20 local ordinance in conformity therewith is revocation of the person's operating  
21 privilege for 6 months. After the first 15 days of the revocation period, the person  
22 is eligible for an occupational license under s. 343.10. Any such improper refusal or  
23 revocation for the refusal does not count as a prior refusal or a prior revocation under  
24 this section or ss. 343.30 (1q), 343.307 and 346.65 (2). The person shall not be

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1 required to submit to and comply with any assessment or driver safety plan under  
2 pars. (c) and (d).

3 **SECTION 6412cp.** 343.315 (2) (f) (intro.) of the statutes is amended to read:

4 343.315 (2) (f) (intro.) A person is disqualified for a period of 60 days from  
5 operating a commercial motor vehicle if convicted of 2 serious traffic violations, ~~or~~  
6 and 120 days if convicted of 3 serious traffic violations, arising from separate  
7 occurrences committed within a 3-year period while driving or operating a  
8 commercial motor vehicle. ~~The department shall consider only offenses committed~~  
9 ~~on or after November 2, 1989 in applying~~ 120-day period of disqualification under  
10 this paragraph shall be in addition to any other period of disqualification imposed  
11 under this paragraph. In this paragraph, “serious traffic violations” means:

12 **SECTION 6412cq.** 343.315 (2) (fm) of the statutes is created to read:

13 343.315 (2) (fm) A person is disqualified for a period of 60 days from operating  
14 a commercial motor vehicle if convicted of violating s. 343.14 (5) or 345.17, if the  
15 violation relates to an application for a commercial driver license.

16 **SECTION 6412cr.** 343.315 (2) (h) of the statutes is created to read:

17 343.315 (2) (h) Except as provided in par. (i), a person is disqualified for a period  
18 of 90 days from operating a commercial motor vehicle if convicted of an  
19 out-of-service violation, or one year if convicted of 2 out-of-service violations, or 3  
20 years if convicted of 3 or more out-of-service violations, arising from separate  
21 occurrences committed within a 10-year period while driving or operating a  
22 commercial motor vehicle. A disqualification under this paragraph shall be in  
23 addition to any penalty imposed under s. 343.44. In this paragraph, “out-of-service  
24 violation” means violating s. 343.44 (1) by operating a commercial motor vehicle  
25 while ordered out-of-service under state or federal law.

**SECTION 6412cs**

1           **SECTION 6412cs.** 343.315 (2) (i) of the statutes is created to read:

2           343.315 (2) (i) If the violation listed in par. (h) occurred in the course of  
3 transporting hazardous materials or while operating a vehicle designed to carry, or  
4 actually carrying, 16 or more passengers, including the driver, the person shall be  
5 disqualified from operating a commercial motor vehicle for 180 days upon a first  
6 conviction, or for a 3-year period for a 2nd or subsequent conviction, arising from  
7 separate occurrences committed within a 10-year period while driving or operating  
8 a commercial motor vehicle. A disqualification under this paragraph shall be in  
9 addition to any penalty imposed under s. 343.44.

10           **SECTION 6412ct.** 343.315 (3) (a) of the statutes is amended to read:

11           343.315 (3) (a) Notwithstanding s. 343.39, if a person's license or operating  
12 privilege is revoked or suspended as the result of an offense committed after March  
13 31, 1992, which results in disqualification under sub. (2), the department shall  
14 immediately disqualify the person from operating a commercial motor vehicle for the  
15 period required under sub. (2). The person's authorization to operate a commercial  
16 motor vehicle shall not be reinstated upon expiration of the period of revocation or  
17 suspension unless the period of disqualification has also expired. During any period  
18 of disqualification in which the person's license or operating privilege is not revoked  
19 or suspended, the department may issue an operator's license to the person for the  
20 operation of vehicles other than commercial motor vehicles. ~~Upon expiration of the~~  
21 ~~period of disqualification, the person may apply for authorization to operate~~  
22 ~~commercial motor vehicles as provided in s. 343.14.~~

23           **SECTION 6412cu.** 343.315 (3) (b) of the statutes is amended to read:

24           343.315 (3) (b) If a person's license or operating privilege is not otherwise  
25 revoked or suspended as the result of an offense committed after March 31, 1992,

**SECTION 6412cu**

1 which results in disqualification under sub. (2) (a) to (f), (h) or (i), the department  
2 shall immediately ~~cancel the person's license~~ disqualify the person from operating  
3 a commercial motor vehicle for the period required under sub. (2) (a) to (f), (h) or (i).

4 Upon proper application by the person and payment of a duplicate license fee, the  
5 department may issue a separate license authorizing only the operation of vehicles  
6 other than commercial motor vehicles. Upon expiration of the period of  
7 disqualification, the person may apply for authorization to operate commercial  
8 motor vehicles under s. 343.26.

9 **SECTION 6412cv.** 343.32 (4) of the statutes is amended to read:

10 343.32 (4) In adopting rules for weighing traffic convictions by their  
11 seriousness under sub. (2), the secretary shall provide by rule for a reduction of up  
12 to 3 points if a person shows to the department satisfactory evidence of completion  
13 of a rider course approved by the secretary. This subsection applies only to demerit  
14 points relating to violations committed before completion of the rider course by a  
15 person while driving or operating a Type 1 motorcycle. ~~No person is eligible for more~~  
16 ~~than one point reduction of up to 3 points under this subsection.~~

17 **SECTION 6412cw.** 343.325 (title) of the statutes is amended to read:

18 **343.325 (title) Courts to report appeals; when appeal stays suspension**  
19 **or, revocation or disqualification.**

20 **SECTION 6412cx.** 343.325 (2) of the statutes is amended to read:

21 343.325 (2) Notwithstanding ss. 343.31, 343.315 and 343.32 and except as  
22 otherwise provided in sub. (4), the secretary shall not suspend or revoke a person's  
23 operating privilege or disqualify a person from operating a commercial motor vehicle  
24 on the basis of a conviction if the secretary receives from the court in which the  
25 conviction occurred a certificate stating that an appeal from the conviction has been

**SECTION 6412cx**

1 taken. If the secretary receives such certificate after suspension or revocation of the  
2 operating privilege, the operating privilege shall be reinstated without requiring  
3 compliance with s. 343.38. If the secretary receives the certificate after suspension  
4 of the operating privilege or disqualification, the operating privilege or authorization  
5 to operate a commercial motor vehicle shall be reinstated automatically.

6 **SECTION 6412cy.** 343.325 (3) of the statutes is amended to read:

7 343.325 (3) Whenever suspension or revocation of an operating privilege or a  
8 disqualification has been withheld as provided in sub. (2) and the department  
9 receives notice that the conviction in question has been affirmed on appeal or that  
10 the appeal has been dropped, the secretary shall suspend or revoke such operating  
11 privilege or disqualify the person from operating a commercial motor vehicle on the  
12 same basis as if the appeal had not been taken, but the period of suspension ~~or~~,  
13 revocation or disqualification shall run from the date of suspension ~~or~~, revocation or  
14 disqualification following the affirmance of the conviction or dropping of the appeal,  
15 less any time the operating privilege had been suspended or revoked or the  
16 authorization to operate a commercial motor vehicle had been disqualified prior to  
17 the receipt by the secretary of the certificate under sub. (2).

18 **SECTION 6412cz.** 343.325 (3m) of the statutes is amended to read:

19 343.325 (3m) Whenever the suspension or revocation of an operating privilege  
20 or a disqualification has been rescinded or withheld because of administrative  
21 action, an appeal, or a court order to reopen, stay or vacate a conviction, suspension  
22 ~~or~~, revocation or disqualification, and that suspension ~~or~~, revocation or  
23 disqualification is subsequently reimposed, the period of suspension ~~or~~, revocation  
24 or disqualification so reimposed shall be reduced by the period of suspension ~~or~~,  
25 revocation or disqualification previously served.

1           **SECTION 6412czb.** 343.325 (4) of the statutes is amended to read:

2           343.325 (4) If a person whose suspension ~~or~~, revocation or disqualification was  
3 stayed pursuant to sub. (2) is convicted of an offense for which revocation or  
4 disqualification is mandatory under s. 343.31 or 343.315, during the pendency of the  
5 appeal of the original conviction, the secretary shall forthwith revoke such person's  
6 operating privilege or disqualify the person from operating a commercial motor  
7 vehicle on account of the latter conviction, notwithstanding the appeal of either or  
8 both convictions.

9           **SECTION 6412czd.** 343.325 (5) of the statutes is amended to read:

10          343.325 (5) This section shall not prevent suspension or revocation of an  
11 operating privilege or a disqualification if there are grounds for suspension ~~or~~,  
12 revocation or disqualification other than the conviction in question.

13          **SECTION 6412czf.** 343.325 (6) (a) of the statutes is amended to read:

14          343.325 (6) (a) If a court enters an order reopening, vacating or staying a  
15 conviction or a suspension or revocation of an operating privilege or a  
16 disqualification, the court shall promptly forward a copy of that order to the  
17 department.

18          **SECTION 6412czh.** 343.44 (title) of the statutes is amended to read:

19          **343.44 (title) Driving while disqualified, out of service or ordered**  
20 **out-of-service or after license revoked or suspended.**

21          **SECTION 6412czj.** 343.44 (1) of the statutes is amended to read:

22          343.44 (1) No person whose operating privilege has been duly revoked or  
23 suspended pursuant to the laws of this state shall operate a motor vehicle upon any  
24 highway in this state during such suspension or revocation or thereafter before filing  
25 proof of financial responsibility or before that person has obtained a new license in

**SECTION  
6412czj**

1 this state, including an occupational license, or the person's operating privilege has  
2 been reinstated under the laws of this state. No person may operate a commercial  
3 motor vehicle while ordered out-of-service as ~~provided in s. 343.305 (7) (b) or (9) (am)~~  
4 under state or federal law. No person may operate a commercial motor vehicle after  
5 ~~March 31, 1992~~, while disqualified as provided in s. 343.315.

6 **SECTION 6412czL.** 343.44 (3) of the statutes is amended to read:

7 343.44 (3) Refusal to accept or failure to receive an order of revocation or,  
8 suspension or disqualification mailed by 1st class mail to such person's last-known  
9 address shall not be a defense to the charge of driving after revocation or, suspension  
10 or disqualification. If the person has changed his or her address and fails to notify  
11 the department as required in s. 343.22 then failure to receive notice of revocation  
12 or, suspension or disqualification shall not be a defense to the charge of driving after  
13 revocation or, suspension or disqualification.

14 **SECTION 6412czn.** 343.44 (4r) of the statutes is created to read:

15 343.44 (4r) In addition to other penalties for violation of this section, if a person  
16 has violated this section after he or she was ordered out-of-service under state or  
17 federal law as provided in s. 343.315, the violation shall result in disqualification  
18 under s. 343.315 (2) (h) or (i).

19 **SECTION 6412czp.** 344.12 of the statutes is amended to read:

20 **344.12 Applicability of provisions relating to deposit of security for**  
21 **past accidents.** Subject to the exceptions contained in s. 344.14, the provisions of  
22 this chapter requiring deposit of security and requiring revocation for failure to  
23 deposit security apply to the operator and owner of every motor vehicle which is in  
24 any manner involved in an accident in this state which has resulted in bodily injury

1 to or death of any person or damage to property of any other person in excess of \$500  
2 \$1,000.

3 **SECTION 6412czr.** 344.14 (2) (e) of the statutes is amended to read:

4 344.14 (2) (e) To the operator or owner of a vehicle involved in an accident  
5 wherein no injury was caused to the person of anyone other than such operator or  
6 owner and wherein damage to property of any one person other than such operator  
7 or owner did not exceed \$500 \$1,000.

8 **SECTION 6412e.** 344.576 (3) (a) 5. of the statutes is amended to read:

9 344.576 (3) (a) 5. The address and telephone number of the ~~office of consumer~~  
10 ~~protection in the department of justice~~ department of agriculture, trade and  
11 consumer protection.

12 **SECTION 6412m.** 344.576 (3) (c) of the statutes is amended to read:

13 344.576 (3) (c) The department of justice agriculture, trade and consumer  
14 protection shall promulgate rules specifying the form of the notice required under  
15 par. (a), including the size of the paper and the type size and any highlighting of the  
16 information described in par. (a). The rule may specify additional information that  
17 must be included in the notice and the precise language that must be used.

18 **SECTION 6412s.** 344.579 (2) (intro.) of the statutes is amended to read:

19 344.579 (2) ENFORCEMENT. (intro.) The department of justice agriculture, trade  
20 and consumer protection shall investigate violations of ss. 344.574, 344.576 (1), (2)  
21 and (3) (a) and (b), 344.577 and 344.578. The department of justice agriculture, trade  
22 and consumer protection may on behalf of the state:

23 **SECTION 6413r.** 345.11 (1g) and (5) of the statutes are amended to read:

1           345.11 **(1g)** The uniform traffic citation may be used for violations of ~~s.~~ ss.  
2           218.01 (2) (a) and 218.205 (1). The report of conviction shall be forwarded to the  
3           department.

4           **(5)** Notwithstanding any other provision of the statutes, the use of the uniform  
5           traffic citation promulgated under sub. (4) by any peace officer in connection with the  
6           enforcement of any state traffic laws, any local traffic ordinances in strict conformity  
7           with the state traffic laws or s. 218.01 (2) (a) or 218.205 (1) shall be deemed adequate  
8           process to give the appropriate court jurisdiction over the person upon the filing with  
9           or transmitting to the court of the uniform traffic citation.

10          **SECTION 6415.** 346.503 (1m) (g) of the statutes is amended to read:

11          346.503 **(1m)** (g) This subsection does not affect the authority under s. 101.13  
12          of the department of ~~industry, labor and human relations~~ development to require by  
13          rule the reservation of parking spaces for use by a motor vehicle used by a physically  
14          disabled person.

15          **SECTION 6416.** 346.503 (4) of the statutes is amended to read:

16          346.503 **(4)** The department, after consulting with the department of ~~industry,~~  
17          ~~labor and human relations~~ development, shall promulgate rules governing the  
18          design, size and installation of the official traffic signs required under sub. (2) or  
19          (2m).

20          **SECTION 6416c.** 346.655 (1) of the statutes is amended to read:

21          346.655 **(1)** On or after July 1, 1988, if a court imposes a fine or a forfeiture for  
22          a violation of s. 346.63 (1) or (5), or a local ordinance in conformity therewith, or s.  
23          346.63 (2) or (6) or 940.25, or s. 940.09 where the offense involved the use of a vehicle,  
24          it shall impose a driver improvement surcharge in an amount of ~~\$250~~ \$300 in  
25          addition to the fine or forfeiture, penalty assessment and jail assessment.

**SECTION 6416d**

1           **SECTION 6416d.** 346.655 (2) (a) of the statutes is amended to read:

2           346.655 (2) (a) Except as provided in par. (b), the clerk of court shall collect and  
3 transmit the amount under sub. (1) to the county treasurer as provided in s. 59.395  
4 (5). The county treasurer shall then make payment of ~~15%~~ 29.2% of the amount to  
5 the state treasurer as provided in s. 59.20 (5) (b).

6           **“SECTION 6416sm.** 346.70 (1) of the statutes is amended to read:

7           346.70 (1) IMMEDIATE NOTICE OF ACCIDENT. The operator of a vehicle involved in  
8 an accident resulting in injury to or death of any person, any damage to state or other  
9 government-owned property, except a state or other government-owned vehicle, to  
10 an apparent extent of \$200 or more or total damage to property owned by any one  
11 person or to a state or other government-owned vehicle to an apparent extent of \$500  
12 \$1,000 or more shall immediately by the quickest means of communication give  
13 notice of such accident to the police department, the sheriff’s department or the  
14 traffic department of the county or municipality in which the accident occurred or  
15 to a state traffic patrol officer. In this subsection, “injury” means injury to a person  
16 of a physical nature resulting in death or the need of first aid or attention by a  
17 physician or surgeon, whether or not first aid or medical or surgical treatment was  
18 actually received; “total damage to property owned by one person” means the sum  
19 total cost of putting the property damaged in the condition it was before the accident,  
20 if repair thereof is practical, and if not practical, the sum total cost of replacing such  
21 property. For purposes of this subsection if any property which is damaged is held  
22 in a form of joint or multiple ownership, the property shall be considered to be owned  
23 by one person.

24           **SECTION 6416v.** 347.40 (2) of the statutes is amended to read:

**SECTION 6416v**

1           347.40 (2) No person shall operate on a highway any school bus having a  
2 passenger-carrying capacity of 10 16 or more persons including in addition to the  
3 operator unless such bus is equipped with at least one mirror which is 7 inches in  
4 diameter so located as to enable the operator to see a reflection of the road from the  
5 entire front bumper forward to a point where direct observation is possible.

6           **SECTION 6416vc.** 348.05 (2) (k) of the statutes is renumbered 348.05 (2) (k) 2.  
7 and amended to read:

8           348.05 (2) (k) 2. Nine feet for loads of tie logs, tie slabs and veneer logs, ~~provided~~  
9 ~~that if~~ if no part of the load ~~shall extend~~ extends more than 6 inches beyond the fender  
10 line on the left side of the vehicle or ~~extend~~ extends more than 10 inches beyond the  
11 fender line on the right side of the vehicle. ~~The term "fender line" as used herein~~  
12 ~~means as defined in s. 348.09. This paragraph shall~~

13           3. Subdivision 2. does not be applicable apply to transport on highways  
14 designated as parts of the national system of interstate and defense highways  
15 pursuant to under s. 84.29, except for that portion of USH 51 between Wausau and  
16 STH 78 and that portion of STH 78 between USH 51 and the I 90/94 interchange near  
17 Portage upon their federal designation as I 39. This exception for I 39 applies only  
18 to the extent permitted by federal law.

19           **SECTION 6416vf.** 348.05 (2) (k) 1. of the statutes is created to read:

20           348.05 (2) (k) 1. In this paragraph, "fender line" has the meaning given in s.  
21 348.09 (1).

22           **SECTION 6416vi.** 348.15 (3) (bg), (br), (bv) and (e) of the statutes are amended  
23 to read:

24           348.15 (3) (bg) In the case of a vehicle or combination of vehicles transporting  
25 exclusively milk from the point of production to the primary market and the return

1 of dairy supplies and dairy products from such primary market to the farm, the gross  
2 weight imposed on the highway by the wheels of any one axle may not exceed 21,000  
3 pounds or, for 2 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more  
4 consecutive axles more than 9 feet apart, a weight of 2,000 pounds more than is  
5 shown in par. (c), but not to exceed 80,000 pounds. This paragraph does not apply  
6 to the national system of interstate and defense highways, except for that portion of  
7 USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51  
8 and the I 90/94 interchange near Portage upon their federal designation as I 39.

9 (br) In the case of a vehicle or combination of vehicles transporting exclusively  
10 peeled or unpeeled forest products cut crosswise or in the case of a vehicle or  
11 combination of vehicles transporting exclusively scrap metal, the gross weight  
12 imposed on the highway by the wheels of any one axle may not exceed 21,500 pounds  
13 or, for 2 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more consecutive  
14 axles more than 9 feet apart, a weight of 4,000 pounds more than is shown in par. (c),  
15 but not to exceed 80,000 pounds. This paragraph does not apply to the national  
16 system of interstate and defense highways, except for that portion of USH 51  
17 between Wausau and STH 78 and that portion of STH 78 between USH 51 and the  
18 I 90/94 interchange near Portage upon their federal designation as I 39.

19 (bv) In the case of a vehicle or combination of vehicles used primarily for the  
20 transportation of septage, as defined in s. 144.08 (1) (a), the gross weight imposed on  
21 the highway by the wheels of any one axle may not exceed 21,500 pounds or, for 2  
22 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more consecutive axles  
23 more than 9 feet apart, a weight of 4,000 pounds more than is shown in par. (c) or,  
24 for groups of 4 or more consecutive axles more than 10 feet apart, a weight of 6,000  
25 pounds more than is shown in par. (c) or, for groups of 5 or more consecutive axles

**SECTION 6416vi**

1 more than 14 feet apart, a weight of 7,000 pounds more than is shown in par. (c), but  
2 not to exceed 80,000 pounds. This paragraph does not apply to the national system  
3 of interstate and defense highways, except for that portion of USH 51 between  
4 Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94  
5 interchange near Portage upon their federal designation as I 39.

6 (e) Notwithstanding pars. (a), (b) and (c), in the case of a vehicle or combination  
7 of vehicles transporting exclusively livestock, the gross weight imposed on the  
8 highway by the wheels of any one axle or axle group may exceed the applicable weight  
9 limitation specified in pars. (a), (b) and (c) by 15% if the gross weight of the vehicle  
10 or combination of vehicles does not exceed the maximum gross weight specified for  
11 that vehicle or combination of vehicles under par. (c). This paragraph does not apply  
12 to the national system of interstate and defense highways, except for that portion of  
13 USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51  
14 and the I 90/94 interchange near Portage upon their federal designation as I 39.

15 **SECTION 6416vL.** 348.175 of the statutes is amended to read:

16 **348.175 Seasonal operation of vehicles hauling peeled or unpeeled**  
17 **forest products cut crosswise or abrasives or salt for highway winter**  
18 **maintenance.** The transportation of peeled or unpeeled forest products cut  
19 crosswise or of abrasives or salt for highway winter maintenance in excess of gross  
20 weight limitations under s. 348.15 shall be permitted during the winter months  
21 when the highways are so frozen that no damage may result thereto by reason of such  
22 transportation. If at any time any person is so transporting such products or  
23 abrasives or salt upon a class "A" highway in such frozen condition then that person  
24 may likewise use a class "B" highway without other limitation, except that chains  
25 and other traction devices are prohibited on class "A" highways but such chains and

1 devices may be used in cases of necessity. The officers or agencies in charge of  
2 maintenance of highways, upon determination of such frozen condition and freedom  
3 of damage to such highways by transportation shall declare particular highways, or  
4 highways within areas of the state as eligible for increased weight limitations. Such  
5 declaration shall include the maximum weight on each axle, combination of axles  
6 and the gross weight allowed. Any person transporting any such product over any  
7 highway of this state under this section is liable to the maintaining authority for any  
8 damage caused to such highway. This section does not apply to the national system  
9 of interstate and defense highways, except for that portion of USH 51 between  
10 Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94  
11 interchange near Portage upon their federal designation as I 39.

12 **SECTION 6416vo.** 348.19 (2) (b) and (4) of the statutes are amended to read:

13 348.19 (2) (b) If upon weighing a vehicle transporting livestock a traffic officer  
14 determines that the gross weight of the vehicle exceeds the limitations imposed by  
15 s. 348.15 or 348.16 or a limitation posted as provided in s. 348.17 (1), and if the point  
16 of apprehension is 15 miles or less from the destination of the vehicle, the traffic  
17 officer shall permit the operator of the vehicle to proceed to such destination without  
18 requiring the vehicle to be reloaded or unloaded as provided in par. (a). This  
19 paragraph does not apply to vehicles transporting livestock on the national system  
20 of interstate and defense highways, except for that portion of USH 51 between  
21 Wausau and STH 78 and that portion of STH 78 between USH 51 and the I 90/94  
22 interchange near Portage upon their federal designation as I 39.

23 (4) Subsection (1) (b) shall not apply to vehicles transporting peeled or  
24 unpeeled forest products on the national, interstate or defense highway systems,  
25 except for that portion of USH 51 between Wausau and STH 78 and that portion of

## SECTION 6416vo

1 STH 78 between USH 51 and the I 90/94 interchange near Portage upon their federal  
2 designation as I 39.

3 **SECTION 6416vr.** 348.27 (4), (9m) and (9r) of the statutes are amended to read:

4 348.27 (4) INDUSTRIAL INTERPLANT PERMITS. The department may issue, to  
5 industries and to their agent motor carriers owning and operating oversize vehicles  
6 in connection with interplant, and from plant to state line, operations in this state,  
7 annual or consecutive month permits for the operation of such vehicles over  
8 designated routes, provided that such permit shall not be issued under this section  
9 to agent motor carriers or, except for that portion of USH 51 between Wausau and  
10 STH 78 and that portion of STH 78 between USH 51 and the I 90/94 interchange near  
11 Portage upon their federal designation as I 39, from plant to state line for vehicles  
12 or loads of width exceeding 102 inches upon routes of the national system of  
13 interstate and defense highways. If the routes desired to be used by the applicant  
14 involve city or village streets or county or town highways, the application shall be  
15 accompanied by a written statement of route approval by the officer in charge of  
16 maintenance of the highway in question. The exception for I 39 applies only to the  
17 extent permitted by federal law.

18 **(9m)** TRANSPORTATION OF RAW FOREST AND AGRICULTURAL PRODUCTS. The  
19 department may issue annual or consecutive month permits for the transportation  
20 of raw forest products or for the transportation of fruits or vegetables from field to  
21 storage or processing facilities in vehicles or vehicle combinations that exceed the  
22 maximum gross weight limitations under s. 348.15 (3) (c) by not more than 10,000  
23 pounds. A permit issued under this subsection does not authorize the operation of  
24 any vehicle or vehicle combination at a maximum gross weight in excess of 90,000  
25 pounds. This subsection does not apply to highways designated as part of the

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1 national system of interstate and defense highways, except for that portion of USH  
2 51 between Wausau and STH 78 and that portion of STH 78 between USH 51 and  
3 the I 90/94 interchange near Portage upon their federal designation as I 39.

4 **(9r)** TRANSPORTATION OF SCRAP. The department may issue an annual or  
5 consecutive month permit for the transportation of metallic or nonmetallic scrap for  
6 the purpose of recycling or processing on a vehicle or combination of vehicles which  
7 exceeds statutory weight or length limitations and for the return of the vehicle or  
8 combination of vehicles when empty. This subsection does not apply to the  
9 transportation of scrap on highways designated as part of the national system of  
10 interstate and defense highways, except for that portion of USH 51 between Wausau  
11 and STH 78 and that portion of STH 78 between USH 51 and the I 90/94 interchange  
12 near Portage upon their federal designation as I 39.

13 **SECTION 6416vt.** 349.16 (1) (intro.), (a) and (b) of the statutes are amended to  
14 read:

15 349.16 **(1)** (intro.) The officer in charge of maintenance in case of highways  
16 maintained by a town, city or village, the county highway commissioner or county  
17 highway committee in the case of highways maintained by the county and the  
18 department in the case of highways maintained by the state may do any of the  
19 following:

20 (a) Impose special weight limitations on any such highway or portion thereof  
21 which, because of weakness of the roadbed due to deterioration or climatic conditions  
22 or other special or temporary condition, would likely be seriously damaged or  
23 destroyed in the absence of such special limitations;

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1 (b) Impose special weight limitations on bridges or culverts when in its  
2 judgment such bridge or culvert cannot safely sustain the maximum weights  
3 permitted by statute;

4 **SECTION 6416vw.** 349.16 (1) (d) of the statutes is created to read:

5 349.16 (1) (d) Impose special weight limitations on any such highway or portion  
6 thereof used as a detour for a state trunk highway under s. 84.02 (10) (b) when such  
7 limitations are considered necessary to protect the public safety. This paragraph  
8 does not apply to highways maintained by the state.

9 **SECTION 6419.** 350.12 (4) (a) (intro.) of the statutes is amended to read:

10 350.12 (4) (a) *Enforcement, administration and related costs.* (intro.) The  
11 moneys appropriated from s. 20.370 (3) (aq), ~~(4) (ft)~~ (5) (es) and ~~(is)~~ (mw) and (8) (dq)  
12 may be used for the following:

13 **SECTION 6420.** 350.12 (4) (a) 4. of the statutes is amended to read:

14 350.12 (4) (a) 4. An amount necessary to pay the cost of law enforcement aids  
15 to counties as appropriated under s. 20.370 ~~(4) (ft)~~ (5) (es). On or before June 1, a  
16 county shall file with the department on forms prescribed by the department a  
17 detailed statement of the costs incurred by the county in the enforcement of this  
18 chapter during the preceding May 1 to April 30. The department shall audit the  
19 statements and determine the county's net costs for enforcement of this chapter. The  
20 department shall compute the state aids on the basis of 100% of these net costs and  
21 shall pay these aids on or before October 1. If the state aids payable to counties  
22 exceed the moneys available for such purpose, the department shall prorate the  
23 payments.

24 **SECTION 6421.** 350.12 (4) (b) (intro.) of the statutes is amended to read:

**SECTION 6421**

1           350.12 (4) (b) *Trail aids and related costs.* (intro.) The moneys appropriated  
2 under s. 20.370 (1) (mq) and ~~(4) (bs)~~ (5) (cr) and ~~(bt) (cs)~~ shall be used for development  
3 and maintenance, the cooperative snowmobile sign program, major reconstruction  
4 or rehabilitation to improve bridges on existing approved trails, trail rehabilitation,  
5 signing of snowmobile routes, and state snowmobile trails and areas and distributed  
6 as follows:

7           **SECTION 6430.** 350.12 (4) (bg) of the statutes is amended to read:

8           350.12 (4) (bg) *Supplemental trail aid payments.* Of the moneys appropriated  
9 under s. 20.370 ~~(4) (bt)~~ (5) (cs), the department shall make available in fiscal year  
10 1992-93 and each fiscal year thereafter an amount equal to the amount calculated  
11 under s. 25.29 (1) (d) 2. to make payments to the department or a county under par.  
12 (bm) for trail maintenance costs incurred in the previous fiscal year that exceed the  
13 maximum specified under par. (b) 1. before expending any of the amount for the other  
14 purposes specified in par. (b).

15           **SECTION 6434g.** 350.12 (4) (br) of the statutes is amended to read:

16           350.12 (4) (br) (title) *Supplemental trail aid payments; ~~proration~~ insufficient*  
17 *funding.* If the aid that is payable to counties and to the department under par. (bm)  
18 exceeds the moneys available under par. (bg), the department ~~shall~~ may prorate the  
19 payments or may request the joint committee on finance to take action under s.  
20 13.101. The requirement of a finding of emergency under s. 13.101 (3) (a) 1. does not  
21 apply to such a request.

22           **SECTION 6435.** 350.12 (4) (c) of the statutes is amended to read:

23           350.12 (4) (c) *Lapses.* Any moneys appropriated under s. 20.370 (1) (mq), (3)  
24 (aq), ~~(4) (is)~~ (5) (mw) or (8) (dq) that lapse at the end of the fiscal year or that lapse

1 after the end of the fiscal year because of the liquidation of an encumbrance shall  
2 revert to the snowmobile account in the conservation fund.

3 **SECTION 6441b.** 406.104 (1) (c) of the statutes is amended to read:

4 406.104 (1) (c) The transferee preserves the list and schedule for 6 months next  
5 following the transfer and permits inspection of either or both and copying therefrom  
6 at all reasonable hours by any creditor of the transferor, or files the list and schedule  
7 ~~in with the office of the secretary of state~~ department of financial institutions.

8 **SECTION 6442b.** 409.105 (1) (dm) of the statutes is created to read:

9 409.105 (1) (dm) "Department" means the department of financial institutions.

10 **SECTION 6443b.** 409.401 (1) (c) of the statutes is amended to read:

11 409.401 (1) (c) In all other cases, ~~in the office of the secretary of state~~ with the  
12 department.

13 **SECTION 6444b.** 409.401 (5) of the statutes is amended to read:

14 409.401 (5) Notwithstanding the preceding subsections, and subject to s.  
15 409.302 (3), the proper place to file in order to perfect a security interest in collateral,  
16 including fixtures, of a transmitting utility is ~~the office of the secretary of state~~ with  
17 the department. This filing constitutes a fixture filing under s. 409.313 as to the  
18 collateral described therein which is or is to become fixtures.

19 **SECTION 6445b.** 409.402 (3m) of the statutes is amended to read:

20 409.402 (3m) The ~~secretary of state~~ department shall prescribe by rule  
21 standard forms for filing a financing statement, continuation statement,  
22 termination statement, statement of assignment or statement of release. A filing  
23 officer may refuse to accept statements not on the required form or not containing  
24 information required under sub. (1).

25 **SECTION 6446.** 409.403 (3) of the statutes is amended to read:

1           409.403 (3) A continuation statement may be filed by the secured party within  
2           6 months prior to the expiration of the 5-year period specified in sub. (2). Any such  
3           continuation statement must be signed by the secured party, identify the original  
4           statement by file number and state that the original statement is still effective. A  
5           continuation statement signed by a person other than the secured party of record  
6           must be accompanied by a separate written statement of assignment signed by the  
7           secured party of record and complying with s. 409.405 (2), including payment of the  
8           required fee. Upon timely filing of the continuation statement, the effectiveness of  
9           the original statement is continued for 5 years after the last date to which the filing  
10          was effective whereupon it lapses in the same manner as provided in sub. (2) unless  
11          another continuation statement is filed prior to such lapse. Succeeding continuation  
12          statements may be filed in the same manner to continue the effectiveness of the  
13          original statement. Unless a statute on disposition of public records provides  
14          otherwise, the filing officer may remove a lapsed statement from the files and destroy  
15          it immediately if the officer has retained a microfilm or other photographic record or  
16          an optical disk or electronic copy. In other cases a lapsed statement may not be  
17          destroyed until after one year after the lapse. The filing officer shall so arrange  
18          matters by physical annexation of financing statements to continuation statements  
19          or other related filings, or by other means, that if the officer physically destroys the  
20          financing statements of a period more than 5 years past, those which have been  
21          continued by a continuation statement or which are still effective under sub. (6) shall  
22          be retained.

23           **SECTION 6447.** 409.403 (4) of the statutes is amended to read:

24           409.403 (4) Except as provided in sub. (7), a filing officer shall mark each  
25          statement with a file number and with the date and hour of filing and shall hold the

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1 statement or a microfilm or other photographic copy thereof, or an optical disk or  
2 electronic copy thereof, for public inspection. In addition the filing officer shall index  
3 the statements according to the name of the debtor and shall note in the index the  
4 file number and the address of the debtor given in the statement.

5 **SECTION 6448b.** 409.403 (5) (a) 1. of the statutes is amended to read:

6 409.403 (5) (a) 1. The fee for filing and indexing and for stamping a copy  
7 furnished by the secured party to show the date and place of filing for an original  
8 financing statement is \$8 if the statement is on the standard form prescribed by the  
9 ~~secretary of state~~ department and is \$16 if the statement is not on the standard form  
10 or if additional pages are attached to the standard form. The fee for filing an original  
11 financing statement subject to s. 409.402 (5) is \$10 if the statement is on the standard  
12 form and is \$20 if the statement is not on the standard form or if additional pages  
13 are attached to the standard form.

14 **SECTION 6449b.** 409.403 (5) (a) 2. of the statutes is amended to read:

15 409.403 (5) (a) 2. The fee for filing and indexing and for stamping a copy  
16 furnished by the secured party to show the date and place of filing for an amendment  
17 or a continuation statement is \$5 if the amendment or statement is on the standard  
18 form prescribed by the ~~secretary of state~~ department and is \$10 if the amendment  
19 or statement is not on the standard form or if additional pages are attached to the  
20 standard form.

21 **SECTION 6450b.** 409.403 (5) (a) 3. of the statutes, as affected by 1993 Wisconsin  
22 Act 452, is amended to read:

23 409.403 (5) (a) 3. A register of deeds shall forward \$3 to ~~the office of the~~  
24 ~~secretary of state~~ department for each original financing statement filed with the

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1 office of the register of deeds under subd. 1. and for each amendment and each  
2 continuation statement filed with the office of the register of deeds under subd. 2.

3 **SECTION 6451b.** 409.403 (5) (b) (title) of the statutes is amended to read:

4 409.403 (5) (b) (title) *Fees for filing with the office of the secretary of state*  
5 *department of financial institutions.*

6 **SECTION 6452b.** 409.403 (5) (b) 1. of the statutes is amended to read:

7 409.403 (5) (b) 1. The fee for filing and indexing and for stamping a copy  
8 furnished by the secured party to show the date and place of filing for an original  
9 financing statement is \$8 if the statement is on the standard form prescribed by the  
10 ~~secretary of state~~ department and is \$16 if the statement is not on the standard form  
11 or if additional pages are attached to the standard form.

12 **SECTION 6453b.** 409.403 (5) (b) 2. of the statutes is amended to read:

13 409.403 (5) (b) 2. The fee for filing and indexing and for stamping a copy  
14 furnished by the secured party to show the date and place of filing for an amendment  
15 or a continuation statement is \$5 if the amendment or statement is on the standard  
16 form prescribed by the ~~secretary of state~~ department and is \$10 if the amendment  
17 or statement is not on the standard form or if additional pages are attached to the  
18 standard form.

19 **SECTION 6454b.** 409.404 (1) (b) of the statutes is amended to read:

20 409.404 (1) (b) (title) *Requirement for filing termination statement with the*  
21 *office of secretary of state* department of financial institutions. Except as provided in  
22 par. (c), if a financing statement is filed with the ~~office of the secretary of state~~  
23 department, then within one month or within 10 days following written demand by  
24 the debtor after there is no outstanding secured obligation and no commitment to  
25 make advances, incur obligations or otherwise give value, the secured party must file

1 with the ~~office of the secretary of state~~ department a termination statement to the  
2 effect that the secured party no longer claims a security interest under the financing  
3 statement, which shall be identified by file number. A termination statement signed  
4 by a person other than the secured party of record must be accompanied by a separate  
5 written statement of assignment signed by the secured party of record complying  
6 with s. 409.405 (2), including payment of the required fee.

7 **SECTION 6455b.** 409.404 (1) (c) (intro.) of the statutes is amended to read:

8 409.404 (1) (c) (title) *Exceptions to requirement for filing termination statement*  
9 *with the ~~office of the secretary of state~~ department of financial institutions.* (intro.)  
10 No termination statement needs to be filed with the ~~office of the secretary of state~~  
11 department pursuant to par. (b) if:

12 **SECTION 6456.** 409.404 (2) of the statutes is amended to read:

13 409.404 (2) On presentation to the filing officer of a termination statement the  
14 officer must note it in the index. If the officer has received the termination statement  
15 in duplicate, the officer shall return one copy of the termination statement to the  
16 secured party stamped to show the time of receipt. If the filing officer has a  
17 microfilm, other photographic record or optical disk or electronic copy of the  
18 financing statement, and of any related continuation statement, statement of  
19 assignment and statement of release, the officer may remove the originals from the  
20 files at any time after receipt of the termination statement, or if the officer has no  
21 such record, the officer may remove them from the files at any time after one year  
22 after receipt of the termination statement.

23 **SECTION 6457b.** 409.404 (3) (b) of the statutes is amended to read:

24 409.404 (3) (b) (title) *Fees for filing a termination statement with the ~~office of~~*  
25 *~~the secretary of state~~ department of financial institutions.* There is no fee for a

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1 termination statement which is filed with the ~~office of the secretary of state~~  
2 department and there is no fee for indexing any name in connection with the  
3 termination process.

4 **SECTION 6458b.** 409.405 (1) of the statutes, as affected by 1993 Wisconsin Act  
5 452, is amended to read:

6 409.405 (1) An original financing statement may disclose an assignment of a  
7 security interest in the collateral described in the financing statement by indication  
8 in the financing statement of the name and address of the assignee or by an  
9 assignment itself or a copy thereof on the face or back of the statement. On  
10 presentation to the filing officer of such a financing statement the filing officer shall  
11 mark the same as provided in s. 409.403 (4). The fee for filing, indexing and stamping  
12 a copy furnished by the secured party to show the date and place of filing for an  
13 original financing statement so indicating an assignment is \$8 if the statement is on  
14 the standard form prescribed by the ~~secretary of state~~ department and is \$16 if the  
15 statement is not on the standard form or if additional pages are attached to the  
16 standard form. The fee for filing an original financing statement indicating an  
17 assignment and subject to s. 409.402 (5) is \$10 if the statement is on the standard  
18 form and is \$20 if the statement is not on the standard form or if additional pages  
19 are attached to the standard form. A register of deeds shall forward \$3 to the ~~office~~  
20 ~~of the secretary of state~~ department for each original financing statement indicating  
21 an assignment of a security interest that is filed with the office of the register of  
22 deeds.

23 **SECTION 6459b.** 409.405 (2) of the statutes, as affected by 1993 Wisconsin Act  
24 452, is amended to read:

1           409.405 (2) A secured party may assign of record all or part of his or her rights  
2           under a financing statement by the filing in the place where the original financing  
3           statement was filed of a separate written statement of assignment signed by the  
4           secured party of record and setting forth the name of the secured party of record and  
5           the debtor, the file number and the date of filing of the financing statement and the  
6           name and address of the assignee and containing a description of the collateral  
7           assigned. A copy of the assignment is sufficient as a separate statement if it complies  
8           with the preceding sentence. On presentation to the filing officer of such a separate  
9           statement, the filing officer shall mark such separate statement with the date and  
10          hour of the filing. The officer shall note the assignment on the index of the financing  
11          statement, or in the case of a fixture filing, or a filing covering timber to be cut, or  
12          covering minerals or the like, including oil and gas, or accounts subject to s. 409.103  
13          (5), the officer shall index the assignment under the name of the assignor as grantor  
14          and, to the extent that the law of this state provides for indexing the assignment of  
15          a mortgage under the name of the assignee, the officer shall index the assignment  
16          of the financing statement under the name of the assignee. The fee for filing,  
17          indexing and furnishing filing data about such a separate statement of assignment  
18          is \$5 if the statement is on the standard form prescribed by the secretary of state  
19          department and is \$10 if the statement is not on the standard form or if additional  
20          pages are attached to the standard form. A register of deeds shall forward \$3 to the  
21          ~~office of the secretary of state~~ department for each statement of assignment filed with  
22          the office of the register of deeds. Notwithstanding this subsection, an assignment  
23          of record of a security interest in a fixture contained in a mortgage effective as a  
24          fixture filing under s. 409.402 (6) may be made only by an assignment of the  
25          mortgage in the manner provided by the law of this state other than chs. 401 to 411.

**SECTION 6460b**

1           **SECTION 6460b.** 409.406 of the statutes, as affected by 1993 Wisconsin Act 452,  
2 is amended to read:

3           **409.406 Release of collateral; duties of filing officer; fees.** A secured  
4 party of record may by his or her signed statement release all or a part of any  
5 collateral described in a filed financing statement. The statement of release is  
6 sufficient if it contains a description of the collateral being released, the name and  
7 address of the debtor, the name and address of the secured party, and the file number  
8 of the financing statement. A statement of release signed by a person other than the  
9 secured party of record must be accompanied by a separate written statement of  
10 assignment signed by the secured party of record and complying with s. 409.405 (2),  
11 including payment of the required fee. Upon presentation of such a statement of  
12 release to the filing officer, the officer shall mark the statement with the hour and  
13 date of filing and shall note the same upon the margin of the index of the filing of the  
14 financing statement. The fee for filing and noting such a statement of release is \$5  
15 if the statement is on the standard form prescribed by the ~~secretary of state~~  
16 department and is \$10 if the statement is not on the standard form or if additional  
17 pages are attached to the standard form. A register of deeds shall forward \$3 to the  
18 ~~office of the secretary of state~~ department for each statement of release filed with the  
19 office of the register of deeds.

20           **SECTION 6461.** 409.407 (2) (c) of the statutes is created to read:

21           **409.407 (2) (c)** For providing any service under par. (a) or (b) in an expeditious  
22 manner, the secretary of state may charge and collect an expedited service fee of \$25  
23 in addition to any fee required under par. (a) or (b). Only one expedited service fee  
24 may be charged for multiple identical certificates if the certificates are requested at  
25 the same time and issued at the same time.

1           **SECTION 6462b.** 409.407 (2) (c) of the statutes, as created by 1995 Wisconsin  
2 Act .... (this act), is amended to read:

3           409.407 (2) (c) For providing any service under par. (a) or (b) in an expeditious  
4 manner, the ~~secretary of state~~ department may charge and collect an expedited  
5 service fee of \$25 in addition to any fee required under par. (a) or (b). Only one  
6 expedited service fee may be charged for multiple identical certificates if the  
7 certificates are requested at the same time and issued at the same time.

8           **SECTION 6463.** 409.409 of the statutes is amended to read:

9           **409.409 Storage of records.** Whenever in this chapter a filing officer is  
10 required to mark, index or file any financing statement, termination statement,  
11 continuation statement, statement of assignment or statement of release, the officer  
12 may destroy the original statement after a microfilm or other photographic copy or  
13 an optical disk or electronic copy has been prepared and filed for retention.

14           **SECTION 6464b.** 409.410 (1) of the statutes is amended to read:

15           409.410 (1) The ~~office of the secretary of state~~ department and the office of each  
16 register of deeds in this state shall establish and maintain at least one computer  
17 terminal allowing the direct entry into permanent computer storage and the direct  
18 retrieval from permanent computer storage of information under sub. (2).

19           **SECTION 6465b.** 409.410 (2) of the statutes is amended to read:

20           409.410 (2) Beginning 30 days after notification by the ~~secretary of state~~  
21 department, each filing officer shall enter all information contained in all financing  
22 statements, amendments, termination statements, continuation statements,  
23 statements of assignment and statements of release submitted for filing, indexing  
24 or marking under ss. 409.401 to 409.408, including the date and time of filing these

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1 statements or amendments, into permanent computer storage by means of a  
2 computer terminal established and maintained under sub. (1).

3 **SECTION 6466.** 422.501 (2) (b) 8. of the statutes is amended to read:

4 422.501 (2) (b) 8. A person registered as a mortgage banker, loan originator or  
5 loan solicitor under s. ~~440.72~~ 224.72 if the person is acting within the course and  
6 scope of that registration.

7 **SECTION 6467b.** 422.505 (1) (d) of the statutes is amended to read:

8 422.505 (1) (d) The credit services organization's principal business address  
9 and the name and address of its agent in this state, other than the ~~secretary of state~~  
10 department of financial institutions, who is authorized to receive service of process.

11 **SECTION 6468.** 422.505 (1) (e) of the statutes is amended to read:

12 422.505 (1) (e) A conspicuous statement, in not less than 8-point boldface type,  
13 as follows: "THIS CREDIT SERVICES ORGANIZATION IS REGISTERED BY THE  
14 ~~OFFICE OF THE COMMISSIONER OF BANKING, P.O. BOX 7876, MADISON,~~  
15 WISCONSIN 53707 DIVISION OF BANKING at .... (insert address)."

16 **SECTION 6469.** 426.103 of the statutes is amended to read:

17 **426.103 Administrator.** "Administrator" means the ~~commissioner~~ division  
18 of banking (~~s. 220.02~~).

19 **SECTION 6470.** 426.104 (2) (intro.) of the statutes is amended to read:

20 426.104 (2) (intro.) The administrator shall report annually on practices in  
21 consumer transactions, on the use of consumer credit in the state, on problems  
22 attending the collection of debts, on the problems of persons of limited means in  
23 consumer transactions, and on the operation of chs. 421 to 427. For the purpose of  
24 making the report, the administrator may conduct research and make appropriate

1 studies. The report shall be included in the report of the ~~commissioner~~ division of  
2 banking under s. 220.14 and shall include:

3 **SECTION 6470m.** 426.104 (4) (ab) of the statutes is created to read:

4 426.104 (4) (ab) 1. Upon the request of any person, the administrator shall  
5 review any act, practice, procedure or form that has been submitted to the  
6 administrator in writing to determine whether the act, practice, procedure or form  
7 is consistent with chs. 421 to 427.

8 2. The administrator may charge the person making a request under subd. 1.  
9 for necessary expenses incurred in conducting the review, except the administrator  
10 may not charge any of the following persons:

11 a. A person registered under s. 426.201.

12 b. A trade organization, if a majority of the members of the trade organization  
13 are registered under s. 426.201.

14 3. Any charge assessed under subd. 2. shall be paid within 30 days after the  
15 date on which the administrator assesses the charge.

16 **SECTION 6470y.** 426.110 (4) (b) of the statutes is amended to read:

17 426.110 (4) (b) Such notice shall be in writing and shall be sent by certified or  
18 registered mail, return receipt requested, to such person at the place where the  
19 transaction occurred, such person's principal place of business within this state, or,  
20 if neither will effect actual notice, the ~~office of the secretary of state of this state~~  
21 department of financial institutions.

22 **SECTION 6471b.** Subchapter II (title) of chapter 426 [precedes 426.201] of the  
23 statutes is amended to read:

24

## **CHAPTER 426**

## 1 SUBCHAPTER II

2 NOTIFICATION REGISTRATION

## 3 AND FEES

4 SECTION 6471d. 426.201 (title) of the statutes is repealed and recreated to read:

5 **426.201 (title) Registration.**

6 SECTION 6471e. 426.201 (1) (intro.) of the statutes is amended to read:

7 426.201 (1) (intro.) ~~This subchapter applies~~ The registration requirements of  
8 this section apply to persons who do any of the following in this state:

9 SECTION 6471g. 426.201 (1) (a) of the statutes is amended to read:

10 426.201 (1) (a) Make or solicit consumer credit transactions ~~in which a finance~~  
11 ~~charge at a rate in excess of that permitted under s. 138.05, 1977 stats., is imposed~~  
12 ~~as part of the initial transaction, or modifications thereof, except a person who~~  
13 ~~engages in consumer credit transactions solely through honoring credit cards issued~~  
14 ~~by 3rd parties not related to such person; or,~~

15 SECTION 6471h. 426.201 (2) of the statutes is amended to read:

16 426.201 (2) Each person subject to ~~this subchapter~~ the registration  
17 requirements under sub. (1) shall file notification a registration statement with the  
18 administrator within 30 days after commencing business in this state, and  
19 thereafter, on or before ~~December 1~~ February 28 of each year. ~~The notification~~  
20 registration statement shall state include all of the following information:

21 (a) ~~Name~~ The name of the person;₂

22 (b) ~~Name in~~ The name under which the person transacts business is transacted  
23 if different from par. (a);₂

24 (c) ~~Address of~~ The address of the person's principal office, which may be outside  
25 this state;₂

**SECTION 6471h**

1 (d) ~~Address~~ The addresses of all of the person's offices or retail stores, if any,  
2 in this state;.

3 (e) If consumer transactions or other business subject to this chapter are made  
4 otherwise than at an office or retail store in this state, a brief description of the  
5 manner in which they are made;.

6 (f) ~~Address~~ The address of the person's designated agent upon whom service  
7 of process may be made in this state; ~~and~~.

8 (g) Such other similar information as the administrator may ~~from time to time~~  
9 require to effectuate the purposes and policies of chs. 421 to 427.

10 **SECTION 6471j.** 426.201 (2) (fm) of the statutes is created to read:

11 426.201 (2) (fm) The average monthly outstanding balance of all consumer  
12 credit transactions held by the person for the reporting period for which the  
13 registration statement is filed. In this paragraph, "average monthly outstanding  
14 balance" and "reporting period" have the meanings given under s. 426.202 (1m) (a).

15 **SECTION 6471L.** 426.201 (3) of the statutes is amended to read:

16 426.201 (3) The administrator shall adopt rules governing the filing of changes,  
17 additions or modifications of the ~~notification~~ registration statement required by this  
18 section, and shall adopt rules pertaining to form, verification and similar matters  
19 pertaining to the ~~notification~~ registration.

20 **SECTION 6471n.** 426.202 (1) of the statutes is repealed.

21 **SECTION 6471p.** 426.202 (1m) of the statutes is created to read:

22 426.202 (1m) AMOUNT OF REGISTRATION FEE. (a) *Definitions.* In this subsection:

23 1. "Average outstanding monthly balance" means, for any person during any  
24 reporting period, the amount calculated as follows:

1 a. Determining the outstanding balance of all consumer credit transactions  
2 that the person has entered into and that originated in this state, as of the last day  
3 of each month during the reporting period.

4 b. Adding the outstanding balance for each month in the reporting period.

5 c. Dividing the sum determined under subd. 1. b. by the number of months in  
6 the reporting period during which the person had outstanding consumer credit  
7 transactions.

8 2. "Reporting period" means, for any registration statement, the last full  
9 calendar year preceding the date on which the registration statement is due.

10 (b) *Registration fee requirement.* Any person required to register under s.  
11 426.201 shall pay a registration fee to the administrator when the person files the  
12 registration statement required under s. 426.201, except that a person is not  
13 required to pay a registration fee under this section if the person's average  
14 outstanding monthly balance for that reporting period does not exceed \$250,000.

15 (c) *Amount of registration fee.* The amount of the registration fee shall be  
16 determined in accordance with rates set by the administrator, subject to the  
17 maximum and minimum fees under pars. (d) and (e). In setting these rates, the  
18 administrator shall consider the costs of administering chs. 421 to 427, including the  
19 costs of enforcement, education and seeking voluntary compliance with chs. 421 to  
20 427. Subject to pars. (d) and (e), the registration fee for a person shall be based on  
21 the person's average monthly outstanding balance during the reporting period.

22 (d) *Minimum fee.* Any person required to pay a registration fee under par. (b)  
23 shall pay a registration fee of at least \$25 per reporting period.

1           (e) *Maximum fees.* Any person required to pay a registration statement under  
2 this section may not be required to pay a registration fee that exceeds any of the  
3 following:

4           1. Per reporting period, \$1,500.

5           2. For the reporting period, 0.005% of the average monthly outstanding  
6 balance.

7           **SECTION 6471q.** 426.202 (2) of the statutes is repealed.

8           **SECTION 6471t.** 426.202 (3) of the statutes is repealed.

9           **SECTION 6471v.** 426.202 (4) of the statutes is amended to read:

10           426.202 (4) (title) SUBMISSION OF DATA FOR CALCULATING THE AMOUNT OF FEE. A  
11 person required to ~~file notification~~ register under s. 426.201 shall submit such  
12 financial and other data as the administrator may require which will support the  
13 computation of the amount of the fee.

14           **SECTION 6471x.** 426.202 (5) (title) of the statutes is created to read:

15           426.202 (5) (title) RECOVERY OF FEES.

16           **SECTION 6471y.** 426.203 of the statutes is created to read:

17           **426.203 Penalties.** Whoever fails to comply with the registration  
18 requirements under s. 426.201 or fails to pay a fee required under s. 426.202 may be  
19 required to forfeit not more than \$50. Each day that this failure continues  
20 constitutes a separate offense. Forfeitures received by the administrator under this  
21 section shall be credited to the appropriation account under s. 20.124 (1) (h) and may  
22 be expended from the account only for consumer or merchant education programs.

23           **SECTION 6471z.** 426.203 of the statutes, as created by 1995 Wisconsin Act ....

24 (this act), is amended to read:

1           **426.203 Penalties.** Whoever fails to comply with the registration  
2 requirements under s. 426.201 or fails to pay a fee required under s. 426.202 may be  
3 required to forfeit not more than \$50. Each day that this failure continues  
4 constitutes a separate offense. Forfeitures received by the administrator under this  
5 section shall be credited to the appropriation account under s. ~~20.124~~ 20.144 (1) (h)  
6 and may be expended from the account only for consumer or merchant education  
7 programs.

8           **SECTION 6472g.** 440.03 (7) of the statutes is amended to read:

9           440.03 (7) The department shall establish the style, content and format of all  
10 credentials and of all forms for applying to the department for renewal of any  
11 credential issued under chs. 440 to 480. When establishing the format of credential  
12 renewal application forms, the department shall provide a place on the form for the  
13 information required under s. 440.08 (2g) (b). Upon request of any person who holds  
14 a credential and payment of a \$10 fee, the department may issue a wall certificate  
15 signed by the governor.

16           **SECTION 6472j.** 440.03 (12) of the statutes is created to read:

17           440.03 (12) The department shall establish a procedure for making the  
18 determination under s. 440.08 (2r) concerning the liability of credential holders for  
19 delinquent taxes.

20           **SECTION 6472m.** 440.05 (intro.) of the statutes is amended to read:

21           **440.05 Standard fees.** (intro.) The following standard fees apply to all  
22 initial credentials, except as provided in ss. ~~440.41~~ 440.42, 440.43, 440.44, 440.51,  
23 442.06, 444.03, 444.05, 444.11, 449.17, 449.18 and 459.46:

24           **SECTION 6473.** 440.05 (1) (a) of the statutes is amended to read:

**SECTION 6473**

1           440.05 (1) (a) Initial credential: ~~\$34~~ \$39. Each applicant for an initial  
2           credential shall pay the initial credential fee to the department when the application  
3           materials for the initial credential are submitted to the department.

4           **SECTION 6474.** 440.05 (2) of the statutes is amended to read:

5           440.05 (2) Reciprocal credential: ~~\$50, including any credential described in s.~~  
6           440.01 (2) (d) and any credential that permits temporary practice in this state in  
7           whole or in part because the person holds a credential in another jurisdiction: The  
8           applicable credential renewal fee under s. 440.08 (2) (a) and, if an examination is  
9           required, an examination fee under sub. (1).

10          **SECTION 6475.** 440.05 (6) of the statutes is amended to read:

11          440.05 (6) Apprentice, journeyman, student or other temporary credential ~~or~~  
12          limited permit, granted pending completion of education, apprenticeship or  
13          examination requirements: \$10.

14          **SECTION 6476.** 440.05 (7) of the statutes is amended to read:

15          440.05 (7) Replacement of lost credential, name or address change on  
16          credential, issuance of duplicate credential or transfer of credential: ~~\$5~~ \$10.

17          **SECTION 6477.** 440.055 of the statutes is created to read:

18          **440.055 Credit card payments. (1)** The department may accept payment  
19          by credit card of a fee that is required to be paid to the department under chs. 440  
20          to 480.

21          **(2)** If the department permits the payment of a fee with use of a credit card  
22          under sub. (1), the department shall charge a credit card service charge for each  
23          transaction. The credit card service charge shall be in addition to the fee that is being  
24          paid with the credit card and shall be sufficient to pay the costs to the department

1 for providing this service to persons who request it, including the cost of any services  
2 for which the department contracts under sub. (3).

3 (3) The department may contract for services relating to the payment of fees  
4 by credit card under this section.

5 **SECTION 6478.** 440.08 (2) (a) (intro.) of the statutes is amended to read:

6 440.08 (2) (a) (intro.) Except as provided in par. (b) and in ss. 440.42, 440.43,  
7 440.44, 440.51, 442.04, 442.06, 444.03, 444.05, 444.11, 448.065, 449.17, 449.18 and  
8 459.46, the renewal dates and renewal fees for credentials are as follows:

9 **SECTION 6479.** 440.08 (2) (a) (intro.) of the statutes, as affected by 1995  
10 Wisconsin Act .... (this act), is repealed and recreated to read:

11 440.08 (2) (a) (intro.) Except as provided in par. (b) and in ss. 440.51, 442.04,  
12 442.06, 444.03, 444.05, 444.11, 448.065, 449.17, 449.18 and 459.46, the renewal  
13 dates and renewal fees for credentials are as follows:

14 **SECTION 6480.** 440.08 (2) (a) 1. of the statutes is amended to read:

15 440.08 (2) (a) 1. Accountant, certified public: January 1 of each even-numbered  
16 year; ~~\$44~~ \$47.

17 **SECTION 6481.** 440.08 (2) (a) 2. of the statutes is amended to read:

18 440.08 (2) (a) 2. Accountant, public: January 1 of each even-numbered year;  
19 ~~\$36~~ \$41.

20 **SECTION 6482.** 440.08 (2) (a) 3. of the statutes is amended to read:

21 440.08 (2) (a) 3. Accounting corporation or partnership: January 1 of each  
22 even-numbered year; ~~\$36~~ \$41.

23 **SECTION 6483.** 440.08 (2) (a) 4. of the statutes is amended to read:

24 440.08 (2) (a) 4. Acupuncturist: July 1 of each odd-numbered year; ~~\$36~~ \$95.

25 **SECTION 6484.** 440.08 (2) (a) 4m. of the statutes is created to read:

1           440.08 (2) (a) 4m. Advanced practice nurse prescriber: October 1 of each  
2 even-numbered year; \$41.

3           **SECTION 6485.** 440.08 (2) (a) 5. of the statutes is amended to read:

4           440.08 (2) (a) 5. Aesthetician: July 1 of each odd-numbered year; ~~\$54~~ \$70.

5           **SECTION 6486.** 440.08 (2) (a) 6. of the statutes is amended to read:

6           440.08 (2) (a) 6. Aesthetics establishment: July 1 of each odd-numbered year;  
7 ~~\$111~~ \$116.

8           **SECTION 6487.** 440.08 (2) (a) 7. of the statutes is amended to read:

9           440.08 (2) (a) 7. Aesthetics instructor: July 1 of each odd-numbered year; ~~\$85~~  
10 \$117.

11          **SECTION 6488.** 440.08 (2) (a) 8. of the statutes is amended to read:

12          440.08 (2) (a) 8. Aesthetics school: July 1 of each odd-numbered year; ~~\$36~~ \$74.

13          **SECTION 6489.** 440.08 (2) (a) 9. of the statutes is amended to read:

14          440.08 (2) (a) 9. Aesthetics specialty school: July 1 of each odd-numbered year;  
15 ~~\$36~~ \$41.

16          **SECTION 6490.** 440.08 (2) (a) 11. of the statutes is amended to read:

17          440.08 (2) (a) 11. Appraiser, real estate, certified general: January 1 of each  
18 even-numbered year; ~~\$58~~ \$82.

19          **SECTION 6491.** 440.08 (2) (a) 11m. of the statutes is amended to read:

20          440.08 (2) (a) 11m. Appraiser, real estate, certified residential: January 1 of  
21 each even-numbered year; ~~\$49~~ \$82.

22          **SECTION 6492.** 440.08 (2) (a) 12. of the statutes is amended to read:

23          440.08 (2) (a) 12. Appraiser, real estate, licensed: January 1 of each  
24 even-numbered year; ~~\$57~~ \$49.

25          **SECTION 6493.** 440.08 (2) (a) 13. of the statutes is amended to read:

**SECTION 6493**

1 440.08 (2) (a) 13. Architect: August 1 of each even-numbered year; \$40 \$46.

2 **SECTION 6494.** 440.08 (2) (a) 14. of the statutes is amended to read:

3 440.08 (2) (a) 14. Architectural or engineering corporation: February 1 of each  
4 even-numbered year; \$36 \$41.

5 **SECTION 6495.** 440.08 (2) (a) 14g. of the statutes is amended to read:

6 440.08 (2) (a) 14g. Auction company: January 1 of each odd-numbered year;  
7 \$37 \$41.

8 **SECTION 6496.** 440.08 (2) (a) 14r. of the statutes is amended to read:

9 440.08 (2) (a) 14r. Auctioneer: January 1 of each odd-numbered year; \$37 \$41.

10 **SECTION 6497.** 440.08 (2) (a) 15. of the statutes is amended to read:

11 440.08 (2) (a) 15. Audiologist: February 1 of each odd-numbered year; \$59 \$41.

12 **SECTION 6498.** 440.08 (2) (a) 16. of the statutes is amended to read:

13 440.08 (2) (a) 16. Barbering or cosmetology establishment: July 1 of each  
14 odd-numbered year; \$36 \$41.

15 **SECTION 6499.** 440.08 (2) (a) 17. of the statutes is amended to read:

16 440.08 (2) (a) 17. Barbering or cosmetology instructor: July 1 of each  
17 odd-numbered year; \$101 \$83.

18 **SECTION 6500.** 440.08 (2) (a) 18. of the statutes is amended to read:

19 440.08 (2) (a) 18. Barbering or cosmetology manager: July 1 of each  
20 odd-numbered year; \$40 \$52.

21 **SECTION 6501.** 440.08 (2) (a) 19. of the statutes is amended to read:

22 440.08 (2) (a) 19. Barbering or cosmetology school: July 1 of each  
23 odd-numbered year; \$100 \$78.

24 **SECTION 6502.** 440.08 (2) (a) 20. of the statutes is amended to read:

**SECTION 6502**

1           440.08 (2) (a) 20. Barber or cosmetologist: July 1 of each odd-numbered year;  
2           ~~\$42~~ \$48.

3           **SECTION 6503.** 440.08 (2) (a) 21. of the statutes is amended to read:

4           440.08 (2) (a) 21. Cemetery authority: January 1 of each odd-numbered year;  
5           ~~\$271~~ \$372.

6           **SECTION 6504.** 440.08 (2) (a) 22. of the statutes is amended to read:

7           440.08 (2) (a) 22. Cemetery preneed seller: January 1 of each odd-numbered  
8           year; ~~\$44~~ \$59.

9           **SECTION 6505.** 440.08 (2) (a) 23. of the statutes is amended to read:

10          440.08 (2) (a) 23. Cemetery salesperson: January 1 of each odd-numbered  
11          year; ~~\$42~~ \$65.

12          **SECTION 6506.** 440.08 (2) (a) 23m. of the statutes is created to read:

13          440.08 (2) (a) 23m. Charitable organization: August 1 of each year; \$15.

14          **SECTION 6507.** 440.08 (2) (a) 24. of the statutes is amended to read:

15          440.08 (2) (a) 24. Chiropractor: January 1 of each odd-numbered year; ~~\$106~~  
16          \$151.

17          **SECTION 6508.** 440.08 (2) (a) 25. of the statutes is amended to read:

18          440.08 (2) (a) 25. Dental hygienist: October 1 of each odd-numbered year; ~~\$36~~  
19          \$41.

20          **SECTION 6509.** 440.08 (2) (a) 26. of the statutes is amended to read:

21          440.08 (2) (a) 26. Dentist: October 1 of each odd-numbered year; ~~\$67~~ \$96.

22          **SECTION 6510.** 440.08 (2) (a) 27. of the statutes is amended to read:

23          440.08 (2) (a) 27. Designer of engineering systems: February 1 of each  
24          even-numbered year; ~~\$36~~ \$41.

1           **SECTION 6511.** 440.08 (2) (a) 27m. of the statutes, as affected by 1993 Wisconsin  
2 Act 443, is amended to read:

3           440.08 (2) (a) 27m. Dietitian: November 1 of each even-numbered year; ~~\$36~~  
4 \$41. This subdivision does not apply after June 30, 1999.

5           **SECTION 6512.** 440.08 (2) (a) 28. of the statutes is amended to read:

6           440.08 (2) (a) 28. Drug distributor: June 1 of each even-numbered year; ~~\$36~~  
7 \$41.

8           **SECTION 6513.** 440.08 (2) (a) 29. of the statutes is amended to read:

9           440.08 (2) (a) 29. Drug manufacturer: June 1 of each even-numbered year; ~~\$36~~  
10 \$41.

11          **SECTION 6514.** 440.08 (2) (a) 30. of the statutes is amended to read:

12          440.08 (2) (a) 30. Electrologist: July 1 of each odd-numbered year; ~~\$50~~ \$56.

13          **SECTION 6515.** 440.08 (2) (a) 31. of the statutes is amended to read:

14          440.08 (2) (a) 31. Electrology establishment: July 1 of each odd-numbered  
15 year; ~~\$36~~ \$41.

16          **SECTION 6516.** 440.08 (2) (a) 32. of the statutes is amended to read:

17          440.08 (2) (a) 32. Electrology instructor: July 1 of each odd-numbered year;  
18 ~~\$107~~ \$73.

19          **SECTION 6517.** 440.08 (2) (a) 33. of the statutes is amended to read:

20          440.08 (2) (a) 33. Electrology school: July 1 of each odd-numbered year; ~~\$107~~  
21 \$63.

22          **SECTION 6518.** 440.08 (2) (a) 34. of the statutes is amended to read:

23          440.08 (2) (a) 34. Electrology specialty school: July 1 of each odd-numbered  
24 year; ~~\$36~~ \$41.

25          **SECTION 6519.** 440.08 (2) (a) 35. of the statutes is amended to read:

1 440.08 (2) (a) 35. Engineer, professional: August 1 of each even-numbered  
2 year; ~~\$36~~ \$43.

3 **SECTION 6520.** 440.08 (2) (a) 35m. of the statutes is created to read:

4 440.08 (2) (a) 35m. Fund-raising counsel: September 1 of each even-numbered  
5 year; \$41.

6 **SECTION 6521.** 440.08 (2) (a) 36. of the statutes is amended to read:

7 440.08 (2) (a) 36. Funeral director: January 1 of each even-numbered year; ~~\$80~~  
8 \$94.

9 **SECTION 6522.** 440.08 (2) (a) 37. of the statutes is amended to read:

10 440.08 (2) (a) 37. Funeral establishment: June 1 of each odd-numbered year;  
11 ~~\$36~~ \$41.

12 **SECTION 6523.** 440.08 (2) (a) 37m. of the statutes is amended to read:

13 440.08 (2) (a) 37m. Geologist, professional: August 1 of each even-numbered  
14 year; ~~\$36~~ \$41.

15 **SECTION 6524.** 440.08 (2) (a) 38. of the statutes is amended to read:

16 440.08 (2) (a) 38. Hearing instrument specialist: February 1 of each  
17 even-numbered year; ~~\$179~~ \$287.

18 **SECTION 6525.** 440.08 (2) (a) 38m. of the statutes is amended to read:

19 440.08 (2) (a) 38m. Landscape architect: August 1 of each even-numbered  
20 year; ~~\$36~~ \$41.

21 **SECTION 6526.** 440.08 (2) (a) 39. of the statutes is amended to read:

22 440.08 (2) (a) 39. Land surveyor: February 1 of each even-numbered year; ~~\$54~~  
23 \$73.

24 **SECTION 6527m.** 440.08 (2) (a) 40. of the statutes is renumbered 224.72 (8) (c)  
25 1. and amended to read:

**SECTION 6527m**

1           224.72 (8) (c) 1. Loan originator: January 1 of each odd-numbered year; \$155  
2           \$94.

3           **SECTION 6528m.** 440.08 (2) (a) 41. of the statutes is renumbered 224.72 (8) (c)  
4           2. and amended to read:

5           224.72 (8) (c) 2. Loan solicitor: January 1 of each odd-numbered year; \$210  
6           \$105.

7           **SECTION 6529.** 440.08 (2) (a) 42. of the statutes is amended to read:

8           440.08 (2) (a) 42. Manicuring establishment: July 1 of each odd-numbered  
9           year; ~~\$36~~ \$41.

10          **SECTION 6530.** 440.08 (2) (a) 43. of the statutes is amended to read:

11          440.08 (2) (a) 43. Manicuring instructor: July 1 of each odd-numbered year;  
12          ~~\$90~~ \$138.

13          **SECTION 6531.** 440.08 (2) (a) 44. of the statutes is amended to read:

14          440.08 (2) (a) 44. Manicuring school: July 1 of each odd-numbered year; ~~\$102~~  
15          \$85.

16          **SECTION 6532.** 440.08 (2) (a) 45. of the statutes is amended to read:

17          440.08 (2) (a) 45. Manicuring specialty school: July 1 of each odd-numbered  
18          year; ~~\$36~~ \$41.

19          **SECTION 6533.** 440.08 (2) (a) 46. of the statutes is amended to read:

20          440.08 (2) (a) 46. Manicurist: July 1 of each odd-numbered year; ~~\$42~~ \$52.

21          **SECTION 6534.** 440.08 (2) (a) 46m. of the statutes is amended to read:

22          440.08 (2) (a) 46m. Marriage and family therapist: July 1 of each  
23          odd-numbered year; ~~\$36~~ \$63.

24          **SECTION 6535m.** 440.08 (2) (a) 47. of the statutes is renumbered 224.72 (8) (c)

25          3. and amended to read:

**SECTION 6535m**

1           224.72 **(8)** (c) 3. Mortgage banker: January 1 of each odd-numbered year; \$330  
2     \$486.

3           **SECTION 6536.** 440.08 (2) (a) 48. of the statutes is amended to read:

4           440.08 **(2)** (a) 48. Nurse, licensed practical: May 1 of each odd-numbered year;  
5     \$40 \$49.

6           **SECTION 6537.** 440.08 (2) (a) 49. of the statutes is amended to read:

7           440.08 **(2)** (a) 49. Nurse, registered: March 1 of each even-numbered year; \$40  
8     \$46.

9           **SECTION 6538.** 440.08 (2) (a) 50. of the statutes is amended to read:

10          440.08 **(2)** (a) 50. Nurse-midwife: March 1 of each even-numbered year; \$36  
11     \$41.

12          **SECTION 6539.** 440.08 (2) (a) 51. of the statutes is amended to read:

13          440.08 **(2)** (a) 51. Nursing home administrator: July 1 of each even-numbered  
14     year; \$63 \$114.

15          **SECTION 6540.** 440.08 (2) (a) 52. of the statutes is amended to read:

16          440.08 **(2)** (a) 52. Occupational therapist: November 1 of each odd-numbered  
17     year; \$37 \$42.

18          **SECTION 6541.** 440.08 (2) (a) 53. of the statutes is amended to read:

19          440.08 **(2)** (a) 53. Occupational therapy assistant: November 1 of each  
20     odd-numbered year; \$36 \$41.

21          **SECTION 6542.** 440.08 (2) (a) 54. of the statutes is amended to read:

22          440.08 **(2)** (a) 54. Optometrist: January 1 of each even-numbered year; \$66  
23     \$69.

24          **SECTION 6543.** 440.08 (2) (a) 55. of the statutes is amended to read:

25          440.08 **(2)** (a) 55. Pharmacist: June 1 of each even-numbered year; \$78 \$76.

**SECTION 6544**

1           **SECTION 6544.** 440.08 (2) (a) 56. of the statutes is amended to read:

2           440.08 (2) (a) 56. Pharmacy: June 1 of each even-numbered year; ~~\$36~~ \$41.

3           **SECTION 6545.** 440.08 (2) (a) 57. of the statutes is amended to read:

4           440.08 (2) (a) 57. Physical therapist: November 1 of each odd-numbered year;  
5           ~~\$40~~ \$45.

6           **SECTION 6546.** 440.08 (2) (a) 58. of the statutes is amended to read:

7           440.08 (2) (a) 58. Physician: November 1 of each odd-numbered year; ~~\$111~~  
8           \$102.

9           **SECTION 6547.** 440.08 (2) (a) 59. of the statutes is amended to read:

10          440.08 (2) (a) 59. Physician assistant: November 1 of each odd-numbered year;  
11          ~~\$36~~ \$48.

12          **SECTION 6548.** 440.08 (2) (a) 60. of the statutes is amended to read:

13          440.08 (2) (a) 60. Podiatrist: November 1 of each odd-numbered year; ~~\$79~~ \$187.

14          **SECTION 6549.** 440.08 (2) (a) 61. of the statutes is amended to read:

15          440.08 (2) (a) 61. Private detective: September 1 of each even-numbered year;  
16          ~~\$120~~ \$212.

17          **SECTION 6550.** 440.08 (2) (a) 62. of the statutes is amended to read:

18          440.08 (2) (a) 62. Private detective agency: September 1 of each  
19          even-numbered year; ~~\$36~~ \$41.

20          **SECTION 6551.** 440.08 (2) (a) 63. of the statutes is amended to read:

21          440.08 (2) (a) 63. Private practice school psychologist: October 1 of each  
22          odd-numbered year; ~~\$36~~ \$65.

23          **SECTION 6552.** 440.08 (2) (a) 63m. of the statutes is amended to read:

24          440.08 (2) (a) 63m. Professional counselor: July 1 of each odd-numbered year;  
25          ~~\$36~~ \$53.

**SECTION 6553**

1           **SECTION 6553.** 440.08 (2) (a) 63t. of the statutes is created to read:

2           440.08 (2) (a) 63t. Professional fund-raiser: September 1 of each  
3 even-numbered year; \$41.

4           **SECTION 6554.** 440.08 (2) (a) 64. of the statutes is amended to read:

5           440.08 (2) (a) 64. Psychologist: October 1 of each odd-numbered year; ~~\$82~~ \$124.

6           **SECTION 6555.** 440.08 (2) (a) 65. of the statutes is amended to read:

7           440.08 (2) (a) 65. Real estate broker: January 1 of each odd-numbered year;  
8 ~~\$74~~ \$106.

9           **SECTION 6556.** 440.08 (2) (a) 66. of the statutes is amended to read:

10          440.08 (2) (a) 66. Real estate corporation ~~or partnership~~: January 1 of each  
11 odd-numbered year; ~~\$46~~ \$72.

12          **SECTION 6557.** 440.08 (2) (a) 66m. of the statutes is created to read:

13          440.08 (2) (a) 66m. Real estate partnership: January 1 of each odd-numbered  
14 year; \$69.

15          **SECTION 6558.** 440.08 (2) (a) 67. of the statutes is amended to read:

16          440.08 (2) (a) 67. Real estate salesperson: January 1 of each odd-numbered  
17 year; ~~\$55~~ \$70.

18          **SECTION 6559.** 440.08 (2) (a) 68. of the statutes is amended to read:

19          440.08 (2) (a) 68. Respiratory care practitioner: November 1 of each  
20 odd-numbered year; ~~\$38~~ \$42.

21          **SECTION 6560.** 440.08 (2) (a) 68d. of the statutes is amended to read:

22          440.08 (2) (a) 68d. Social worker: July 1 of each odd-numbered year; ~~\$36~~ \$43.

23          **SECTION 6561.** 440.08 (2) (a) 68h. of the statutes is amended to read:

24          440.08 (2) (a) 68h. Social worker, advanced practice: July 1 of each  
25 odd-numbered year; ~~\$36~~ \$47.

1           **SECTION 6562.** 440.08 (2) (a) 68p. of the statutes is amended to read:

2           440.08 (2) (a) 68p. Social worker, independent: July 1 of each odd-numbered  
3 year; ~~\$36~~ \$41.

4           **SECTION 6563.** 440.08 (2) (a) 68t. of the statutes is amended to read:

5           440.08 (2) (a) 68t. Social worker, independent clinical: July 1 of each  
6 odd-numbered year; ~~\$36~~ \$50.

7           **SECTION 6565.** 440.08 (2) (a) 68v. of the statutes is amended to read:

8           440.08 (2) (a) 68v. Speech-language pathologist: February 1 of each  
9 odd-numbered year; ~~\$41~~ \$46.

10          **SECTION 6566.** 440.08 (2) (a) 69. of the statutes is amended to read:

11          440.08 (2) (a) 69. Time-share salesperson: January 1 of each odd-numbered  
12 year; ~~\$36~~ \$102.

13          **SECTION 6567.** 440.08 (2) (a) 70. of the statutes is amended to read:

14          440.08 (2) (a) 70. Veterinarian: January 1 of each even-numbered year; ~~\$67~~  
15 \$80.

16          **SECTION 6567j.** 440.08 (2) (c) of the statutes is amended to read:

17          440.08 (2) (c) Renewal applications shall be submitted to the department on  
18 a form provided by the department that complies with sub. (2g) and, except as  
19 provided in sub. (3), shall include the applicable renewal fee specified in pars. (a) and  
20 (b).

21          **SECTION 6567k.** 440.08 (2g) of the statutes is created to read:

22          440.08 (2g) CREDENTIAL RENEWAL APPLICATION FORM. (a) The department shall  
23 establish a credential renewal application form for use by all credential holders who  
24 apply to renew a credential issued under chs. 440 to 480.

1 (b) The form established under par. (a) shall require the applicant to do all of  
2 the following:

3 1. If the applicant is a natural person, provide his or her social security number.

4 2. If the applicant is not a natural person, provide its federal employer  
5 identification number.

6 3. Sign a statement attesting that the applicant is not liable for any delinquent  
7 taxes owed to this state.

8 (c) Neither the department nor any examining board or affiliated credentialing  
9 board may disclose a social security number obtained from an applicant for  
10 credential renewal on a form established under par. (a) to any person except to the  
11 department of revenue for the sole purpose of making the determination required  
12 under sub. (2r).

13 **SECTION 6567L.** 440.08 (2r) of the statutes is created to read:

14 440.08 (2r) DETERMINATION CONCERNING DELINQUENT TAXES. Before granting an  
15 application to renew any credential issued under chs. 440 to 480, the department or  
16 the interested examining board or affiliated credentialing board shall determine, in  
17 accordance with the procedure established under s. 440.03 (12), whether the  
18 applicant for the credential renewal is liable for any delinquent taxes owed to this  
19 state.

20 **SECTION 6571m.** 440.08 (3) (a) (intro.) and 2. of the statutes are consolidated,  
21 renumbered 440.08 (3) (a) and amended to read:

22 440.08 (3) (a) Except as provided in rules promulgated under par. (b), if the  
23 department does not receive an application to renew a credential before its renewal  
24 date, the holder of the credential may restore the credential by payment of the  
25 applicable renewal fee specified in sub. (2) (a) and by payment of the following

1 amount: 2. If the application is received by the department 30 days or more after the  
2 renewal date, a late renewal fee of \$25.

3 **SECTION 6572.** 440.08 (3) (a) 1. of the statutes is repealed.

4 **SECTION 6572b.** 440.08 (4) of the statutes is renumbered 440.08 (4) (a) and  
5 amended to read:

6 440.08 (4) (a) (title) *Generally.* If the department or the interested examining  
7 board or affiliated credentialing board, as appropriate, determines that an applicant  
8 for renewal has failed to comply with sub. (2) (c) or (3) or with any other applicable  
9 requirement for renewal established under chs. 440 to 480 or that the denial of an  
10 application for renewal of a credential is necessary to protect the public health, safety  
11 or welfare, the department, examining board or affiliated credentialing board may  
12 summarily deny the application for renewal by mailing to the holder of the credential  
13 a notice of denial that includes a statement of the facts or conduct that warrant the  
14 denial and a notice that the holder may, within 30 days after the date on which the  
15 notice of denial is mailed, file a written request with the department to have the  
16 denial reviewed at a hearing before the department, if the department issued the  
17 credential, or before the examining board or affiliated credentialing board that  
18 issued the credential.

19 **SECTION 6572c.** 440.08 (4) (b) of the statutes is created to read:

20 440.08 (4) (b) *Failure to pay delinquent taxes.* If the department or the  
21 interested examining board or affiliated credentialing board, as appropriate,  
22 determines under sub. (2r) that an applicant for renewal is liable for any delinquent  
23 taxes owed to this state, or if an applicant does not complete the information on the  
24 credential renewal application form that is required under sub. (2g) (b), the  
25 department, examining board or affiliated credentialing board shall deny the

1 applicant's application for credential renewal by mailing to the holder of the  
2 credential a notice of denial that includes a statement of the facts that warrant the  
3 denial under this paragraph and a notice that the holder may, within 30 days after  
4 the date on which the notice of denial is mailed, file a written request with the  
5 department to have the denial reviewed at a hearing before the department, if the  
6 department issued the credential, or before the examining board or affiliated  
7 credentialing board that issued the credential.

8 **SECTION 6577.** 440.23 (1) of the statutes is amended to read:

9 440.23 (1) If the holder of a credential pays a fee required under s. 440.05 (1)  
10 or (6), 440.08, 440.42 (1), ~~440.43 (1)~~, ~~440.44 (1)~~, 444.03, 444.05, 444.11 or 459.46 (2)  
11 (b) by check and the check is not paid by the bank upon which the check is drawn,  
12 the department may cancel the credential on or after the 60th day after the  
13 department receives the notice from the bank, subject to sub. (2).

14 **SECTION 6578.** 440.23 (1) of the statutes, as affected by 1995 Wisconsin Act ....  
15 (this act), is repealed and recreated to read:

16 440.23 (1) If the holder of a credential pays a fee required under s. 440.05 (1)  
17 or (6), 440.08, 444.03, 444.05, 444.11 or 459.46 (2) (b) by check and the check is not  
18 paid by the bank upon which the check is drawn, the department may cancel the  
19 credential on or after the 60th day after the department receives the notice from the  
20 bank, subject to sub. (2).

21 **SECTION 6579.** 440.42 (1) (b) 2g. and 2r. of the statutes are created to read:

22 440.42 (1) (b) 2g. Submits to the department an annual financial report for the  
23 most recently completed fiscal year of the charitable organization, if the charitable  
24 organization received contributions in excess of \$5,000 but not more than \$100,000  
25 during its most recently completed fiscal year.

1           2r. Submits to the department an audited financial statement for the most  
2 recently completed fiscal year of the charitable organization, if the charitable  
3 organization received contributions in excess of \$100,000 during its most recently  
4 completed fiscal year.

5           **SECTION 6580.** 440.42 (1) (c) of the statutes is amended to read:

6           440.42 (1) (c) The department shall issue a certificate of registration to each  
7 charitable organization that is registered under this subsection. ~~Certificates issued~~  
8 ~~under this paragraph expire 6 months after the end of the charitable organization's~~  
9 ~~most recently completed fiscal year.~~ Renewal applications shall be submitted to the  
10 department, on a form provided by the department, on or before the expiration date  
11 of the certificate specified in s. 440.08 (2) (a) and shall include a registration  
12 statement that complies with sub. (2) and a ~~\$15 renewal fee~~ the renewal fee specified  
13 in s. 440.08 (2) (a).

14           **SECTION 6581.** 440.42 (2) (d) and (e) of the statutes are repealed.

15           **SECTION 6582.** 440.43 (1) (title) of the statutes is amended to read:

16           440.43 (1) (title) ~~ANNUAL REGISTRATION~~ REGISTRATION REQUIREMENT.

17           **SECTION 6583.** 440.43 (1) (c) of the statutes is amended to read:

18           440.43 (1) (c) The department shall issue a certificate of registration to each  
19 fund-raising counsel that is registered under this subsection. ~~Certificates issued~~  
20 ~~under this paragraph expire on September 1.~~ Renewal applications shall be  
21 submitted to the department, on a form provided by the department, on or before the  
22 date specified by the department in s. 440.08 (2) (a) and shall include a ~~\$50~~ the  
23 renewal fee specified in s. 440.08 (2) (a) and evidence satisfactory to the department  
24 that the fund-raising counsel maintains a bond that is approved under sub. (2).

25           **SECTION 6584.** 440.44 (1) (title) of the statutes is amended to read:

1           440.44 (1) (title) ~~ANNUAL REGISTRATION~~ REGISTRATION REQUIREMENT.

2           **SECTION 6585.** 440.44 (1) (c) of the statutes is amended to read:

3           440.44 (1) (c) The department shall issue a certificate of registration to each  
4 professional fund-raiser that is registered under this subsection. ~~Certificates issued~~  
5 ~~under this paragraph expire on September 1.~~ Renewal applications shall be  
6 submitted to the department, on a form provided by the department, on or before the  
7 date specified by the department in s. 440.08 (2) (a) and shall include a \$50 the  
8 renewal fee specified in s. 440.08 (2) (a) and evidence satisfactory to the department  
9 that the professional fund-raiser maintains a bond that is approved under sub. (2).

10          **SECTION 6586b.** 440.47 (5) of the statutes is amended to read:

11          440.47 (5) (title) ~~SUBSTITUTE SERVICE UPON SECRETARY OF STATE~~ DEPARTMENT OF  
12 FINANCIAL INSTITUTIONS. A charitable organization, fund-raising counsel,  
13 professional fund-raiser or commercial coventurer that has its principal place of  
14 business outside of this state or is organized under laws other than the laws of this  
15 state and that is subject to this subchapter shall be considered to have irrevocably  
16 appointed the ~~secretary of state~~ department of financial institutions as its agent for  
17 the service of process or notice directed to the charitable organization, fund-raising  
18 counsel, professional fund-raiser or commercial coventurer or to any of its partners,  
19 principal officers or directors in an action or proceeding brought under this  
20 subchapter. Service of process or notice upon the ~~secretary of state~~ department of  
21 financial institutions shall be made by personally delivering to and leaving with the  
22 ~~secretary of state~~ department of financial institutions a copy of the process or notice.  
23 That service shall be sufficient service if the ~~secretary of state~~ department of  
24 financial institutions immediately sends notice of the service and a copy of the  
25 process or notice to the charitable organization, fund-raising counsel, professional

1 fund-raiser, commercial coventurer or other person to whom it is directed by  
2 registered mail, with return receipt requested, at the last address known to the  
3 ~~secretary of state~~ department of financial institutions.

4 **SECTION 6587.** 440.61 (2) of the statutes is amended to read:

5 440.61 (2) Schools operated by the department of health and social services or  
6 the department of corrections.

7 **SECTION 6589.** Subchapter VI (title) of chapter 440 [precedes 440.71] of the  
8 statutes is renumbered subchapter II (title) of chapter 224 [precedes 224.70].

9 **SECTION 6590.** 440.71 of the statutes is renumbered 224.71.

10 **SECTION 6591.** 440.72 (title), (1), (1m), (2), (3) and (4) of the statutes are  
11 renumbered 224.72 (title), (1), (1m), (2), (3) and (4), and 224.72 (2) (intro.), as  
12 renumbered, is amended to read:

13 224.72 (2) APPLYING FOR REGISTRATION. (intro.) A person desiring to act as a  
14 mortgage banker, loan originator or loan solicitor shall apply for a certificate of  
15 registration to the department on forms prescribed by the department and shall pay  
16 the fee specified under ~~s. 440.05 (1) sub. (8) (a)~~. An application shall satisfy all of the  
17 following:

18 **SECTION 6592.** 440.72 (5) of the statutes is renumbered 224.72 (5) and amended  
19 to read:

20 224.72 (5) COMPLETION OF REGISTRATION. (a) *Loan originator and loan solicitor.*  
21 Upon receiving a properly completed application for registration as a loan originator  
22 or loan solicitor and the fee specified in ~~s. 440.05 (1) sub. (8) (a)~~, the department shall  
23 issue to the applicant a certificate of registration as a loan originator or loan solicitor.

24 (b) *Mortgage banker.* 1. Upon receiving a properly completed application for  
25 registration as a mortgage banker, the fee specified in ~~s. 440.05 (6) sub. (8) (b)~~ and

1 satisfactory evidence of compliance with sub. (4), the department shall issue to the  
2 applicant a temporary certificate of registration as a mortgage banker. A temporary  
3 certificate of registration is valid for 6 months after the date of issuance.

4 2. If within 6 months after the date of issuance of a temporary certificate of  
5 registration under subd. 1. the holder of the temporary certificate of registration  
6 notifies the department that he or she is acting as a mortgage banker and pays to the  
7 department the fee specified in s. ~~440.05 (1) sub. (8) (a)~~, the department shall issue  
8 to the person a certificate of registration as a mortgage banker.

9 **SECTION 6593.** 440.72 (7) of the statutes is renumbered 224.72 (7) and amended  
10 to read:

11 224.72 (7) RENEWAL OF REGISTRATION. A loan originator, loan solicitor or  
12 mortgage banker shall renew a certificate of registration by submitting to the  
13 department a renewal application and the applicable renewal fee specified under  
14 s. ~~440.08 (2) (a) sub. (8) (c)~~ on or before the applicable renewal date specified under  
15 s. ~~440.08 (2) (a) sub. (8) (c)~~. An applicant for renewal of a certificate of registration  
16 as a mortgage banker shall, as part of the application, refile a bond that satisfies sub.  
17 (4) (b) or resubmit evidence that satisfies sub. (4) (a) or (c).

18 **SECTION 6594.** 440.73 of the statutes is renumbered 224.73, and 224.73 (1) and  
19 (3), as renumbered, are amended to read:

20 224.73 (1) RESPONSIBILITY FOR LOAN ORIGINATOR. A mortgage banker is  
21 responsible for, and shall supervise the acts of, a loan originator who registers under  
22 s. ~~440.72- 224.72~~ (3) as an employe of the mortgage banker or a loan originator or any  
23 other person who otherwise acts on behalf of the mortgage banker.

24 (3) TRANSFER BY LOAN ORIGINATOR. A registered loan originator may at any time  
25 apply, on forms prescribed and provided by the department, to transfer employment

1 to another registered mortgage banker. The fee for transfer is specified under s.  
2 ~~440.05 (7)~~ 224.72 (8) (d) and is payable when the loan originator files the application.

3 **SECTION 6595.** 440.74 of the statutes is renumbered 224.74.

4 **SECTION 6596.** 440.75 of the statutes is renumbered 224.75.

5 **SECTION 6597.** 440.76 of the statutes is renumbered 224.76.

6 **SECTION 6598.** 440.77 (title) and (1) of the statutes are renumbered 224.77  
7 (title) and (1), and 224.77 (1) (f) and (g), as renumbered, are amended to read:

8 224.77 (1) (f) Accepted a commission, money or other thing of value for  
9 performing an act as a loan originator unless the payment is from a mortgage banker  
10 who is registered under s. ~~440.72~~ 224.72 (3) as employing the loan originator.

11 (g) As a loan originator, represented or attempted to represent a mortgage  
12 banker other than the mortgage banker who is registered under s. ~~440.72~~ 224.72 (3)  
13 as employing the loan originator.

14 **SECTION 6599.** 440.77 (2), (3) and (4) of the statutes are renumbered 224.77 (2),  
15 (3) and (4).

16 **SECTION 6600.** 440.77 (5) of the statutes is renumbered 224.77 (5), and 224.77  
17 (5) (b), as renumbered, is amended to read:

18 224.77 (5) (b) *Other penalties.* The penalty under par. (a) may be imposed in  
19 addition to any penalty imposed under s. 66.432, ~~101.22 or 440.80~~ 106.04 or 224.80.

20 **SECTION 6601.** 440.78 of the statutes is renumbered 224.78.

21 **SECTION 6602.** 440.80 of the statutes is renumbered 224.80, and 224.80 (1) and  
22 (2) (intro.), as renumbered, are amended to read:

23 224.80 (1) PENALTIES. A person who violates s. ~~440.72~~ 224.72 (1m) may be fined  
24 not more than \$1,000 or imprisoned for not more than 6 months or both. The district

1 attorney of the county where the violation occurs shall enforce the penalty under this  
2 subsection on behalf of the state.

3 **(2) PRIVATE CAUSE OF ACTION.** (intro.) A person who is aggrieved by an act which  
4 is committed by a mortgage banker, loan originator or loan solicitor and which is  
5 described in s. 440.77 224.77 (1) may recover all of the following in a private action:

6 **SECTION 6603.** 440.81 of the statutes is renumbered 224.81.

7 **SECTION 6604.** 440.82 of the statutes is renumbered 224.82.

8 **SECTION 6605.** 440.92 (2) (d) of the statutes is amended to read:

9 440.92 **(2)** (d) A preneed seller may not sell any undeveloped space unless the  
10 plans for the construction of the mausoleum have been submitted to the department  
11 of ~~industry, labor and human relations~~ development for approval under s. 157.12 (2)  
12 (a) and the preneed sales contract includes the following language in not less than  
13 10-point boldface type: "THE PLANS FOR CONSTRUCTING THE MAUSOLEUM  
14 SPACE HAVE BEEN SUBMITTED TO THE DEPARTMENT OF ~~INDUSTRY,~~  
15 ~~LABOR AND HUMAN RELATIONS~~ DEVELOPMENT FOR APPROVAL. THE  
16 SELLER IS RESPONSIBLE FOR ALL COSTS REQUIRED TO OBTAIN  
17 APPROVAL OF THE PLANS BY THE DEPARTMENT OF ~~INDUSTRY, LABOR~~  
18 ~~AND HUMAN RELATIONS~~ DEVELOPMENT, COMPLETE THE  
19 CONSTRUCTION, AND OBTAIN CERTIFICATION OF THE CONSTRUCTION  
20 BY THE DEPARTMENT OF ~~INDUSTRY, LABOR AND HUMAN RELATIONS~~  
21 DEVELOPMENT."

22 **SECTION 6606.** 443.09 (5) of the statutes is amended to read:

23 443.09 **(5)** Written or written and oral examinations shall be held at such time  
24 and place as the examining board determines. The scope of the examinations and  
25 the methods of procedure shall be prescribed by the examining board with special

1 reference to the applicant's ability to design and supervise architectural, landscape  
2 architectural, geological or engineering work, which shall promote the public welfare  
3 and ensure the safety of life, health and property. The architect and professional  
4 engineering examination or examinations shall include questions which require  
5 applicants to demonstrate knowledge of the design needs of people with physical  
6 disabilities and of the relevant statutes and codes. Such questions shall be developed  
7 by the examining board in consultation with the department of ~~industry, labor and~~  
8 ~~human relations~~ development. The examination for candidates under s. 443.04 (1)  
9 (c) shall be the principles and practice examination which requires the applicant to  
10 demonstrate the ability to apply engineering principles and judgment to problems  
11 in general engineering disciplines and to demonstrate knowledge of the design needs  
12 of people with physical disabilities and the relevant statutes, rules and regulations.  
13 A candidate failing an examination may, upon application and payment of the  
14 required reexamination fee, be examined again by the examining board. No  
15 restrictions may be placed on the number of times an unsuccessful candidate may  
16 be reexamined, except that after failure of 3 reexaminations, the examining board  
17 may require a one-year waiting period before further reexamination.

18 **SECTION 6607b.** 443.10 (6) of the statutes is amended to read:

19 443.10 (6) ROSTER. A roster showing the names and mailing addresses of all  
20 registered surveyors shall be prepared annually by the secretary and made available  
21 for purchase at cost, and a copy shall be placed on file with the ~~secretary of state~~  
22 department of financial institutions.

23 **SECTION 6608e.** 448.03 (3) (a) of the statutes is renumbered 448.03 (3) (a)  
24 (intro.) and amended to read:

**SECTION 6608e**

1           448.03 (3) (a) (intro.) No person ~~not possessing the degree of doctor of medicine~~  
2           may use or assume the title “doctor of medicine” or append to the person’s name the  
3           letters “M.D.”; unless one of the following applies:

4           **SECTION 6608m.** 448.03 (3) (a) 1. of the statutes is created to read:

5           448.03 (3) (a) 1. The person possesses the degree of doctor of medicine.

6           **SECTION 6608s.** 448.03 (3) (a) 2. of the statutes is created to read:

7           448.03 (3) (a) 2. The person is licensed as a physician under this subchapter  
8           because the person satisfied the degree requirement of s. 448.05 (2) by possessing a  
9           medical degree that was conferred by a medical school recognized and listed as such  
10          by the World Health Organization of the United Nations.

11          **SECTION 6611.** 452.01 (3) (g) of the statutes is amended to read:

12          452.01 (3) (g) A person registered as a mortgage banker under s. ~~440.72~~ 224.72  
13          who does not engage in activities described under sub. (2).

14          **SECTION 6611b.** 452.05 (1m) (a) 2. of the statutes is amended to read:

15          452.05 (1m) (a) 2. “Commercial real property” means real property that is  
16          classified as commercial under s. 70.32 (2) (a) 2. ~~or (b) 2.~~

17          **SECTION 6611m.** 452.06 (1) of the statutes is amended to read:

18          452.06 (1) The At the commencement of each gubernatorial term of office, the  
19          secretary shall create a council on forms under s. 15.04 (1) (c) which shall meet on  
20          a regular basis, be chaired by a member of the board and report to the board and the  
21          secretary. Any proposed change in a form relating to real estate practice shall be  
22          referred to the council on forms for review before the form is approved.

23          **SECTION 6612.** 452.12 (6) (a) of the statutes is amended to read:

**SECTION 6612**

1           452.12 (6) (a) Any licensee, except a time-share salesperson registered under  
2 s. 452.025, may apply for registration as an inactive licensee on or before the license  
3 renewal date. This paragraph does not apply after October 31, 1995.

4           **SECTION 6613.** 452.12 (6) (d) of the statutes is amended to read:

5           452.12 (6) (d) Upon If an inactive licensee files an application for reinstatement  
6 before January 1, 1996, the department shall reinstate an the inactive licensee's  
7 original license in accordance with the requirements for late renewal under s. 440.08  
8 (3).

9           **SECTION 6614.** 452.12 (6) (e) and (f) of the statutes are created to read:

10           452.12 (6) (e) Beginning on January 1, 1996, the department shall reinstate  
11 an inactive licensee's original license as follows:

12           1. If a person has registered as an inactive licensee before November 1, 1990,  
13 the department shall reinstate the person's original license if that person applies to  
14 the department for reinstatement of his or her original license, pays the fees specified  
15 under s. 440.05 (1) (a) and (b), passes an examination under s. 452.09 (3) and  
16 completes the education requirements established by the department under par. (f).

17           2. If a person has registered as an inactive licensee on or after November 1,  
18 1990, the department shall reinstate the person's original license if that person  
19 applies to the department for reinstatement of his or her original license, pays the  
20 renewal fee specified under s. 440.08 (2) (a) for the original license and completes 12  
21 hours of continuing education as established by the department under par. (f). A  
22 person who is eligible for reinstatement of his or her original license under this  
23 subdivision shall complete the requirements for reinstatement under this  
24 subdivision before January 1, 1996, or within 5 years after the date on which the  
25 person registered as an inactive licensee, whichever is later.

1           3. If a person who is eligible for reinstatement of his or her original license  
2 under subd. 2. does not complete the requirements for reinstatement within the time  
3 specified under subd. 2., the department shall reinstate the original license of that  
4 person if he or she meets the requirements specified under subd. 1.

5           (f) The department shall promulgate rules establishing the education  
6 requirements that applicants for reinstatement of original licenses under par. (e)  
7 must satisfy.

8           **SECTION 6615.** 452.17 (4) (b) of the statutes is amended to read:

9           452.17 (4) (b) This penalty may be imposed in addition to any penalty imposed  
10 under this chapter or s. 66.432 or ~~101.22~~ 106.04.

11           **SECTION 6616.** 452.23 (1) of the statutes is amended to read:

12           452.23 (1) A broker or salesperson may not disclose to any person in connection  
13 with the sale, exchange, purchase or rental of real property information, the  
14 disclosure of which constitutes unlawful discrimination in housing under s. ~~101.22~~  
15 106.04 or unlawful discrimination based on handicap under 42 USC 3604, 3605,  
16 3606 or 3617.

17           **SECTION 6618.** 456.01 (2) of the statutes is amended to read:

18           456.01 (2) "Nursing home" has the meaning provided in s. 50.01 (3), plus  
19 includes all public medical institutions under ss. ~~49.14, 49.16 and 49.171~~ 49.70, 49.71  
20 and 49.72.

21           **SECTION 6619.** 457.08 (1) (intro.) of the statutes is amended to read:

22           457.08 (1) SOCIAL WORKER CERTIFICATE. (intro.) The social worker section shall  
23 grant a social worker certificate to an individual who qualifies under s. 457.09 (5) (d)  
24 or to any individual who does all of the following:

25           **SECTION 6620.** 457.09 of the statutes is created to read:

1           **457.09 Social worker training certificate. (1)** The social worker section  
2 shall grant a social worker training certificate to any individual who does all of the  
3 following:

4           (a) Submits an application for the certificate to the department on a form  
5 provided by the department.

6           (b) Pays the fee specified in s. 440.05 (6).

7           (c) Submits evidence satisfactory to the social worker section that he or she has  
8 a bachelor's degree from an accredited college or university in psychology, sociology,  
9 criminal justice or another human service program approved by the section.

10          (d) Submits a statement to the social worker section that he or she is seeking  
11 to attain social worker degree equivalency under sub. (4) while he or she holds a  
12 social worker training certificate.

13          **(2)** (a) A social worker training certificate authorizes the holder to use the title  
14 specified in s. 457.04 (1) during the period in which the certificate is valid.

15          (b) A social worker training certificate holder is a social worker certified under  
16 this chapter for purposes of any law governing social workers certified under this  
17 chapter.

18          **(3)** (a) Except as provided in par. (b), a social worker training certificate is valid  
19 for 24 months.

20          (b) A social worker training certificate shall expire on the date on which the  
21 certificate holder receives the results of the examination that he or she has taken  
22 under sub. (5) (a) if that date occurs before the end of the period specified in par. (a).

23          (c) A social worker training certificate may not be renewed.

24          **(4)** During the period in which a social worker training certificate is valid, the  
25 certificate holder shall do all of the following:

1 (a) Seek to attain social worker degree equivalency by completing courses  
2 relating to all of the following in a social work program or other human services  
3 program at an accredited college or university:

4 1. Social welfare policy and services.

5 2. Social work practice methods with individuals, families, small groups,  
6 communities, organizations and social institutions.

7 3. Human behavior in the social environment, including human growth and  
8 development and social systems theory.

9 (b) Complete one of the following:

10 1. A human services internship that involves at least 400 hours of direct  
11 practice with clients and that is supervised by a social worker certified under this  
12 chapter who has a bachelor's or master's degree in social work.

13 2. One year of social work employment that involves direct practice with clients  
14 and that is supervised by a social worker certified under this chapter who has a  
15 bachelor's or master's degree in social work.

16 **(4m)** (a) The social worker section shall determine whether a course,  
17 internship or employment satisfies the requirements under sub. (4) and whether a  
18 social worker training certificate holder has attained social worker degree  
19 equivalency.

20 (b) Notwithstanding sub. (4), for the purpose of determining whether a social  
21 worker training certificate holder has attained social worker degree equivalency  
22 under sub. (4), the section shall apply course work or internships that the certificate  
23 holder completed, or employment that the certificate holder held, as part of the  
24 program leading to the degree that he or she specified to satisfy the requirement in

1 sub. (1) (c) if the course work, internship or employment satisfies the requirements  
2 in sub. (4).

3 (5) (a) A social worker training certificate holder may take the national social  
4 work examination at any time after he or she completes the requirements under sub.  
5 (4).

6 (b) If a social worker training certificate holder passes the examination  
7 specified under par. (a), he or she shall be permitted to take an examination approved  
8 by the social worker section that tests knowledge of state law relating to social work.

9 (c) If an individual fails an examination specified under par. (a) or (b), he or she  
10 may retake the examination. The social worker section may not place any  
11 restrictions on the number of times an individual may retake the examinations  
12 specified under pars. (a) and (b).

13 (d) The social worker section shall grant a social worker certificate to an  
14 individual who has held a social worker training certificate and who passes the  
15 examinations specified under pars. (a) and (b).

16 **SECTION 6620m.** 480.24 (2) (h) of the statutes is repealed and recreated to read:  
17 480.24 (2) (h) Failed to obtain a permit under s. 77.52 (9).

18 **SECTION 6621.** 551.02 (3) (h) of the statutes is amended to read:  
19 551.02 (3) (h) Other persons not within the intent of this subsection whom the  
20 ~~commissioner~~ division by rule or order designates.

21 **SECTION 6622.** 551.02 (4) of the statutes is amended to read:  
22 551.02 (4) "Commissioner" "Division" means the ~~commissioner~~ division of  
23 securities.

24 **SECTION 6623.** 551.02 (7) (f) of the statutes is amended to read:

1           551.02 (7) (f) Other persons not within the intent of this subsection whom the  
2 commissioner division by rule or order designates.

3           **SECTION 6624.** 551.02 (12) of the statutes is amended to read:

4           551.02 (12) “Securities act of 1933”, “securities exchange act of 1934”,  
5 “investment company act of 1940”, “investment advisers act of 1940” and “internal  
6 revenue code” mean the federal statutes of those names as amended on January 1,  
7 1970, including such later amendments as the commissioner division determines are  
8 not inconsistent with the purpose of this chapter.

9           **SECTION 6625.** 551.22 (1) (a) of the statutes is amended to read:

10          551.22 (1) (a) Any security, including a revenue obligation, issued or  
11 guaranteed by the United States, any state, any political subdivision of a state or any  
12 agency or corporate or other instrumentality of one or more of the foregoing; or any  
13 certificate of deposit for any of the foregoing; but any revenue obligation payable from  
14 payments to be made in respect of property or money used under a lease, sale or loan  
15 arrangement by or for a nongovernmental industrial or commercial enterprise is  
16 exempted only as provided under par. (b). A security, other than a security issued  
17 or guaranteed by the United States or an agency or corporate instrumentality of the  
18 United States and other than a revenue obligation, is exempt under this subsection  
19 only if the issuer’s financial statements are prepared according to generally accepted  
20 accounting principles or guidelines which the commissioner division designates by  
21 rule.

22          **SECTION 6626.** 551.22 (1) (b) (intro.) of the statutes is amended to read:

23          551.22 (1) (b) (intro.) Unless subject to a letter of credit of a bank, savings bank  
24 or savings and loan association as provided in this paragraph, a revenue obligation  
25 of an issuer specified under par. (a) that is payable from payments to be made in

1 respect of property or money used under a lease, sale or loan arrangement by or for  
2 a nongovernmental industrial or commercial enterprise is exempted subject to rules  
3 adopted by the ~~commissioner~~ division. A revenue obligation is exempt from any  
4 filing under the rules of the ~~commissioner~~ division if it is the subject of an irrevocable  
5 letter of credit from a bank, savings bank or savings and loan association in favor of  
6 holders of the revenue obligations providing for payment of all principal of the  
7 revenue obligations and all accrued and unpaid interest to the date of an event of  
8 default on the revenue obligations, and the letter of credit is accompanied by an  
9 opinion of counsel stating:

10 **SECTION 6627.** 551.22 (7) of the statutes is amended to read:

11 551.22 (7) Any security listed, or approved for listing upon notice of issuance,  
12 on the New York stock exchange, the American stock exchange, or a securities  
13 exchange designated by rule of the ~~commissioner~~ division; any security designated,  
14 or approved for designation upon notice of issuance, as a national market system  
15 security by the national association of securities dealers, inc., subject to rules that  
16 the ~~commissioner~~ division may promulgate under this subsection; any security of the  
17 same issuer which is of senior or substantially equal rank to the security listed,  
18 designated or approved for listing or designation, except that if the security is any  
19 preferred stock or debt security the security is not exempt unless the issuer satisfies  
20 s. 551.235 (5) (d); any security called for by subscription rights or warrants so listed,  
21 approved or designated; or any warrant or right to purchase or subscribe to any of  
22 the foregoing.

23 **SECTION 6628.** 551.22 (8) of the statutes is amended to read:

24 551.22 (8) Any security issued to its members by a domestic corporation  
25 organized and operated not for private profit but exclusively for religious,

1 educational, benevolent, charitable, fraternal, social, athletic or reformatory  
2 purposes; and any evidences of debt issued by any such corporation to nonmembers  
3 in compliance with rules adopted by the ~~commissioner~~ division.

4 **SECTION 6629.** 551.22 (9) of the statutes is amended to read:

5 551.22 (9) Any commercial paper meeting the requirements established by rule  
6 of the ~~commissioner~~ division and which arises out of a current transaction or the  
7 proceeds of which have been or are to be used for current transactions, and which  
8 evidences an obligation to pay cash within 9 months of the date of issuance, exclusive  
9 of days of grace, or any renewal of such paper which is likewise limited, or any  
10 guarantee of such paper or of any such renewal.

11 **SECTION 6630.** 551.22 (10) of the statutes is amended to read:

12 551.22 (10) Any investment contract or other security issued in connection with  
13 an employe's stock purchase, savings, pension, profit sharing or similar benefit plan  
14 if, in the case of plans which are not qualified under section 401 of the internal  
15 revenue code and which provide for contribution by employes, there is filed with the  
16 ~~commissioner~~ division prior to any offer or sale a notice specifying the terms of the  
17 plan and any additional information required under s. 551.24 (6), and the  
18 ~~commissioner~~ division does not by order disallow the exemption within 10 days after  
19 the date of filing the notice or, if additional information is required under s. 551.24  
20 (6), within 10 days after the date of filing that information.

21 **SECTION 6631.** 551.22 (14) of the statutes is amended to read:

22 551.22 (14) Any security issued by a licensed broker-dealer to its officers,  
23 partners or employes, subject to rules adopted by the ~~commissioner~~ division.

24 **SECTION 6632.** 551.22 (17) of the statutes is amended to read:

1           551.22 (17) Any security as to which the ~~commissioner~~ division by rule or order  
2 finds that registration is not necessary or appropriate for the protection of investors.

3           **SECTION 6633.** 551.23 (2) of the statutes is amended to read:

4           551.23 (2) Any nonissuer transaction effected by or through a licensed  
5 broker-dealer pursuant to an unsolicited order or offer to purchase; but the  
6 ~~commissioner~~ division may by rule require that the records of the broker-dealer  
7 confirm that the order or offer to purchase was unsolicited.

8           **SECTION 6634.** 551.23 (3) (c) of the statutes is amended to read:

9           551.23 (3) (c) Securities of the same class have been registered under the  
10 securities act of 1933 and there is filed with the ~~commissioner~~ division prior to any  
11 offer or sale a notice of the proposed sale, other information as the ~~commissioner~~  
12 division by rule requires and any additional information required under s. 551.24 (6),  
13 and the ~~commissioner~~ division does not by order disallow the exemption within 10  
14 days after the date of filing the notice or, if additional information is required under  
15 s. 551.24 (6), within 10 days after the date of filing that information; or

16           **SECTION 6635.** 551.23 (3) (d) of the statutes is amended to read:

17           551.23 (3) (d) The issuer or applicant files with the ~~commissioner~~ division such  
18 information, and an undertaking to file such reports, as the ~~commissioner~~ division  
19 by rule requires and any additional information required under s. 551.24 (6), and the  
20 ~~commissioner~~ division does not by order disallow the exemption within 10 days after  
21 the date of filing such information required by rule or, if additional information is  
22 required under s. 551.24 (6), within 10 days after the date of filing that information.

23           **SECTION 6636.** 551.23 (8) (f) of the statutes is amended to read:

24           551.23 (8) (f) Any financial institution or institutional investor designated by  
25 rule or order of the ~~commissioner~~ division.

**SECTION 6637**

1           **SECTION 6637.** 551.23 (8) (g) of the statutes is amended to read:

2           551.23 **(8)** (g) An individual accredited investor, as defined by rule of the  
3 ~~commissioner~~ division, if the issuer reasonably believes immediately before the sale  
4 that the individual accredited investor, either alone or with the individual accredited  
5 investor's representative, has such knowledge and experience in financial and  
6 business matters as to be capable of evaluating the merits and risks of the  
7 prospective investment.

8           **SECTION 6638.** 551.23 (9) of the statutes is amended to read:

9           551.23 **(9)** Any offer or sale of a preorganization subscription, if no commission  
10 or other remuneration is paid or given directly or indirectly for soliciting any  
11 subscriber in this state and no advertising is published or circulated unless it has  
12 been permitted by the ~~commissioner~~ division, and if the subscription is not binding  
13 and no payment is made by any subscriber until the securities subscribed for may  
14 legally be sold.

15           **SECTION 6639.** 551.23 (10) of the statutes is amended to read:

16           551.23 **(10)** Any offer or sale of its securities by an issuer having its principal  
17 office in this state, if the aggregate number of persons holding directly or indirectly  
18 all of the issuer's securities, after the securities to be issued are sold, does not exceed  
19 15, exclusive of persons under sub. (8), if no commission or other remuneration is  
20 paid or given directly or indirectly for soliciting any person in this state, except to  
21 broker-dealers and agents licensed in this state, and if no advertising is published  
22 unless it has been permitted by the ~~commissioner~~ division.

23           **SECTION 6640.** 551.23 (11) (b) of the statutes is amended to read:

24           551.23 **(11)** (b) The ~~commissioner~~ division may by rule or order, as to any  
25 security or transaction or any type of security or transaction, withdraw or further

1 condition this exemption, or increase or decrease the number of offerees permitted,  
2 or waive the conditions in par. (a), and may require reports of sales under this  
3 exemption.

4 **SECTION 6641.** 551.23 (12) of the statutes is amended to read:

5 551.23 (12) Any transaction pursuant to an offer to existing security holders  
6 of the issuer, other than an entity designated in s. 551.52 (1) (b), or of a corporation  
7 which, prior to the offer, owned substantially all of the voting stock of the issuer or  
8 whose controlling persons organized the issuer for the purpose of the offer, if no  
9 commission or other remuneration other than a standby commission is paid or given  
10 directly or indirectly for soliciting any security holder in this state, and if, prior to  
11 any offer or sale, the issuer files a notice specifying the terms of the offer, all other  
12 information which the ~~commissioner~~ division by rule requires and any additional  
13 information required under s. 551.24 (6), and the ~~commissioner~~ division does not by  
14 order disallow the exemption within 10 days after the date of filing the notice or, if  
15 additional information is required under s. 551.24 (6), within 10 days after the date  
16 of filing that information. In this subsection, "security holder" includes a person who  
17 at the time of the transaction is a holder of convertible securities or nontransferable  
18 warrants or a holder of transferable warrants that are exercisable within not more  
19 than 90 days of their issuance but does not include a person who at the time of the  
20 transaction is a holder of only transferable warrants that are exercisable for more  
21 than 90 days after their issuance.

22 **SECTION 6642.** 551.23 (15) (intro.) of the statutes is amended to read:

23 551.23 (15) (intro.) Any offer or sale of an evidence of debt issued by a  
24 corporation organized and operated not for private profit but exclusively for  
25 religious, educational, benevolent or charitable purposes if the security qualifies

**SECTION 6642**

1 under this exemption, and if there has been filed with the ~~commissioner~~ division  
2 prior to any offer or sale a notice identifying the security and the basis of its  
3 qualification under this exemption together with any further information as the  
4 ~~commissioner~~ division by rule or order requires, and any additional information  
5 required under s. 551.24 (6), and if the ~~commissioner~~ division does not by order  
6 disallow the exemption within 10 days after the date of filing the notice or, if  
7 additional information is required under s. 551.24 (6), within 10 days after the date  
8 of filing that information. The security qualifies under this exemption if the issuer  
9 and any predecessor have not defaulted within the current fiscal year or the 3  
10 preceding fiscal years in any fixed interest or principal obligation; and the issuer  
11 complies with rules of the ~~commissioner~~ division with respect to trust indentures and  
12 the use of a prospectus; and the security qualifies under either of the following:

13 **SECTION 6643.** 551.23 (15) (a) of the statutes is amended to read:

14 551.23 (15) (a) The issuer and its predecessors have not been in existence for  
15 3 years, and the securities proposed to be sold are secured by a mortgage or deed of  
16 trust upon land and buildings which is or will become a first lien at or prior to the  
17 issuance of such evidences of debt or provision satisfactory to the ~~commissioner~~  
18 division is made for impounding the proceeds from their sale until such first lien is  
19 established, and the total amount of such securities does not exceed 50% of the then  
20 fair market value of the land and buildings included in such mortgage or deed of  
21 trust, less the amount of any unpaid special assessment taxes; or

22 **SECTION 6644.** 551.23 (18) of the statutes is amended to read:

23 551.23 (18) Any other transaction as to which the ~~commissioner~~ division by  
24 rule or order finds that registration is not necessary or appropriate for the protection  
25 of investors.

1           **SECTION 6645.** 551.23 (19) (c) 2. a. of the statutes is amended to read:

2           551.23 (19) (c) 2. a. Any disqualification under this paragraph involving a  
3 broker-dealer or agent is waived if the broker-dealer or agent is or continues to be  
4 licensed in this state as a broker-dealer or agent after notifying the ~~commissioner~~  
5 division of the act or event causing disqualification.

6           **SECTION 6646.** 551.23 (19) (c) 2. b. of the statutes is amended to read:

7           551.23 (19) (c) 2. b. The ~~commissioner~~ division may waive any disqualification  
8 under this paragraph upon a showing of good cause that it is not necessary under the  
9 circumstances that use of the exemption be denied.

10          **SECTION 6647.** 551.23 (19) (d) of the statutes is amended to read:

11          551.23 (19) (d) Not later than the earlier of the date on which the first use of  
12 an offering document or the first sale is made in this state in reliance on the  
13 exemption under par. (a), there is filed with the ~~commissioner~~ division a notice  
14 comprised of offering material in compliance with the requirements of Rule 502 of  
15 Regulation D under the securities act of 1933, a completed Form D as prescribed by  
16 Rule 503 of Regulation D under the securities act of 1933, and a fee of \$200. Material  
17 amendments to the offering document shall be filed with the ~~commissioner~~ division  
18 not later than the date of their first use in this state.

19          **SECTION 6648.** 551.23 (19) (f) of the statutes is amended to read:

20          551.23 (19) (f) The ~~commissioner~~ division may, by order, increase the number  
21 of purchasers or waive any other conditions of the exemption under par. (a) for a  
22 particular offering. The ~~commissioner~~ division shall not require the filing of  
23 advertising used in connection with offers or sales in reliance on the exemption. The  
24 exemption may be revoked by order of the ~~commissioner~~ division, but only if the

1 offering constitutes or would constitute a violation of s. 551.31 and notice thereof has  
2 been received by the issuer, or constitutes or would constitute a violation of s. 551.41.

3 **SECTION 6649.** 551.235 (intro.) of the statutes is amended to read:

4 **551.235 Seasoned issuer exempt transactions.** (intro.) A registration  
5 exemption is available for any offer or sale of securities that meets all of the following  
6 conditions or that meets all of the following conditions other than any condition or  
7 conditions waived by the ~~commissioner~~ division upon a showing of good cause:

8 **SECTION 6650.** 551.235 (6) (a) (intro.) of the statutes is amended to read:

9 551.235 (6) (a) *Filing requirements.* (intro.) The issuer or applicant files all  
10 of the following with the ~~commissioner~~ division:

11 **SECTION 6651.** 551.235 (6) (a) 5. of the statutes is amended to read:

12 551.235 (6) (a) 5. An undertaking, signed by a person authorized by the issuer  
13 or applicant, to file promptly with the ~~commissioner~~ division all pre-effective  
14 amendments to the federal registration statement for the securities, to notify  
15 promptly the ~~commissioner~~ division by telephone or wire of the date and time when  
16 the federal registration statement becomes effective and to file promptly with the  
17 ~~commissioner~~ division 2 copies of the final prospectus.

18 **SECTION 6652.** 551.235 (6) (b) of the statutes is amended to read:

19 551.235 (6) (b) *Time for filing.* The documents and fee prescribed in par. (a) are  
20 filed with the ~~commissioner~~ division not later than the earlier of the date of the first  
21 use of the preliminary or final offering document in this state or the first sale in this  
22 state.

23 **SECTION 6653.** 551.24 (1) of the statutes is amended to read:

1           551.24 (1) The ~~commissioner~~ division may by order deny or revoke any  
2 exemption under s. 551.22, 551.23 or 551.235 with respect to a specified security or  
3 transaction.

4           **SECTION 6654.** 551.24 (2) of the statutes is amended to read:

5           551.24 (2) If the public interest and the protection of investors so require, the  
6 ~~commissioner~~ division may by order summarily deny or revoke any exemption under  
7 s. 551.22, 551.23 or 551.235 with respect to a specified security or transaction. Upon  
8 entry of the order, the ~~commissioner~~ division shall serve upon all named parties a  
9 copy of the order and notify the parties of their right to request a hearing.

10          **SECTION 6655.** 551.24 (4) (intro.) of the statutes is amended to read:

11          551.24 (4) (intro.) A person who offers or sells a security pursuant to an  
12 exemption under s. 551.22, 551.23 or 551.235 after the exemption is denied or  
13 revoked by an order of the ~~commissioner~~ division does not violate s. 551.21 (1) if:

14          **SECTION 6656.** 551.24 (6) of the statutes is amended to read:

15          551.24 (6) With respect to an exemption under s. 551.22 or 551.23 that is  
16 perfected if a notice or other information is filed with the ~~commissioner~~ division and  
17 the ~~commissioner~~ division does not disallow the exemption within a specified period  
18 after the filing, the ~~commissioner~~ division may, within 10 days after the filing date  
19 of the notice or other information, require that additional information reasonably  
20 related to the offering be filed. If the ~~commissioner~~ division requires additional  
21 information, the date by which the ~~commissioner~~ division may disallow the  
22 exemption is 10 days after the date of filing that information.

23          **SECTION 6657.** 551.25 (2) (b) of the statutes is amended to read:

24          551.25 (2) (b) If the ~~commissioner~~ division by rule or otherwise requires, a copy  
25 of the articles of incorporation and bylaws or their substantial equivalents currently

1 in effect, a copy of any agreements with or among underwriters, a copy of any  
2 indenture or other instrument governing the issuance of the security to be registered,  
3 and a specimen or copy of the security;

4 **SECTION 6658.** 551.25 (2) (c) of the statutes is amended to read:

5 551.25 (2) (c) If the ~~commissioner~~ division requires, any other information, or  
6 copies of any documents, filed under the securities act of 1933; and

7 **SECTION 6659.** 551.25 (2) (d) of the statutes is amended to read:

8 551.25 (2) (d) An undertaking to forward all future amendments to the federal  
9 prospectus, other than an amendment which merely delays the effective date of the  
10 registration statement, not later than the first business day after they are forwarded  
11 to or filed with the securities and exchange commission, or such longer period as the  
12 ~~commissioner~~ division permits.

13 **SECTION 6660.** 551.25 (3) (a) 2. of the statutes is amended to read:

14 551.25 (3) (a) 2. The registration statement has been on file with the  
15 ~~commissioner~~ division for at least 10 days.

16 **SECTION 6661.** 551.25 (3) (a) 3. of the statutes is amended to read:

17 551.25 (3) (a) 3. A statement of the maximum and minimum proposed offering  
18 prices and the maximum underwriting discounts and commissions has been on file  
19 for 2 full business days or such shorter period as the ~~commissioner~~ division permits,  
20 and the offering is made within these limitations.

21 **SECTION 6662.** 551.25 (3) (b) of the statutes is amended to read:

22 551.25 (3) (b) The registrant shall promptly notify the ~~commissioner~~ division  
23 by telephone or telegram of the date and time when the federal registration  
24 statement became effective and the content of the price amendment, if any, and shall  
25 promptly file a post-effective amendment containing the information and

1 documents in the price amendment. "Price amendment" means the final federal  
2 amendment which includes a statement of the offering price, underwriting and  
3 selling discounts or commissions, amount of proceeds, conversion rates, call prices  
4 and other matters dependent upon the offering price. Upon failure to receive the  
5 required notification and post-effective amendment with respect to the price  
6 amendment, the ~~commissioner~~ division may enter a stop order, without notice or  
7 hearing, retroactively denying effectiveness to the registration statement or  
8 suspending its effectiveness until compliance with this subsection is effected, if the  
9 ~~commissioner~~ division promptly notifies the registrant by telephone or telegram of  
10 the issuance of the order. If the registrant proves compliance with the requirements  
11 of this subsection as to notice and post-effective amendment, the stop order shall be  
12 vacated. The ~~commissioner~~ division may by rule or otherwise waive any of the  
13 conditions specified in par. (a). If the federal registration statement becomes  
14 effective before all the conditions in this subsection are satisfied and they are not  
15 waived, the registration statement automatically becomes effective as soon as all the  
16 conditions are satisfied. If the registrant advises the ~~commissioner~~ division of the  
17 date when the federal registration statement is expected to become effective, the  
18 ~~commissioner~~ division shall promptly advise the registrant by telephone or  
19 telegram, at the registrant's expense, whether all the conditions are satisfied and  
20 whether the ~~commissioner~~ division then contemplates the institution of a proceeding  
21 under s. 551.28; but this advice by the ~~commissioner~~ division does not preclude the  
22 institution of such a proceeding at any time.

23 **SECTION 6663.** 551.26 (2) of the statutes is amended to read:

24 551.26 (2) A registration statement under this section shall contain the  
25 information specified in s. 551.27 (2), shall be accompanied by the consent to service

**SECTION 6663**

1 of process required by s. 551.65 (1), and shall contain such further information and  
2 be accompanied by such further documents as the ~~commissioner~~ division by rule or  
3 otherwise requires. For this purpose the ~~commissioner~~ division may classify issuers  
4 and types of securities.

5 **SECTION 6664.** 551.26 (3) of the statutes is amended to read:

6 551.26 (3) Registration under this section becomes effective when the  
7 ~~commissioner~~ division so orders. If a registration statement has been on file for at  
8 least 30 days and all information required by the ~~commissioner~~ division has been  
9 furnished, the person filing the statement may at any time file a written request that  
10 the ~~commissioner~~ division take action within 10 days following the filing of such  
11 request. If a request is filed, and the ~~commissioner~~ division takes no action within  
12 the period, the registration becomes effective at the end of the 10-day period.

13 **SECTION 6665.** 551.26 (4) of the statutes is amended to read:

14 551.26 (4) The ~~commissioner~~ division may by rule or order require as a  
15 condition of registration under this section that a prospectus containing any  
16 designated part of the information contained in the registration statement or filed  
17 with it be sent or given to each person to whom an offer is made before or concurrently  
18 with the first written offer made to the person, otherwise than by means of a public  
19 advertisement, by or for the account of the issuer or any other person on whose behalf  
20 the offering is made, or by any underwriter or broker-dealer who is offering part of  
21 an unsold allotment or subscription taken by him or her as a participant in the  
22 distribution; or the confirmation of any sale made by or for the account of any person;  
23 or the payment pursuant to any sale; or the delivery of the security pursuant to any  
24 sale; whichever first occurs.

25 **SECTION 6666.** 551.27 (1) of the statutes is amended to read:

1           551.27 (1) A registration statement may be filed by the issuer, any other person  
2 on whose behalf the offering is to be made or a licensed broker-dealer, but the  
3 ~~commissioner~~ division may in specific cases require that it be executed by the issuer.

4           **SECTION 6667.** 551.27 (4) of the statutes is amended to read:

5           551.27 (4) The ~~commissioner~~ division may by rule or otherwise permit the  
6 omission of any item of information or document from any registration statement.

7           **SECTION 6668.** 551.27 (5) of the statutes is amended to read:

8           551.27 (5) The ~~commissioner~~ division may by rule or order require as a  
9 condition of registration, and at the expense of the applicant or registrant, that a  
10 report by an accountant, engineer, appraiser or other professional person be filed.  
11 The ~~commissioner~~ division may also designate one of the ~~commissioner's~~ division's  
12 employes to make an examination of the business and records of an issuer of  
13 securities for which a registration statement has been filed by qualification or  
14 coordination, at the expense of the applicant or registrant.

15           **SECTION 6669.** 551.27 (7) of the statutes is amended to read:

16           551.27 (7) The ~~commissioner~~ division may by rule or order require as a  
17 condition of registration that any security issued within the past 3 years or to be  
18 issued to a promoter for a consideration substantially different from the public  
19 offering price, or to any person for a consideration other than cash, be deposited in  
20 escrow; or that the proceeds from the sale of the registered security in this state be  
21 impounded until the issuer receives a specified amount from the sale of the security  
22 either in this state or elsewhere; or the ~~commissioner~~ division may impose both such  
23 requirements. The ~~commissioner~~ division may by rule or order determine the  
24 conditions of any escrow or impounding required hereunder, but the ~~commissioner~~  
25 division may not reject a depository solely because of location in another state.

**SECTION 6670**

1           **SECTION 6670.** 551.27 (8) of the statutes is amended to read:

2           551.27 (8) The ~~commissioner~~ division may by rule require that securities of  
3 designated classes shall be issued under a trust indenture containing such  
4 provisions as the ~~commissioner~~ division determines.

5           **SECTION 6671.** 551.27 (9) of the statutes is amended to read:

6           551.27 (9) The ~~commissioner~~ division may by rule or order require as a  
7 condition of registration that any security registered be sold only on a specified form  
8 of subscription or sale contract, and that a signed or conformed copy of each contract  
9 be filed with the ~~commissioner~~ division or preserved for any period up to 3 years.

10          **SECTION 6672.** 551.27 (10) of the statutes is amended to read:

11          551.27 (10) The ~~commissioner~~ division may by rule or order impose other  
12 conditions under which a security registered by qualification or coordination may be  
13 sold, if these conditions are reasonable and in the public interest.

14          **SECTION 6673.** 551.27 (11) of the statutes is amended to read:

15          551.27 (11) A registration statement is effective for one year from its effective  
16 date unless extended by rule or order of the ~~commissioner~~ division. All outstanding  
17 securities of the same class as a registered security are considered to be registered  
18 for the purpose of any transaction by or on behalf of a person not the issuer and not  
19 in control of the issuer or controlled by the issuer or under common control with the  
20 issuer, so long as the registration statement is effective, unless otherwise prescribed  
21 by order. A registration statement may not be withdrawn after its effective date if  
22 any of the securities registered have been sold in this state, unless permitted by rule  
23 or order of the ~~commissioner~~ division. No registration statement is effective during  
24 the time a stop order is in effect under s. 551.28.

25          **SECTION 6674.** 551.27 (12) of the statutes is amended to read:

**SECTION 6674**

1           551.27 (12) During the effective period of a registration statement, the  
2 commissioner division may by rule or order require the person who filed the  
3 registration statement to file reports, not more often than quarterly, to keep  
4 reasonably current the information contained in the registration statement and to  
5 disclose the progress of the offering. If any of the securities registered have been sold  
6 in the state, the commissioner division may by rule or order extend the period for  
7 filing the reports for an additional period not exceeding 2 years from the date the  
8 registration became effective or the date of its last amendment or extension.

9           **SECTION 6675.** 551.27 (14) of the statutes is amended to read:

10           551.27 (14) A registration statement relating to securities issued by any class  
11 of financial institutions, which the commissioner division by rule determines, may  
12 be amended after its effective date so as to increase the specified amount of securities  
13 proposed to be offered. The amendment becomes effective when the commissioner  
14 division so orders.

15           **SECTION 6676.** 551.27 (15) of the statutes is amended to read:

16           551.27 (15) No warrant or right to purchase or subscribe to another security  
17 and no security convertible into another security shall be registered unless it appears  
18 to the commissioner division that both the warrant or right or convertible security  
19 and the securities deliverable on the exercise of the warrant or right or conversion  
20 privilege comply with this chapter.

21           **SECTION 6677.** 551.28 (1) (intro.) of the statutes is amended to read:

22           551.28 (1) (intro.) The commissioner division may issue a stop order denying  
23 effectiveness to, or suspending or revoking the effectiveness of, any registration  
24 statement if the commissioner division finds that the order is in the public interest  
25 and that:

1           **SECTION 6678.** 551.28 (1) (c) of the statutes is amended to read:

2           551.28 (1) (c) The securities are the subject of an administrative stop order or  
3 similar order or a permanent or temporary injunction of any court of competent  
4 jurisdiction entered under any other federal or state act applicable to the offering,  
5 but the ~~commissioner~~ division may not institute a proceeding against an effective  
6 registration statement under this paragraph more than one year from the date of the  
7 order or injunction relied on, and the ~~commissioner~~ division may not enter an order  
8 under this paragraph on the basis of an order or injunction entered under any other  
9 state act unless that order or injunction was based on facts which would currently  
10 constitute a ground for a stop order under this section;

11           **SECTION 6679.** 551.28 (1) (g) of the statutes is amended to read:

12           551.28 (1) (g) The applicant or registrant has failed to pay the proper filing fee;  
13 but the ~~commissioner~~ division may enter only a denial order under this paragraph  
14 and the ~~commissioner~~ division shall vacate any such order when the deficiency has  
15 been corrected;

16           **SECTION 6680.** 551.28 (2) of the statutes is amended to read:

17           551.28 (2) The ~~commissioner~~ division may not institute a stop order proceeding  
18 against an effective registration statement on the basis of a fact or transaction known  
19 to the ~~commissioner~~ division when the registration statement became effective  
20 unless the proceeding is instituted within 180 days after the effective date.

21           **SECTION 6681.** 551.28 (3) of the statutes is amended to read:

22           551.28 (3) In a proceeding for registration by qualification, the applicant or  
23 registrant has the burden of satisfying the requirements of sub. (1). In a proceeding  
24 for registration by coordination, the ~~commissioner~~ division has the burden of  
25 establishing the existence of one of the causes enumerated in sub. (1).

1           **SECTION 6682.** 551.28 (4) of the statutes is amended to read:

2           551.28 (4) If the public interest and the protection of investors so require, the  
3       ~~commissioner~~ division may, by order, summarily deny, postpone, suspend or revoke  
4       the effectiveness of the registration statement. Upon the entry of the order, the  
5       ~~commissioner~~ division shall serve upon all named parties a copy of the order and  
6       notify the parties of their right to request a hearing.

7           **SECTION 6683.** 551.28 (6) of the statutes is amended to read:

8           551.28 (6) The ~~commissioner~~ division may vacate or modify a stop order if the  
9       ~~commissioner~~ division finds that the conditions which prompted its entry have  
10      changed or that it is otherwise in the public interest to do so.

11          **SECTION 6684.** 551.28 (7) of the statutes is amended to read:

12          551.28 (7) Subsection (1) (e) and (f) does not apply to the issuance or sale of  
13      securities to any person who meets investor financial suitability standards if all  
14      material information in connection with the issuance or sale is disclosed to all  
15      purchasers. A purchaser shall affirm in writing that the person purchasing  
16      securities meets the investor financial suitability standards. The ~~commissioner~~  
17      division shall promulgate rules that establish investor financial suitability  
18      standards relating to minimum net worth and to minimum net worth and minimum  
19      annual income.

20          **SECTION 6685.** 551.31 (2) (b) 2. of the statutes is amended to read:

21          551.31 (2) (b) 2. More than one broker-dealer or more than one issuer, or both,  
22      if an application that complies with par. (c) is filed with the ~~commissioner~~ division  
23      and the ~~commissioner~~ division, in writing, permits the representation.

24          **SECTION 6686.** 551.31 (2) (c) of the statutes is amended to read:

1           551.31 (2) (c) The ~~commissioner~~ division shall by rule specify the required  
2 contents and form of an application filed under par. (b) 2.

3           **SECTION 6687.** 551.31 (2) (d) of the statutes is amended to read:

4           551.31 (2) (d) When an agent terminates employment with a broker-dealer or  
5 issuer, or terminates those activities which make that individual an agent, or  
6 transfers employment between licensed broker-dealers, the agent, the  
7 broker-dealer or the issuer shall promptly file a notice in accordance with rules  
8 adopted by the ~~commissioner~~ division.

9           **SECTION 6688.** 551.31 (4) of the statutes is amended to read:

10          551.31 (4) Every license expires one year from its effective date unless  
11 renewed, or unless the license is limited or extended for not more than 6 months by  
12 rule or order for the purpose of administering the licensing statutes in this chapter.  
13 The ~~commissioner~~ division by rule or order may prepare an initial schedule for  
14 license renewals so that subsequent renewals of licenses effective January 1, 1970,  
15 may be staggered by calendar months. For this purpose the ~~commissioner~~ division  
16 may adjust the license fee proportionately. No license is effective after its expiration,  
17 and expiration of a license for which a renewal application has not been filed is  
18 deemed an application for withdrawal under s. 551.34 (6).

19          **SECTION 6689.** 551.31 (5) of the statutes is amended to read:

20          551.31 (5) A bank, savings institution or trust company not licensed as a  
21 broker-dealer may execute orders for the purchase or sale of securities as agent for  
22 the purchaser or seller thereof in accordance with rules adopted by the ~~commissioner~~  
23 division.

24          **SECTION 6690.** 551.31 (7) (b) of the statutes is amended to read:

**SECTION 6690**

1           551.31 (7) (b) An application to amend the agent's license to name each  
2 additional limited partnership or investment company as the agent's employer is  
3 filed with and approved by the ~~commissioner~~ division before the agent makes any  
4 offers or sales in this state on behalf of the additional limited partnership or  
5 investment company.

6           **SECTION 6691.** 551.32 (1) (a) of the statutes is amended to read:

7           551.32 (1) (a) A broker-dealer, agent or investment adviser may obtain an  
8 initial or renewal license by filing with the ~~commissioner~~ division, or an organization  
9 which the ~~commissioner~~ division by rule designates, an application together with a  
10 consent to service of process under s. 551.65 (1).

11           **SECTION 6692.** 551.32 (1) (b) of the statutes is amended to read:

12           551.32 (1) (b) An application under par. (a) shall contain whatever information  
13 the ~~commissioner~~ division by rule requires concerning the applicant's form and place  
14 of organization, proposed method of doing business and financial condition, the  
15 qualifications and experience of the applicant, including, in the case of a  
16 broker-dealer or investment adviser, the qualifications and experience of any  
17 partner, officer, director or controlling person, any injunction or administrative order  
18 or conviction of a misdemeanor involving securities and any conviction of a felony,  
19 and any other matters which the ~~commissioner~~ division determines are relevant to  
20 the application. The ~~commissioner~~ division may by rule or order require an applicant  
21 for an initial license to publish an announcement of the application in one or more  
22 specified newspapers published in this state.

23           **SECTION 6693.** 551.32 (1) (c) (intro.) of the statutes is amended to read:

24           551.32 (1) (c) (intro.) Licensing under this subchapter is effective 30 days after  
25 an application is filed, other than for an application for license as an agent for an

**SECTION 6693**

1 issuer of securities exempted under s. 551.23 (10) or (19) in which case licensing is  
2 effective 10 business days after the application is filed or such earlier time as the  
3 ~~commissioner~~ division permits, except:

4 **SECTION 6694.** 551.32 (1) (c) 2. of the statutes is amended to read:

5 551.32 (1) (c) 2. If the ~~commissioner~~ division makes a written request for  
6 additional information relevant to the application within 30 days after the  
7 application is filed, the licensing is effective 30 days after the information is filed;

8 **SECTION 6695.** 551.32 (1) (c) 4. of the statutes is amended to read:

9 551.32 (1) (c) 4. The ~~commissioner~~ division may by rule or order specify an  
10 earlier effective date.

11 **SECTION 6696.** 551.32 (1) (d) of the statutes is amended to read:

12 551.32 (1) (d) The ~~commissioner~~ division shall cooperate with other securities  
13 administrators and regulatory authorities to simplify and coordinate license  
14 application and renewal procedures.

15 **SECTION 6697.** 551.32 (2) of the statutes is amended to read:

16 551.32 (2) Before action on an application the ~~commissioner~~ division may  
17 designate an employe to make an examination of the books, records and affairs of the  
18 applicant at the applicant's expense.

19 **SECTION 6698.** 551.32 (4) of the statutes is amended to read:

20 551.32 (4) The ~~commissioner~~ division may by rule prescribe standards of  
21 qualification with respect to training, experience and knowledge of the securities  
22 business and provide for an examination, which may be written or oral or both, to be  
23 taken by any class of or all applicants, as well as persons who represent or will  
24 represent an investment adviser, and the ~~commissioner~~ division may by order

1 require an examination of a licensed broker-dealer, agent or investment adviser for  
2 due cause.

3 **SECTION 6699.** 551.32 (5) of the statutes is amended to read:

4 551.32 (5) The ~~commissioner~~ division may by rule require a minimum capital  
5 for broker-dealers and investment advisers and establish limitations on aggregate  
6 indebtedness of broker-dealers in relation to net capital.

7 **SECTION 6700.** 551.32 (6) of the statutes is amended to read:

8 551.32 (6) The ~~commissioner~~ division may by rule require the furnishing of  
9 surety bonds by broker-dealers and investment advisers and all bonds so required  
10 shall provide for suit thereon by injured customers or clients, but no bond may be  
11 required of any licensee whose net capital exceeds the amount prescribed by rule for  
12 this purpose.

13 **SECTION 6701.** 551.32 (7) of the statutes is amended to read:

14 551.32 (7) The ~~commissioner~~ division may by rule or order impose other  
15 conditions or limitations in connection with the issuance of licenses under this  
16 chapter as the ~~commissioner~~ division deems appropriate in the public interest or for  
17 the protection of investors.

18 **SECTION 6702.** 551.33 (1) of the statutes is amended to read:

19 551.33 (1) Every licensed broker-dealer, agent and investment adviser shall  
20 make and keep all accounts, correspondence, memoranda, papers, books and other  
21 records which the ~~commissioner~~ division by rule prescribes. All records required  
22 shall be preserved for 3 years unless the ~~commissioner~~ division by rule prescribes  
23 otherwise for particular types of records. All required records shall be kept within  
24 this state or shall, at the request of the ~~commissioner~~ division, be made available at

**SECTION 6702**

1 any time for examination by the ~~commissioner~~ division either in the principal office  
2 of the licensee or by production of exact copies thereof in this state.

3 **SECTION 6703.** 551.33 (2) of the statutes is amended to read:

4 551.33 (2) Every licensed broker-dealer and investment adviser shall file such  
5 reports as the ~~commissioner~~ division by rule prescribes.

6 **SECTION 6704.** 551.33 (3) of the statutes is amended to read:

7 551.33 (3) If the information contained in any application for license or other  
8 document filed with the ~~commissioner~~ division or an organization designated under  
9 s. 551.32 (1) (a) is or becomes inaccurate or incomplete in any material respect, the  
10 licensee shall promptly file a correcting amendment.

11 **SECTION 6705.** 551.33 (4) of the statutes is amended to read:

12 551.33 (4) The ~~commissioner~~ division shall make periodic examinations,  
13 within or without this state, of the business and records of each licensed  
14 broker-dealer and investment adviser, at such times and in such scope as the  
15 ~~commissioner~~ division determines. The examinations may be made without prior  
16 notice to the broker-dealer or investment adviser. The expense reasonably  
17 attributable to any such examination shall be paid by the broker-dealer or  
18 investment adviser whose business is examined, but the expense so payable shall not  
19 exceed an amount which the ~~commissioner~~ division by rule prescribes. For the  
20 purpose of avoiding unnecessary duplication of examinations, the ~~commissioner~~  
21 division, insofar as it is practicable in administering this subsection, may cooperate  
22 with securities administrators of other states, the securities and exchange  
23 commission, and any national securities exchange or national securities association  
24 registered under the securities exchange act of 1934. The ~~commissioner~~ division  
25 shall not make public the information obtained in the course of examinations, except

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1 when the ~~commissioner's~~ division's duty under this chapter requires the  
2 ~~commissioner~~ division to take action regarding any broker-dealer or investment  
3 adviser or to make the information available to one of the organizations specified in  
4 this subsection, or except when called as a witness in any criminal or civil proceeding.

5 **SECTION 6706.** 551.33 (5) of the statutes is amended to read:

6 551.33 (5) The ~~commissioner~~ division may by rule prohibit unreasonable  
7 charges, profits, commissions or other compensation of broker-dealers and  
8 investment advisers.

9 **SECTION 6707.** 551.33 (6) of the statutes is amended to read:

10 551.33 (6) The ~~commissioner~~ division may by rule establish standards for the  
11 conduct of business by broker-dealers, agents, investment advisers and clearing  
12 corporations as defined in s. 408.102 (1) (c).

13 **SECTION 6708.** 551.34 (1) (intro.) of the statutes is amended to read:

14 551.34 (1) (intro.) The ~~commissioner~~ division may by order deny an application  
15 for, or postpone the effective date of, a license or suspend or revoke any license or may  
16 censure the licensee, if the ~~commissioner~~ division finds that the order is in the public  
17 interest and that the applicant or licensee or, in the case of a broker-dealer or  
18 investment adviser, any partner, officer or director, any person occupying a similar  
19 status or performing similar functions, or any person directly or indirectly  
20 controlling the broker-dealer or investment adviser:

21 **SECTION 6709.** 551.34 (1) (e) of the statutes is amended to read:

22 551.34 (1) (e) Is the subject of an order of the ~~commissioner~~ division denying  
23 an application or suspending or revoking a license as a broker-dealer, agent or  
24 investment adviser;

25 **SECTION 6710.** 551.34 (1) (f) of the statutes is amended to read:

**SECTION 6710**

1           551.34 (1) (f) Is the subject of an order entered within the past 5 years by the  
2 securities administrator of any other state or by the securities and exchange  
3 commission denying, suspending or revoking the person's registration or license as  
4 a broker-dealer, agent or investment adviser, or is the subject of an order of the  
5 securities and exchange commission or of a securities exchange or association  
6 registered under the securities exchange act of 1934 suspending or expelling such  
7 person from a securities exchange or association or forbidding the association or  
8 affiliation of the person with a broker-dealer or investment adviser, or is the subject  
9 of a U.S. postal service fraud order. The ~~commissioner~~ division may not institute a  
10 revocation or suspension proceeding under this paragraph more than one year from  
11 the date of the order relied on, and the ~~commissioner~~ division may not enter an order  
12 under this paragraph on the basis of an order under another state law or federal law  
13 unless the order was based on facts which would currently constitute a ground for  
14 an order under this section;

15           **SECTION 6711.** 551.34 (1) (k) of the statutes is amended to read:

16           551.34 (1) (k) Has failed to pay the proper filing fee, but the ~~commissioner~~  
17 division shall vacate any such order when the deficiency has been corrected;

18           **SECTION 6712.** 551.34 (1) (m) of the statutes is amended to read:

19           551.34 (1) (m) Has made any material misrepresentation to or withheld or  
20 concealed any material fact from the ~~commissioner or any of his or her~~  
21 ~~representatives~~ division, or has refused to furnish information reasonably requested  
22 by the ~~commissioner~~ division; or

23           **SECTION 6713.** 551.34 (2) of the statutes is amended to read:

24           551.34 (2) The enumeration of the causes stated in sub. (1) shall not be  
25 exclusive and the ~~commissioner~~ division may deny an application or suspend or

1 revoke any license or censure any licensee for any cause whether similar to or  
2 different from these causes when necessary or appropriate in the public interest or  
3 for the protection of investors.

4 **SECTION 6714.** 551.34 (3) of the statutes is amended to read:

5 551.34 (3) The ~~commissioner~~ division may not institute a suspension or  
6 revocation proceeding on the basis of a fact or transaction known to the ~~commissioner~~  
7 division when the license was issued unless the proceeding is instituted within 180  
8 days following issuance of the license.

9 **SECTION 6715.** 551.34 (4) of the statutes is amended to read:

10 551.34 (4) If the public interest or the protection of investors so requires, the  
11 ~~commissioner~~ division may by order summarily deny or suspend a license or  
12 postpone the effective date of a license. Upon the entry of the order, the ~~commissioner~~  
13 division shall serve upon all named parties a copy of the order and notify the parties  
14 of their right to request a hearing.

15 **SECTION 6716.** 551.34 (5) of the statutes is amended to read:

16 551.34 (5) If the ~~commissioner~~ division finds that any licensee or applicant is  
17 no longer in existence or has ceased to do business as a broker-dealer, agent or  
18 investment adviser, or is subject to an adjudication of mental incompetence or to the  
19 control of a committee, conservator or guardian, or cannot be located after reasonable  
20 search, the ~~commissioner~~ division may on order issued summarily revoke the license  
21 or deny the application.

22 **SECTION 6717.** 551.34 (6) of the statutes is amended to read:

23 551.34 (6) Withdrawal from the status of a licensed broker-dealer, agent or  
24 investment adviser becomes effective 30 days after receipt by the ~~commissioner~~  
25 division or by an organization designated by rule of the ~~commissioner~~ division under

**SECTION 6717**

1 s. 551.32 (1) (a) of an application to withdraw or within such shorter period as the  
2 ~~commissioner~~ division determines, unless a revocation or suspension proceeding is  
3 pending when the application is filed or a proceeding to revoke or suspend or to  
4 impose conditions upon the withdrawal is instituted within 30 days after the  
5 application is filed. If a proceeding is pending or instituted, withdrawal becomes  
6 effective at such time and upon such conditions as the ~~commissioner~~ division by order  
7 determines. If no proceeding is pending or instituted and withdrawal automatically  
8 becomes effective, the ~~commissioner~~ division may institute a revocation or  
9 suspension proceeding for the grounds specified under sub. (1) (b), (g), (m) or (n)  
10 within one year after withdrawal became effective and enter a revocation or  
11 suspension order as of the last date on which the license was in effect.

12 **SECTION 6718.** 551.43 of the statutes is amended to read:

13 **551.43 Broker-dealer activities.** It is unlawful for a broker-dealer to effect  
14 in this state any transaction in, or to induce the purchase or sale of, any security by  
15 means of any manipulative, deceptive or other fraudulent device or contrivance,  
16 including any fictitious quotation. The ~~commissioner~~ division may by rule define the  
17 terms "manipulative, deceptive or other fraudulent device or contrivance".

18 **SECTION 6719.** 551.44 of the statutes is amended to read:

19 **551.44 Advisory activities.** It is unlawful for any person who receives any  
20 consideration from another person primarily for advising the other person as to the  
21 value of securities or their purchase or sale, whether through the issuance of  
22 analyses or reports or otherwise, in this state, to employ any device, scheme or  
23 artifice to defraud the other person; or engage in any act, practice or course of  
24 business which operates or would operate as a fraud or deceit upon the other person;  
25 or take or have custody of any securities or funds of any client unless the adviser is

1 licensed as a broker-dealer under this chapter. The ~~commissioner~~ division may  
2 adopt rules defining the terms used in this section.

3 **SECTION 6720.** 551.51 (1) of the statutes is amended to read:

4 551.51 (1) This chapter shall be administered by the ~~commissioner of~~  
5 ~~securities. The commissioner shall appoint a deputy commissioner, subject to s.~~  
6 ~~15.04 (2) and (3). The commissioner may designate the deputy commissioner or any~~  
7 ~~employee to perform any duty or exercise any power or function assigned to the~~  
8 ~~commissioner when he or she is absent from the office~~ division.

9 **SECTION 6721.** 551.51 (2) of the statutes is amended to read:

10 551.51 (2) It is unlawful for the ~~commissioner~~ division or any officers or  
11 employees of the ~~office of the commissioner~~ division to use for personal benefit any  
12 information which is filed with or obtained by the ~~commissioner~~ division or an  
13 organization designated under s. 551.32 (1) (a) and which is not generally available  
14 to the public. Nothing in this chapter authorizes the ~~commissioner~~ division or any  
15 officers or employees of the ~~office of the commissioner~~ division to disclose any  
16 confidential information except among themselves or to other securities  
17 administrators or regulatory authorities or when necessary or appropriate in a  
18 proceeding or investigation under this chapter. No provision of this chapter either  
19 creates or derogates from any privilege which exists at common law or otherwise  
20 when documentary or other evidence is sought under a subpoena directed to the  
21 ~~commissioner~~ division or any officers or employees of the ~~office of the commissioner~~  
22 division.

23 **SECTION 6722.** 551.52 (1) (b) (intro.) of the statutes is amended to read:

24 551.52 (1) (b) (intro.) An indefinite amount of securities shall be registered  
25 under a registration statement relating to redeemable securities issued by an

1 open-end management company or a face amount certificate company, as defined in  
2 the investment company act of 1940, and the applicant shall pay the fee under par.

3 (a). The registrant also shall, within 60 days after the end of each fiscal year during  
4 which its registration statement is effective and within 60 days after the registration  
5 is terminated, file a report on a form prescribed by rule of the ~~commissioner~~ division  
6 in which the registrant does any of the following:

7 **SECTION 6723.** 551.52 (3) of the statutes is amended to read:

8 551.52 (3) The expenses reasonably attributable to the examination of any  
9 matter arising under this chapter shall be charged to the applicant, registrant or  
10 licensee involved, but the expenses so charged shall not exceed such maximum  
11 amounts as the ~~commissioner~~ division by rule prescribes.

12 **SECTION 6724.** 551.52 (4) of the statutes is amended to read:

13 551.52 (4) The ~~commissioner~~ division may by rule require the payment of  
14 prescribed fees for delinquent or materially deficient filings of information or  
15 documents required under this chapter to be filed with the ~~commissioner~~ division or  
16 an organization designated under s. 551.32 (1) (a).

17 **SECTION 6725.** 551.53 (1) (b) of the statutes is amended to read:

18 551.53 (1) (b) That has not been filed with the ~~commissioner~~ division not later  
19 than the date of publication or circulation, except as the ~~commissioner~~ division may  
20 otherwise provide by rule or order.

21 **SECTION 6726.** 551.53 (2) of the statutes is amended to read:

22 551.53 (2) The ~~commissioner~~ division may by rule or order prohibit the  
23 publication, circulation or use of any advertising deemed false or misleading.

24 **SECTION 6727.** 551.54 of the statutes is amended to read:

1           **551.54 Misleading filings.** It is unlawful for any person to make or cause to  
2 be made, in any document filed with the ~~commissioner~~ division or filed under s.  
3 551.32 (1) (a) with an organization designated by the ~~commissioner~~ division or in any  
4 proceeding under this chapter, any statement which is, at the time and in the light  
5 of the circumstances under which it is made, false or misleading in any material  
6 respect or, in connection with such statement, to omit to state a material fact  
7 necessary in order to make the statements made, in the light of the circumstances  
8 under which they are made, not misleading.

9           **SECTION 6728.** 551.55 of the statutes is amended to read:

10           **551.55 Unlawful representations.** Neither the fact that a registration  
11 statement or an application for a license has been filed nor the fact that a security  
12 is effectively registered or a person is licensed constitutes a finding by the  
13 ~~commissioner~~ division that any document filed under this chapter is true, complete  
14 and not misleading. Neither any such fact nor the fact that an exemption or  
15 exception is available for a security or a transaction means that the ~~commissioner~~  
16 division has passed in any way upon the merits or qualifications of, or recommended  
17 or given approval to, any person, security or transaction. It is unlawful to make, or  
18 cause to be made, to any prospective purchaser, customer or client any  
19 representation inconsistent with the foregoing.

20           **SECTION 6729.** 551.56 (1) (intro.) of the statutes is amended to read:

21           551.56 (1) (intro.) The ~~commissioner~~ division may:

22           **SECTION 6730.** 551.56 (1) (b) of the statutes is amended to read:

23           551.56 (1) (b) Require or permit any person to file a statement in writing, under  
24 oath or otherwise as the ~~commissioner~~ division determines, as to all the facts and  
25 circumstances concerning the matter being investigated;

**SECTION 6731**

1           **SECTION 6731.** 551.56 (2) of the statutes is amended to read:

2           551.56 (2) For the purpose of any investigation, hearing or proceeding under  
3 this chapter, the ~~commissioner~~ division or any officer designated by the  
4 ~~commissioner~~ division may administer oaths and affirmations, subpoena witnesses,  
5 compel their attendance, take evidence and require the production of any books,  
6 papers, correspondence, memoranda, agreements or other documents or records  
7 which the ~~commissioner~~ division deems relevant or material to the inquiry. Failure  
8 to obey a subpoena or give evidence may be dealt with in accordance with s. 885.12.

9           **SECTION 6732.** 551.56 (3) (a) of the statutes is amended to read:

10          551.56 (3) (a) No person is excused from attending and testifying or from  
11 producing any document or record before the ~~commissioner~~ division, or in obedience  
12 to the subpoena of the ~~commissioner~~ division or any officer designated by the  
13 ~~commissioner~~ division, or in any proceeding instituted by the ~~commissioner~~ division,  
14 on the ground that the testimony or evidence required of the person may tend to  
15 incriminate him or her or subject the person to a penalty or forfeiture; but no  
16 individual may be prosecuted or subjected to any penalty or forfeiture for or on  
17 account of his or her testimony or evidence, after claiming his or her privilege against  
18 self-incrimination, except that the individual testifying is not exempt from  
19 prosecution and punishment for perjury or contempt committed in testifying.

20          **SECTION 6733.** 551.57 of the statutes is amended to read:

21          **551.57 Injunctions.** Whenever it appears to the ~~commissioner~~ division that  
22 any person has engaged or is about to engage in any act or practice constituting a  
23 violation of this chapter or any rule or order hereunder, the ~~commissioner~~ division  
24 may bring an action in the name of the state in the circuit court of the appropriate  
25 county to enjoin the acts or practices and to enforce compliance with this chapter or

**SECTION 6733**

1 any rule or order hereunder, or the ~~commissioner~~ division may refer the matter to  
2 the attorney general or the district attorney of the appropriate county. Upon a proper  
3 showing, the court may grant a permanent or temporary injunction or restraining  
4 order, or may appoint a receiver for the defendant or the defendant's assets, or may  
5 order rescission of any sales or purchases of securities determined to be unlawful  
6 under this chapter or any rule or order hereunder. The court may not require the  
7 ~~commissioner~~ division to post a bond.

8 **SECTION 6734.** 551.58 (2) of the statutes is amended to read:

9 551.58 (2) The ~~commissioner~~ division may refer such evidence as is available  
10 concerning violations of this chapter or of any rule or order under this chapter to the  
11 attorney general or the district attorney of the appropriate county, who may, with or  
12 without any reference, institute the appropriate criminal proceedings under this  
13 chapter. If referred to a district attorney, the district attorney shall, within 90 days,  
14 file with the ~~commissioner~~ division a statement concerning any action taken or, if no  
15 action has been taken, the reasons therefor.

16 **SECTION 6735.** 551.59 (6) (a) of the statutes is amended to read:

17 551.59 (6) (a) No purchaser may commence an action under this section if,  
18 before suit is commenced, the purchaser has received a written offer stating the  
19 respect in which liability under this section may have arisen and fairly advising the  
20 purchaser of his or her rights; offering to repurchase the security for cash payable  
21 on delivery of the security equal to the consideration paid, together with interest at  
22 the legal rate under s. 138.04 from the date of payment, less the amount of any  
23 income received thereon or, if the purchaser no longer owns the security, offering to  
24 pay the purchaser upon acceptance of the offer an amount in cash equal to the  
25 damages computed in accordance with sub. (1); and stating that the offer may be

1 accepted by the purchaser at any time within a specified period of not less than 30  
2 days after the date of receipt thereof or such shorter period as the ~~commissioner~~  
3 division may by rule prescribe; and the purchaser has failed to accept such offer in  
4 writing within the specified period.

5 **SECTION 6736.** 551.59 (6) (c) of the statutes is amended to read:

6 551.59 (6) (c) Offers shall be in the form and contain the information the  
7 ~~commissioner~~ division by rule prescribes. Every offer under this subsection shall be  
8 delivered to the offeree or sent by certified mail addressed to the offeree at the  
9 offeree's last-known address. If an offer is not performed in accordance with its  
10 terms, suit by the offeree under this section shall be permitted without regard to this  
11 subsection.

12 **SECTION 6737.** 551.60 (title) of the statutes is amended to read:

13 **551.60 (title) Miscellaneous powers of ~~commissioner~~.**

14 **SECTION 6738.** 551.60 (1) of the statutes is amended to read:

15 551.60 (1) The ~~commissioner~~ division may by rule or order require any issuer  
16 of securities registered or exempted by order of the ~~commissioner~~ division under this  
17 chapter or predecessor laws to file with the ~~commissioner~~ division and distribute to  
18 its security holders in this state at least annually specified financial or other  
19 information concerning the issuer.

20 **SECTION 6739.** 551.60 (2) (a) of the statutes is amended to read:

21 551.60 (2) (a) If the ~~commissioner~~ division has reason to believe that any offer  
22 or sale of an unregistered security is, has been or would be unfair, inequitable or  
23 fraudulent to offerees or purchasers, the ~~commissioner~~ division may by order  
24 summarily prohibit further offers or sales of such security in this state until it is  
25 registered under this chapter.

1           **SECTION 6740.** 551.60 (2) (b) of the statutes is amended to read:

2           551.60 (2) (b) If the ~~commissioner~~ division has reason to believe that any  
3 security is being or has been offered or sold in this state by any unlicensed person in  
4 violation of this chapter or any rule or order hereunder, the ~~commissioner~~ division  
5 may by order summarily prohibit such person from further offers or sales of  
6 securities in this state until licensed under this chapter.

7           **SECTION 6741.** 551.60 (2) (c) of the statutes is amended to read:

8           551.60 (2) (c) If the ~~commissioner~~ division has reason to believe that any  
9 unlicensed person is transacting or has transacted business in this state as an  
10 investment adviser in violation of this chapter or any rule or order promulgated  
11 under this chapter, the ~~commissioner~~ division may by order summarily prohibit such  
12 person from further engaging in such activity in this state until licensed under this  
13 chapter.

14           **SECTION 6742.** 551.60 (3) of the statutes is amended to read:

15           551.60 (3) If the public interest and the protection of investors so require, the  
16 ~~commissioner~~ division may by order summarily suspend all trading in this state by  
17 broker-dealers and agents in any security for any period specified. No broker-dealer  
18 or agent may effect any transaction in, or induce or attempt to induce the purchase  
19 or sale of, any security in this state in which trading is so suspended, except in  
20 performance of a contract previously entered into. At any time after the issuance of  
21 an order under this subsection, any interested person may in writing request that  
22 the suspension of trading be vacated. Upon the receipt of a written request, the  
23 matter shall be noticed for hearing and a hearing shall be held in the manner  
24 provided in s. 551.61 (2). After the hearing, the ~~commissioner~~ division may order the  
25 suspension to be continued until modified or vacated by further order upon a finding

**SECTION 6742**

1 that trading in the security will be unfair or inequitable or will tend to work a fraud  
2 upon the purchasers or sellers of the security. Otherwise, the ~~commissioner~~ division  
3 shall vacate the suspension of trading and no further order may be entered under  
4 this subsection with respect to the same security in the absence of changed  
5 circumstances justifying an order.

6 **SECTION 6743.** 551.60 (4) of the statutes is amended to read:

7 551.60 (4) Every corporation, partnership or association having its principal  
8 office in this state or whose securities have been registered under this chapter or  
9 predecessor laws shall, within 20 days after receipt of written request from the  
10 ~~commissioner~~ division made in connection with any investigation under s. 551.56 (1),  
11 furnish the ~~commissioner~~ division with a list of all or part of its security holders as  
12 the ~~commissioner~~ division requests, showing the amount of securities held by each  
13 security holder and the date of issuance of such securities and information  
14 reasonably related thereto, signed by the president, secretary or partner of the issuer  
15 or a person occupying a similar status or performing similar functions.

16 **SECTION 6744.** 551.60 (5) of the statutes is amended to read:

17 551.60 (5) The ~~commissioner~~ division may take such action as is authorized  
18 under 7 USC 13a-2, as amended.

19 **SECTION 6745.** 551.605 (1) (a) (intro.) of the statutes is amended to read:

20 551.605 (1) (a) (intro.) The ~~commissioner~~ division or any officer designated by  
21 the ~~commissioner~~ division may impose an administrative assessment in the amount  
22 provided in par. (b) on any person who is subject to an order that is issued under s.  
23 551.24, 551.28, 551.34, 551.53, 551.60 or 551.63 (1) and (2) in any of the following  
24 circumstances:

25 **SECTION 6746.** 551.605 (1) (a) 1. of the statutes is amended to read:

1           551.605 (1) (a) 1. Following a hearing under s. 551.61 if the notice delivered to  
2 all interested parties includes notice of the commissioner's division's authority to  
3 impose an administrative assessment under this subsection.

4           **SECTION 6747.** 551.605 (1) (c) of the statutes is amended to read:

5           551.605 (1) (c) The commissioner division shall include any administrative  
6 assessment imposed under this subsection in the order issued under any of the  
7 sections referred to in par. (a) in the manner described in par. (a) 1. or 2.

8           **SECTION 6748.** 551.605 (1) (d) of the statutes is amended to read:

9           551.605 (1) (d) Upon the request of the commissioner division, the department  
10 of justice may bring a civil action in the circuit court for Dane county to compel  
11 payment of any unpaid administrative assessment, unless payment of the  
12 administrative assessment is stayed under s. 227.54.

13           **SECTION 6749.** 551.605 (2) of the statutes is amended to read:

14           551.605 (2) INVESTOR EDUCATION. All moneys collected from the administrative  
15 assessment under sub. (1) shall be credited to the appropriation under s. ~~20.185 (1)~~  
16 ~~(h)~~ 20.144 (1) (i). Subject to s. ~~20.185 (1) (h)~~ 20.144 (1) (i), the commissioner division  
17 shall use moneys credited to that appropriation to provide information to residents  
18 of this state about investments in securities to help investors and potential investors  
19 evaluate their investment decisions, protect themselves from unfair, inequitable or  
20 fraudulent offerings, choose their broker-dealers, agents or investment advisers  
21 more carefully, be alert for false or misleading advertising or other harmful practices,  
22 and know their rights as investors.

23           **SECTION 6750.** 551.61 (1) of the statutes is amended to read:

24           551.61 (1) No order, other than an order issued summarily subject to sub. (2),  
25 may be entered by the commissioner division under s. 551.24, 551.28, 551.34 or

1 551.53 (2) without appropriate prior notice to all interested parties, opportunity for  
2 a hearing and, except as provided by s. 551.34 (7), written findings of fact and  
3 conclusions of law.

4 **SECTION 6751.** 551.61 (2) of the statutes is amended to read:

5 551.61 (2) Within 30 days after the ~~commissioner~~ division has issued an order  
6 summarily, an interested party may file a written request with the ~~commissioner~~  
7 division for a hearing in respect to any matters determined by the order, except a  
8 party may file a request for a hearing regarding an order issued under s. 551.60 (3)  
9 at any time. Within 10 days after an interested person files a written request with  
10 the ~~commissioner~~ division for a hearing, the matter shall be noticed for hearing, and  
11 a hearing shall be held within 60 days after notice, unless extended by the  
12 ~~commissioner~~ division for good cause. During the pendency of any hearing requested  
13 under this subsection, the order issued summarily shall remain in effect unless  
14 vacated or modified by the ~~commissioner~~ division.

15 **SECTION 6752.** 551.61 (3) of the statutes is amended to read:

16 551.61 (3) After a hearing, the ~~commissioner~~ division may issue a final order  
17 as appropriate. The final order may affirm, vacate or modify an order issued  
18 summarily in effect during the pendency of the hearing as appropriate, or may  
19 include such other sanctions as are provided for under s. 551.24, 551.28 or 551.34.  
20 An order issued summarily against a party becomes a final order if the party fails  
21 to request a hearing under sub. (2) or if the party defaults after requesting a hearing.

22 **SECTION 6753.** 551.61 (5) of the statutes is amended to read:

23 551.61 (5) Orders of the ~~commissioner~~ division are subject to judicial review  
24 under ch. 227 but orders originally entered without a hearing may be reviewed only

1 if the party seeking review has requested a hearing within the time provided by sub.  
2 (2).

3 **SECTION 6754.** 551.62 (1) of the statutes is amended to read:

4 551.62 (1) No permanent or temporary injunction, stay, restraining order or  
5 other order shall issue in any proceeding under s. 551.56 or 551.61 suspending or  
6 staying any order of the ~~commissioner~~ division, except upon application to the circuit  
7 court of the appropriate county, notice of which shall be given to the ~~commissioner~~  
8 division and other parties to the proceeding, and except after opportunity for hearing  
9 thereon. No permanent or temporary injunction, stay, restraining order or other  
10 order shall issue in any other proceeding or action, in any court, which shall have the  
11 effect of delaying or preventing any such order from becoming effective, unless the  
12 parties to the proceeding before the ~~commissioner~~ division are also parties to the  
13 court proceeding or action, and except after notice and opportunity for hearing  
14 thereon.

15 **SECTION 6755.** 551.62 (2) of the statutes is amended to read:

16 551.62 (2) No permanent or temporary injunction, stay, restraining order or  
17 other order shall issue in any proceeding under s. 551.56 or 551.61 or in any other  
18 proceeding or action, in any court, suspending or staying any order of the  
19 ~~commissioner~~ division or having the effect of delaying or preventing any such order  
20 from becoming effective, unless an undertaking is entered into on the part of the  
21 petitioner or plaintiff, with a surety and in the sum the court or the presiding judge  
22 thereof directs or approves to the effect that the petitioner or plaintiff will pay all  
23 damages which any party sustains by the suspension or stay of the order or the delay  
24 or prevention of the order from becoming effective, and to such other effect as the  
25 court or judge directs, and no order or judgment in any proceeding or action shall be

1 stayed on appeal therefrom unless a like undertaking is entered into by the  
2 petitioner or plaintiff in addition to the undertaking under s. 808.07.

3 **SECTION 6756.** 551.63 (1) of the statutes is amended to read:

4 551.63 (1) The ~~commissioner~~ division may make, amend and rescind any rules,  
5 forms and orders that are necessary to carry out this chapter, including rules and  
6 forms governing registration statements, applications and reports, and defining any  
7 terms, whether or not used in this chapter, insofar as the definitions are not  
8 inconsistent with this chapter. For the purpose of rules and forms, the ~~commissioner~~  
9 division may classify securities, persons and matters within the ~~commissioner's~~  
10 division's jurisdiction, and prescribe different requirements for different classes.  
11 Rules shall be made and published in accordance with ch. 227.

12 **SECTION 6757.** 551.63 (2) of the statutes is amended to read:

13 551.63 (2) No rule, form or order may be made, amended or rescinded unless  
14 the ~~commissioner~~ division finds that the action is necessary or appropriate in the  
15 public interest and for the protection of investors. In prescribing rules and forms the  
16 ~~commissioner~~ division may cooperate with the securities administrators of other  
17 states and the securities and exchange commission with a view to achieving  
18 maximum uniformity in the form and content of registration statements,  
19 applications and reports wherever practicable.

20 **SECTION 6758.** 551.63 (3) of the statutes is amended to read:

21 551.63 (3) The ~~commissioner~~ division may by rule or order prescribe the form  
22 and content of financial statements required under this chapter, the circumstances  
23 under which consolidated financial statements shall be filed, and whether any  
24 required financial statements shall be certified by independent or certified public

1 accountants. All financial statements shall be prepared in accordance with  
2 generally accepted accounting practices unless otherwise permitted by rule or order.

3 **SECTION 6759.** 551.63 (4) of the statutes is amended to read:

4 551.63 (4) No provision of this chapter imposing any liability applies to any act  
5 done or omitted in good faith in conformity with any rule, form or order of the  
6 ~~commissioner~~ division, notwithstanding that the rule, form or order may later be  
7 amended or rescinded or be determined to be invalid for any reason.

8 **SECTION 6760.** 551.64 (1) of the statutes is amended to read:

9 551.64 (1) A document is filed when it is received by the ~~commissioner~~ division  
10 or, if authorized under s. 551.32 (1) (a), an organization designated by the  
11 ~~commissioner~~ division.

12 **SECTION 6761.** 551.64 (2) of the statutes is amended to read:

13 551.64 (2) The ~~commissioner~~ division shall keep a register of all licenses and  
14 registration statements which are or have ever been effective under this chapter and  
15 predecessor laws and all denial, suspension or revocation orders which have been  
16 entered under this chapter and predecessor laws. The register shall be open for  
17 public inspection.

18 **SECTION 6762.** 551.64 (3) of the statutes is amended to read:

19 551.64 (3) The information contained in or filed with any registration  
20 statement, application or report shall be made available to the public in accordance  
21 with rules adopted by the ~~commissioner~~ division.

22 **SECTION 6763.** 551.64 (4) of the statutes is amended to read:

23 551.64 (4) The ~~commissioner~~ division upon request shall furnish to any person  
24 at a reasonable charge photostatic or other copies, certified ~~under the commissioner's~~  
25 ~~seal of office~~, by the division if certification is requested, of any entry in the register

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1 or any order or other document on file ~~in the commissioner's office~~ with the division.

2 Any copy so certified is admissible in evidence under s. 889.18.

3 **SECTION 6764.** 551.64 (5) of the statutes is amended to read:

4 551.64 (5) The ~~commissioner~~ division may honor requests from interested  
5 persons for interpretative opinions.

6 **SECTION 6765.** 551.65 (1) of the statutes is amended to read:

7 551.65 (1) Every applicant for license or registration under this chapter and  
8 every issuer which proposes to offer a security in this state through any person acting  
9 as agent shall file with the ~~commissioner~~ division or, if applying for a license, with  
10 the organization designated by the ~~commissioner~~ division under s. 551.32 (1) (a), an  
11 irrevocable consent appointing the ~~commissioner or the commissioner's successor in~~  
12 ~~office~~ division to be his or her attorney to receive service of any lawful process in any  
13 noncriminal suit, action or proceeding against him or her or a successor, executor or  
14 administrator which arises under this chapter or any rule or order under this chapter  
15 after the consent has been filed, with the same validity as if served personally on the  
16 person filing the consent. The consent shall be in the form the ~~commissioner~~ division  
17 by rule prescribes. The consent need not be filed by a person who has filed a consent  
18 in connection with a previous registration or license which is then in effect. Service  
19 may be made by leaving a copy of the process ~~in~~ at the office of the ~~commissioner~~  
20 division, but it is not effective unless the plaintiff, who may be the ~~commissioner~~  
21 division in a suit, action or proceeding instituted by the ~~commissioner~~ division,  
22 promptly sends notice of the service and a copy of the process by registered or  
23 certified mail to the defendant or respondent at the person's last address on file with  
24 the ~~commissioner~~ division, and the plaintiff's affidavit of compliance with this

1 subsection is filed in the case on or before the return day of the process, or within such  
2 time as the court allows.

3 **SECTION 6766.** 551.65 (2) of the statutes is amended to read:

4 551.65 (2) When any person, including any nonresident of this state, engages  
5 in conduct prohibited or made actionable by this chapter or any rule or order under  
6 this chapter, and the person has not filed a consent to service of process under sub.  
7 (1) and personal jurisdiction over the person cannot otherwise be obtained in this  
8 state, that conduct shall be considered equivalent to the person's appointment of the  
9 ~~commissioner~~ division to be his or her attorney to receive service of any lawful  
10 process in any noncriminal suit, action or proceeding against the person or the  
11 person's successor, executor or administrator which arises out of that conduct and  
12 which is brought under this chapter or any rule or order under this chapter, with the  
13 same validity as if served on him or her personally. Service may be made by leaving  
14 a copy of the process in ~~at~~ the office of the ~~commissioner~~ division, but it is not effective  
15 unless the plaintiff, who may be the ~~commissioner~~ division in a suit, action or  
16 proceeding instituted by the ~~commissioner~~ division, promptly sends notice of the  
17 service and a copy of the process by registered or certified mail to the defendant or  
18 respondent at the person's last-known address or takes other steps which are  
19 reasonably calculated to give actual notice; and the plaintiff's affidavit of compliance  
20 with this subsection is filed in the case on or before the return day of the process or  
21 within such time as the court allows.

22 **SECTION 6767.** 551.65 (3) of the statutes is amended to read:

23 551.65 (3) When process is served under this section the court, or the  
24 ~~commissioner~~ division in a proceeding before the ~~commissioner~~ division, shall order

1 such continuance as is necessary to afford the defendant or respondent reasonable  
2 opportunity to defend.

3 **SECTION 6768.** 552.01 (1) of the statutes is amended to read:

4 552.01 (1) “~~Commissioner~~” “Division” means the ~~commissioner~~ division of  
5 securities.

6 **SECTION 6769.** 552.01 (2) of the statutes is amended to read:

7 552.01 (2) “Equity security” means any shares of stock or similar securities, or  
8 any securities convertible into such securities, or carrying any warrant or right to  
9 subscribe to or purchase such securities, or any such warrant or right, or any other  
10 security which, for the protection of investors, is deemed an equity security pursuant  
11 to rule of the ~~commissioner~~ division.

12 **SECTION 6770.** 552.03 (1) (intro.) of the statutes is amended to read:

13 552.03 (1) (intro.) Any person who, after acquiring directly or indirectly the  
14 beneficial ownership of any equity security of a target company, is directly or  
15 indirectly a beneficial owner of more than 5% of any class of the outstanding equity  
16 securities of the issuer shall, within 10 days after such acquisition, file with the  
17 ~~commissioner~~ division on a form prescribed by the ~~commissioner~~ division a  
18 statement containing the following information and such additional information as  
19 the ~~commissioner~~ division by rule prescribes:

20 **SECTION 6771.** 552.03 (3) of the statutes is amended to read:

21 552.03 (3) Any person may file with the ~~commissioner~~ division, in lieu of the  
22 statement prescribed in sub. (1) and unless otherwise ordered by the ~~commissioner~~  
23 division, a statement containing the person’s name and address, the number of  
24 shares or units of any equity security of the target company which are beneficially  
25 owned directly or indirectly by the person and each of the person’s associates, the

1 date of their acquisition and such other information as the ~~commissioner~~ division  
2 may by rule prescribe, if the person certifies that such securities were acquired by  
3 the person in the ordinary course of the person's business and not for the purpose or  
4 having the effect of changing or influencing the control of the issuer nor in connection  
5 with or as a participant in any transaction having such purpose or effect, and that  
6 the person does not intend to make a take-over offer involving the target company.

7 **SECTION 6772.** 552.03 (4) of the statutes is amended to read:

8 552.03 (4) If any material change occurs in the facts set forth in the statement,  
9 the person filing the statement shall, within 10 days thereafter, file with the  
10 ~~commissioner~~ division an amendment describing the change, in accordance with  
11 rules adopted by the ~~commissioner~~ division.

12 **SECTION 6773.** 552.03 (5) of the statutes is amended to read:

13 552.03 (5) Each person required to file any statement or amendment thereto  
14 with the ~~commissioner~~ division under this section shall send a signed copy of such  
15 statement or amendment by certified mail to the target company at its principal  
16 office not later than the date of filing.

17 **SECTION 6774.** 552.03 (6) of the statutes is amended to read:

18 552.03 (6) No person required to file any ownership statement under this  
19 section, who is delinquent in the filing of such statement, may file a registration  
20 statement relating to a proposed take-over offer for a period of 60 days after the date  
21 of filing of the ownership statement, except as may be permitted by order of the  
22 ~~commissioner~~ division.

23 **SECTION 6775.** 552.05 (1) of the statutes is amended to read:

24 552.05 (1) It is unlawful for any person to make a take-over offer involving a  
25 target company in this state, or to acquire any equity securities of a target company

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1 pursuant to the offer, unless the offer is effective under this chapter or is exempted  
2 by rule or order of the ~~commissioner~~ division. The ~~commissioner~~ division may by an  
3 exemption order, with or without petition of the offeror, permit a take-over offer to  
4 be made without prior registration under this chapter if the offeror's purchase of any  
5 securities tendered incident to the offer is conditioned upon subsequent registration  
6 under this chapter. The ~~commissioner~~ division may hold a hearing under sub. (4)  
7 with respect to the registration of a take-over offer which is subject to an exemption  
8 order. Before a take-over offer becomes effective under this chapter, the offeror shall  
9 file with the ~~commissioner~~ division a registration statement containing the  
10 information prescribed in sub. (2), and send a copy of the registration statement by  
11 certified mail to the target company at its principal office and publicly disclose the  
12 material terms of the proposed offer, not later than the date of filing of the  
13 registration statement.

14 **SECTION 6776.** 552.05 (2) (intro.) of the statutes is amended to read:

15 552.05 (2) (intro.) The registration statement shall be filed on forms prescribed  
16 by the ~~commissioner~~ division, and shall be accompanied by a consent by the offeror  
17 to service of process specified in s. 551.65 (1) and the filing fee specified in s. 552.15  
18 (1), and shall contain the following information and such additional information as  
19 the commissioner by rule prescribes:

20 **SECTION 6777.** 552.05 (3) of the statutes is amended to read:

21 552.05 (3) The ~~commissioner~~ division may require the offeror to file any other  
22 documents, exhibits and information that the ~~commissioner~~ division deems material  
23 to the take-over offer, and the ~~commissioner~~ division may permit the omission of any  
24 of the information specified in sub. (2) if the ~~commissioner~~ division determines that  
25 such information is not required for the protection of offerees. The ~~commissioner~~

1 division may by order summarily delay the effective date of the offer if the  
2 ~~commissioner~~ division determines that the registration statement does not contain  
3 all of the information specified in sub. (2) or does not provide full disclosure to offerees  
4 of all material information concerning the offer.

5 **SECTION 6778.** 552.05 (4) of the statutes is amended to read:

6 552.05 (4) A take-over offer becomes effective 10 days after the date of filing  
7 the registration statement with the ~~commissioner~~ division unless delayed by order,  
8 or unless prior thereto the ~~commissioner~~ division calls a hearing with respect to the  
9 offer. The ~~commissioner~~ division may call a hearing if it is necessary or appropriate  
10 for the protection of offerees in this state. Within 5 days after the filing of the  
11 registration statement, the target company, acting through its board of directors,  
12 may petition the ~~commissioner~~ division to hold a hearing with respect to the  
13 take-over offer, except that the target company may not request a hearing if it has  
14 requested a hearing with respect to the take-over offer under a law of any other state  
15 similar to this chapter. The petition shall set forth the specific basis asserted under  
16 sub. (5) for denying, delaying or requiring amendment of the registration statement.  
17 Within 72 hours after the petition is filed the ~~commissioner~~ division shall either call  
18 a hearing or notify the target company in writing or by telephone or telegraph why  
19 a hearing was not called. If a hearing is called by the ~~commissioner~~ division and the  
20 target company subsequently requests a hearing with respect to the take-over offer  
21 under a law of another state similar to this chapter the ~~commissioner~~ division shall  
22 dismiss any hearing proceedings under this chapter. If a hearing is called, the offer  
23 is not effective until registered by order of the ~~commissioner~~ division, except that the  
24 ~~commissioner~~ division may issue an exemption order permitting a conditional  
25 take-over offer under sub. (1) to commence.

1           **SECTION 6779.** 552.05 (5) of the statutes is amended to read:

2           552.05 (5) Any hearing called by the ~~commissioner~~ division under this section  
3 shall be held within 20 days of the date of filing of the registration statement under  
4 sub. (1), and any determination made following the hearing shall be made within 30  
5 days after the filing, unless extended by order of the ~~commissioner~~ division for the  
6 convenience of the parties or for the protection of offerees in this state, but an  
7 extension may not exceed offering period limitations relating to take-over offers  
8 prescribed by the securities exchange act of 1934 or rules and regulations under that  
9 act, if the take-over offer is subject to the securities exchange act of 1934. If,  
10 following the hearing, the ~~commissioner~~ division finds that the take-over offer fails  
11 to provide for full and fair disclosure to offerees of all material information  
12 concerning the offer, the offer will not be made to all stockholders on substantially  
13 equal terms, the offer is in violation of ch. 551 or this chapter or the offeror is  
14 delinquent in the filing of an ownership information statement or has filed an  
15 ownership information statement that contains a false statement of a material fact  
16 or omits to state a material fact necessary to make the statements made not  
17 misleading, the ~~commissioner~~ division may, by order, deny registration of the offer,  
18 prohibit the offeror from filing a registration statement relating to a proposed  
19 take-over offer involving the target company for a period of up to 180 days or permit  
20 the take-over offer to be amended and by order register the amended take-over offer.

21           **SECTION 6780.** 552.05 (6) of the statutes is amended to read:

22           552.05 (6) If the ~~commissioner~~ division does not enter an order denying or  
23 postponing registration under sub. (5), the ~~commissioner~~ division shall, by order,  
24 register the take-over offer or amended take-over offer. Registration of the  
25 take-over offer is not approval of the take-over offer by the ~~commissioner~~ division.

**SECTION 6781**

1           **SECTION 6781.** 552.07 (1) of the statutes is amended to read:

2           552.07 (1) Copies of all advertisements, circulars, letters or other materials  
3 published by the offeror or the target company, soliciting or requesting the  
4 acceptance or rejection of the take-over offer, shall be filed with the ~~commissioner~~  
5 division and sent to the target company or offeror, respectively, not later than the  
6 time copies of such solicitation materials are first published or used or sent to  
7 security holders of the target company.

8           **SECTION 6782.** 552.07 (2) of the statutes is amended to read:

9           552.07 (2) Solicitation materials used in connection with a take-over offer shall  
10 not contain any false statement of a material fact or omit to state a material fact  
11 necessary to make the statements therein not misleading. The ~~commissioner~~  
12 division may by rule or order prohibit the use of any solicitation materials deemed  
13 false or misleading.

14           **SECTION 6783.** 552.08 of the statutes is amended to read:

15           **552.08 Comity.** The registration and filing requirements of ss. 552.05 and  
16 552.07 do not apply to a take-over offer subject to this chapter if the ~~commissioner~~  
17 division determines by order that another jurisdiction has statutes or rules which are  
18 applicable to the take-over offer and are being applied which afford protection to  
19 security holders located in this state substantially equal to the protection afforded  
20 security holders by this chapter. The issuance of an order under this section does not  
21 prohibit the ~~commissioner~~ division from participating in any proceeding in the other  
22 jurisdiction to the extent necessary to protect security holders in this state.

23           **SECTION 6784.** 552.09 (5) of the statutes is amended to read:

24           552.09 (5) Acquisition by or through a broker-dealer acting on behalf of an  
25 offeror or a target company of any equity security of the target company in connection

1 with a take-over offer unless the broker-dealer files with the ~~commissioner~~ division  
2 such information as the ~~commissioner~~ division requires and to the extent permitted  
3 by rule or order by the ~~commissioner~~ division, or unless the broker-dealer did not  
4 know and in the exercise of reasonable care could not have known that the person  
5 for whom it acted was an offeror or a target company or that the acquisition was in  
6 connection with a take-over offer.

7 **SECTION 6785.** 552.11 (2) of the statutes is amended to read:

8 552.11 (2) An offeror shall provide that any equity securities of a target  
9 company subject to s. 552.05 deposited or tendered pursuant to a registered  
10 take-over offer may be withdrawn by or on behalf of any offeree at any time within  
11 7 days from the date the offer has become effective under this chapter and after 60  
12 days from the date the offer has become effective under this chapter, except as the  
13 ~~commissioner~~ division may otherwise prescribe by rule or order for the protection of  
14 investors. In any offer permitted to commence by an exemption order under s. 552.05  
15 (1), the offeror shall provide that any equity securities tendered or deposited  
16 pursuant to the conditional offer will be purchased by the offeror only in the event  
17 a subsequent registration of the offer occurs under this chapter.

18 **SECTION 6786.** 552.11 (5) of the statutes is amended to read:

19 552.11 (5) No offeror may make a take-over offer involving a target company  
20 subject to s. 552.05, or acquire any equity securities of the target company pursuant  
21 to the offer, at any time when an administrative or injunctive proceeding has been  
22 brought by the ~~commissioner~~ division against the offeror for violation of this chapter  
23 that has not been finally determined.

24 **SECTION 6787.** 552.11 (6) of the statutes is amended to read:

1           552.11 (6) No offeror may acquire, remove or exercise control, directly or  
2 indirectly, over any assets located in this state of a target company subject to s. 552.05  
3 unless the take-over offer is effective or exempt under this chapter, except as  
4 permitted by order of the ~~commissioner~~ division.

5           **SECTION 6788.** 552.13 (1) of the statutes is amended to read:

6           552.13 (1) This chapter shall be administered by the ~~commissioner~~ of  
7 securities, ~~who~~ division, which may exercise all powers granted to the ~~commissioner~~  
8 division under ch. 551 which are not inconsistent with this chapter.

9           **SECTION 6789.** 552.13 (2) of the statutes is amended to read:

10          552.13 (2) The ~~commissioner~~ division may adopt rules necessary to carry out  
11 the purposes of this chapter, including rules defining fraudulent or deceptive  
12 practices and other terms used in this chapter.

13          **SECTION 6790.** 552.13 (3) of the statutes is amended to read:

14          552.13 (3) The ~~commissioner~~ division may by rule or order exempt from any  
15 provisions of this chapter take-over offers that the ~~commissioner~~ division  
16 determines are not made for the purpose or do not have the effect of changing or  
17 influencing the control of a target company or where compliance with this chapter  
18 is not necessary for the protection of offerees in this state, and may exempt any  
19 person from the filing of statements under this chapter.

20          **SECTION 6791.** 552.13 (4) of the statutes is amended to read:

21          552.13 (4) The ~~commissioner~~ division may by order direct any person to file any  
22 statement provided for in this chapter if it appears that such person is required to  
23 file such statement and is delinquent in the filing of such statement.

24          **SECTION 6792.** 552.15 (1) of the statutes is amended to read:

**SECTION 6792**

1           552.15 (1) The ~~commissioner~~ division shall charge a filing fee of \$100 for a  
2 registration statement filed by an offeror and \$100 for a request for hearing filed by  
3 a target company.

4           **SECTION 6793.** 552.15 (3) of the statutes is amended to read:

5           552.15 (3) The expenses reasonably attributable to the examination of  
6 solicitation materials shall be charged to the person filing them, but the expenses so  
7 charged shall not exceed such maximum amounts as the ~~commissioner~~ division by  
8 rule prescribes.

9           **SECTION 6794.** 552.17 of the statutes is amended to read:

10          **552.17 Injunctions.** Whenever it appears that any person, including a  
11 controlling person of an offeror or target company, has engaged or is about to engage  
12 in any act or practice constituting a violation of this chapter or any rule or order  
13 under this chapter, the ~~commissioner~~ division may bring an action in the name of the  
14 state in the circuit court of the appropriate county to enjoin the acts or practices and  
15 to enforce compliance with this chapter or any rule or order under this chapter, or  
16 may refer the matter to the attorney general or the district attorney of the  
17 appropriate county. Upon a proper showing, the court may grant a permanent or  
18 temporary injunction or restraining order, may order rescission of any sales or  
19 purchases of securities determined to be unlawful under this chapter or any rule or  
20 order under this chapter or may grant other appropriate relief. The court may not  
21 require the ~~commissioner~~ division to post a bond.

22          **SECTION 6795.** 552.19 (2) of the statutes is amended to read:

23          552.19 (2) The ~~commissioner~~ division may refer such evidence as is available  
24 concerning violations of this chapter or of any rule or order under this chapter to the  
25 attorney general or the district attorney of the appropriate county who may, with or

1 without any reference, institute the appropriate criminal proceedings under this  
2 chapter. If referred to a district attorney, the district attorney shall, within 90 days,  
3 file with the ~~commissioner~~ division a statement concerning any action taken or, if no  
4 action has been taken, the reasons therefor.

5 **SECTION 6796.** 552.23 (1) of the statutes is amended to read:

6 552.23 (1) If the target company is an insurance company subject to regulation  
7 by the commissioner of insurance, a banking corporation subject to regulation by the  
8 ~~commissioner~~ division of banking, a savings bank or savings and loan association  
9 subject to regulation by the ~~commissioner~~ division of savings and loan, ~~or a public~~  
10 ~~service corporation~~ or a company subject to regulation by the public service  
11 commission, the department of transportation or the office of the commissioner of  
12 railroads, the ~~commissioner~~ division of securities shall promptly furnish a copy of the  
13 registration statement filed under this chapter to the regulatory agency having  
14 supervision of the target company. Any hearing under this chapter involving any  
15 such target company shall be held jointly with the regulatory agency having  
16 supervision, and any determination following the hearing shall be made jointly with  
17 that regulatory agency.

18 **SECTION 6797.** 553.03 (3) of the statutes is amended to read:

19 553.03 (3) "~~Commissioner~~" "Division" means the ~~commissioner~~ division of  
20 securities.

21 **SECTION 6798.** 553.03 (5m) (a) of the statutes is amended to read:

22 553.03 (5m) (a) The purchase or agreement to purchase goods at a bona fide  
23 wholesale price. The ~~commissioner~~ division may issue rules defining wholesale  
24 transactions exempt under this paragraph.

25 **SECTION 6799.** 553.03 (5m) (d) of the statutes is amended to read:

1           553.03 (5m) (d) Any other consideration which the ~~commissioner~~ division by  
2 rule excludes from “franchise fee”.

3           **SECTION 6800.** 553.03 (9) of the statutes is amended to read:

4           553.03 (9) “Order” means every direction or determination of the ~~commissioner~~  
5 division designated an order and made in writing ~~over the signature and seal of by~~  
6 the ~~commissioner~~ division, except a rule as defined under s. 227.01 (13).

7           **SECTION 6801.** 553.22 (1) (intro.) of the statutes is amended to read:

8           553.22 (1) EXEMPTION. (intro.) A franchisor may obtain an exemption for one  
9 year from registering an offer to sell or a sale of a franchise under s. 553.21 if the  
10 franchisor satisfies all of the following conditions other than any condition waived  
11 by the ~~commissioner~~ division:

12           **SECTION 6802.** 553.22 (1) (c) of the statutes is amended to read:

13           553.22 (1) (c) Discloses in writing the information prescribed by rule of the  
14 ~~commissioner~~ division to each prospective franchisee at least 10 business days prior  
15 to the execution by the prospective franchisee of any binding franchise or other  
16 agreement or at least 10 business days prior to the receipt of any consideration,  
17 whichever first occurs.

18           **SECTION 6803.** 553.22 (1) (d) of the statutes is amended to read:

19           553.22 (1) (d) Files with the ~~commissioner~~ division at least 10 days before any  
20 offer or sale of a franchise in this state that relies on the exemption under this  
21 subsection a notice consisting of a copy of the information to be distributed to each  
22 prospective franchisee under par. (c), together with the consent to service of process  
23 as specified in s. 553.27 (10), the fee prescribed by rule of the ~~commissioner~~ division  
24 and any additional information required under s. 553.24 (6).

25           **SECTION 6804.** 553.22 (2) of the statutes is amended to read:

**SECTION 6804**

1           553.22 (2) **EFFECTIVE DATE.** The ~~commissioner~~ division may, by order, disallow  
2 the exemption within 10 days after the date on which the information required under  
3 sub. (1) is filed or, if additional information is required under s. 553.24 (6), within 10  
4 days after the date on which that information is filed. If the ~~commissioner~~ division  
5 does not disallow the exemption within the applicable time period, the exemption  
6 takes effect on the day after the time period expires.

7           **SECTION 6805.** 553.22 (3) (intro.) of the statutes is amended to read:

8           553.22 (3) **EXTENSION.** (intro.) The exemption under sub. (1) may be extended  
9 for additional one-year periods if the franchisor files all of the following with the  
10 ~~commissioner~~ division before the one-year exemption period, or an extension of the  
11 exemption period, expires or before a date set by the ~~commissioner~~ division if the  
12 ~~commissioner~~ division permits the franchisor to file for an extension after the  
13 expiration of the franchisor's previous exemption period:

14           **SECTION 6806.** 553.22 (3) (a) of the statutes is amended to read:

15           553.22 (3) (a) A copy of either the franchisor's current offering circular  
16 prepared in the form required by rule of the ~~commissioner~~ division under s. 553.27  
17 (4) for offering circulars used in connection with a registered franchise or the  
18 franchisor's current disclosure document prepared in the form required by 16 CFR  
19 436.

20           **SECTION 6807.** 553.22 (3) (d) of the statutes is amended to read:

21           553.22 (3) (d) The fee prescribed by rule of the ~~commissioner~~ division.

22           **SECTION 6808.** 553.235 (2) (b) of the statutes is amended to read:

23           553.235 (2) (b) The ~~commissioner~~ division may, by rule or order, withdraw or  
24 further condition the availability of the exemption under sub. (1).

25           **SECTION 6809.** 553.24 (1) of the statutes is amended to read:

**SECTION 6809**

1           553.24 (1) The ~~commissioner~~ division may by order deny or revoke any  
2 exemption under s. 553.22, 553.23, 553.235 or 553.25 with respect to the offer or sale  
3 of a franchise for any of the grounds specified in s. 553.28 (1).

4           **SECTION 6810.** 553.24 (2) of the statutes is amended to read:

5           553.24 (2) If the public interest and the protection of investors so require, the  
6 ~~commissioner~~ division may, by order, summarily deny or revoke any exemption  
7 under s. 553.22, 553.23, 553.235 or 553.25 with respect to the offer or sale of a  
8 franchise.

9           **SECTION 6811.** 553.24 (4) (intro.) of the statutes is amended to read:

10          553.24 (4) (intro.) A person who offers or sells a franchise pursuant to an  
11 exemption under s. 553.22, 553.23, 553.235 or 553.25 after the exemption is denied  
12 or revoked by an order of the ~~commissioner~~ division does not violate s. 553.21 if:

13          **SECTION 6812.** 553.24 (6) of the statutes is amended to read:

14          553.24 (6) Within 10 days after the filing date of the information required  
15 under s. 553.22 or an application for an exemption under s. 553.25, the ~~commissioner~~  
16 division may require that additional information be filed if the ~~commissioner~~  
17 division determines that the information is reasonably necessary to establish an  
18 exemption under s. 553.22 or 553.25. If the ~~commissioner~~ division requires  
19 additional information, the exemption is not effective until 10 days after the  
20 additional information is filed with the ~~commissioner~~ division, unless a shorter  
21 period is permitted by the ~~commissioner~~ division.

22          **SECTION 6813.** 553.25 of the statutes is amended to read:

23          **553.25 (title) Exemption by ~~commissioner~~ division.** The ~~commissioner~~  
24 division may by rule or order exempt from registration under s. 553.21 any offer or

1 sale of a franchise if registration is not necessary or appropriate in the public interest  
2 or for the protection of investors.

3 **SECTION 6814.** 553.26 (intro.) of the statutes is amended to read:

4 **553.26 Application for registration.** (intro.) The application for  
5 registration of an offer shall be filed with the ~~commissioner~~ division and shall contain  
6 the following:

7 **SECTION 6815.** 553.26 (4) of the statutes is amended to read:

8 553.26 (4) Such information concerning the identity and business experience  
9 of persons affiliated with the franchisor, as the ~~commissioner~~ division may by rule  
10 prescribe.

11 **SECTION 6816.** 553.26 (7) (intro.) of the statutes is amended to read:

12 553.26 (7) (intro.) A recent financial statement of the franchisor, together with  
13 a statement of any material changes in the financial condition of the franchisor from  
14 the date thereof. The ~~commissioner~~ division may by rule or order prescribe:

15 **SECTION 6817.** 553.26 (18) of the statutes is amended to read:

16 553.26 (18) A statement of the number of franchises presently operating and  
17 proposed to be sold, as may be required by rule of the ~~commissioner~~ division.

18 **SECTION 6818.** 553.26 (20) of the statutes is amended to read:

19 553.26 (20) Other information related to the application as the ~~commissioner~~  
20 division may reasonably require.

21 **SECTION 6819.** 553.27 (2) of the statutes is amended to read:

22 553.27 (2) If the ~~commissioner~~ division finds that the applicant has failed to  
23 demonstrate that adequate financial arrangements have been made to fulfill  
24 obligations to provide real estate, improvements, equipment, inventory, training or  
25 other items included in the offering, the ~~commissioner~~ division may by rule or order

**SECTION 6819**

1 require the escrow of franchise fees and other funds paid by the franchisee or  
2 subfranchisor until no later than the time of opening of the franchise business, or,  
3 at the option of the franchisor, the furnishing of a surety bond as provided by rule of  
4 the ~~commissioner~~ division, if the ~~commissioner~~ division finds that such requirement  
5 is necessary and appropriate to protect prospective franchisees or subfranchisors.

6 **SECTION 6820.** 553.27 (3) of the statutes is amended to read:

7 553.27 (3) The application for registration shall be accompanied by a proposed  
8 offering prospectus, which shall contain the material information set forth in the  
9 application for registration, as specified by rule of the ~~commissioner~~ division, and  
10 such additional disclosures as the ~~commissioner~~ division may require. The  
11 prospectus shall recite in bold type of not less than 10-point type that registration  
12 does not constitute approval recommendation or indorsement by the ~~commissioner~~  
13 division.

14 **SECTION 6821.** 553.27 (4) of the statutes is amended to read:

15 553.27 (4) No franchise subject to registration under this chapter may be sold  
16 in this state unless a copy of the offering circular in the form prescribed by rule of the  
17 ~~commissioner~~ division is provided to the prospective franchisee at least 10 business  
18 days prior to the execution by the prospective franchisee of any binding franchise or  
19 other agreement or at least 10 business days prior to the receipt of any consideration,  
20 whichever first occurs.

21 **SECTION 6822.** 553.27 (6) of the statutes is amended to read:

22 553.27 (6) The ~~commissioner~~ division may accept and act upon the opinions,  
23 appraisals and reports of any engineers, appraisers or other experts which may be  
24 presented by an applicant or any interested party, on any question of fact concerning  
25 or affecting the franchises proposed to be offered and sold. In lieu of, or in addition

1 to, such opinions, appraisals and reports, the ~~commissioner~~ division may have any  
2 or all matters concerning or affecting such franchises investigated, appraised,  
3 passed upon and certified to the ~~commissioner~~ division by engineers, appraisers or  
4 other experts selected by the ~~commissioner~~ division.

5 **SECTION 6823.** 553.27 (7) of the statutes is amended to read:

6 553.27 (7) Any document filed under this chapter or ch. 551 may be  
7 incorporated by reference in a subsequent application filed under this chapter if it  
8 was filed within 2 years prior to the filing of such application, or is otherwise  
9 available in the files of the ~~commissioner~~ division, to the extent that the document  
10 is currently accurate.

11 **SECTION 6824.** 553.27 (8) of the statutes is amended to read:

12 553.27 (8) The registration statement shall consist of a circular containing  
13 those items required by s. 553.26 to be disclosed to investors together with other  
14 documents which the ~~commissioner~~ division by rule prescribes.

15 **SECTION 6825.** 553.27 (9) of the statutes is amended to read:

16 553.27 (9) Neither the fact that an application for registration under this  
17 chapter has been filed, nor the fact that such registration has become effective  
18 constitutes a finding by the ~~commissioner~~ division that any document filed under  
19 this chapter is true, complete or not misleading. Neither any such fact nor the fact  
20 that an exemption is available for a transaction means that the ~~commissioner~~  
21 division has passed in any way upon the merits or qualifications of, or recommended  
22 or given approval to, any person, franchise or transaction. No person may make or  
23 cause to be made to any prospective purchaser or offeree any representation  
24 inconsistent with this subsection.

25 **SECTION 6826.** 553.27 (10) of the statutes is amended to read:

1           553.27 (10) Every applicant for registration of an offer to sell franchises under  
2 this chapter shall file with the ~~commissioner~~ division, in such form as the  
3 ~~commissioner~~ division by rule prescribes, an irrevocable consent appointing the  
4 ~~commissioner or the commissioner's successor in office~~ division to be the applicant's  
5 attorney to receive service of any lawful process in any civil action against the  
6 applicant or the applicant's successor, executor or administrator, which arises under  
7 this chapter or any rule or order under this chapter after the consent has been filed,  
8 with the same force and validity as if served personally on the person filing the  
9 consent. A person who has filed a consent in connection with a previous registration  
10 under this chapter need not file another. Service may be made by leaving a copy of  
11 the process in the office of the ~~commissioner~~ division but it is not effective unless the  
12 plaintiff, who may be the ~~commissioner~~ division in an action instituted by the  
13 ~~commissioner~~ division, forthwith sends notice of the service and a copy of the process  
14 by registered or certified mail to the defendant or respondent at his or her last  
15 address on file with the ~~commissioner~~ division, and the plaintiff's affidavit of  
16 compliance with this subsection is filed in the case on or before the return day of the  
17 process, if any, or within such further time as the court allows.

18           **SECTION 6827.** 553.27 (11) (a) of the statutes is amended to read:

19           553.27 (11) (a) A registrant may withdraw a registration statement,  
20 registration renewal statement or an amendment to the registration statement, and  
21 an applicant may withdraw an application for registration or an amendment to the  
22 application, if the registrant or applicant files with the ~~commissioner~~ division a  
23 written request for withdrawal. Except as provided in par. (b), withdrawal is  
24 effective at 12 midnight of the day on which the withdrawal request is filed with the  
25 ~~commissioner~~ division.

1           **SECTION 6828.** 553.27 (11) (b) of the statutes is amended to read:

2           553.27 (11) (b) Withdrawal is effective at the time and upon the conditions set  
3 by the ~~commissioner~~ division by order if a proceeding to deny effectiveness to, or to  
4 postpone, suspend or revoke effectiveness of, the registration statement is pending  
5 when the request for withdrawal is filed or is begun within 30 days after the request  
6 for withdrawal is filed.

7           **SECTION 6829.** 553.28 (1) (intro.) of the statutes is amended to read:

8           553.28 (1) (intro.) The ~~commissioner~~ division may issue an order denying  
9 effectiveness to, or postponing, suspending or revoking effectiveness of, any  
10 registration statement if the ~~commissioner~~ division finds any of the following:

11           **SECTION 6830.** 553.28 (1) (a) of the statutes is amended to read:

12           553.28 (1) (a) That there has been a failure to comply with this chapter or the  
13 rules of the ~~commissioner~~ division pertaining thereto.

14           **SECTION 6831.** 553.28 (1) (e) of the statutes is amended to read:

15           553.28 (1) (e) That the applicant or registrant has failed to pay the proper filing  
16 fee; but the ~~commissioner~~ division may enter only a denial order under this  
17 paragraph and the ~~commissioner~~ division shall vacate any such order when the  
18 deficiency has been corrected.

19           **SECTION 6832.** 553.28 (2) of the statutes is amended to read:

20           553.28 (2) If the public interest and the protection of investors so require, the  
21 ~~commissioner~~ division may by order summarily deny, postpone, suspend or revoke  
22 the effectiveness of the registration.

23           **SECTION 6833.** 553.28 (3) of the statutes is amended to read:

24           553.28 (3) The ~~commissioner~~ division may vacate or modify an order entered  
25 under s. 553.24 or this section if the ~~commissioner~~ division finds that the conditions

1 which prompted its entry have changed or that it is otherwise in the public interest  
2 to do so.

3 **SECTION 6834.** 553.29 (1) (a) of the statutes is amended to read:

4 553.29 (1) (a) Except as provided in par. (b), if no order under s. 553.24, 553.28  
5 or 553.60 is in effect, registration of the offer of franchises becomes effective at 12  
6 midnight of the 15th business day after the filing of the application for registration  
7 or the last amendment thereto, or at such earlier time as the ~~commissioner~~ division  
8 determines.

9 **SECTION 6835.** 553.29 (1) (b) of the statutes is amended to read:

10 553.29 (1) (b) If the ~~commissioner~~ division requires the submission of  
11 additional information under s. 553.26 (20) before the registration of the offer of  
12 franchises becomes effective under par. (a) and if no order under s. 553.24, 553.28 or  
13 553.60 is in effect, the registration becomes effective at 12 midnight of the 15th  
14 business day after the additional information is filed with the ~~commissioner~~ division,  
15 or at such earlier time as the ~~commissioner~~ division determines.

16 **SECTION 6836.** 553.29 (2) of the statutes is amended to read:

17 553.29 (2) A franchise offering shall be duly registered for a period of one year  
18 from the effective date of the registration, unless the ~~commissioner~~ division by order  
19 or rule specifies a different period.

20 **SECTION 6837.** 553.29 (3) of the statutes is amended to read:

21 553.29 (3) Registration of franchises shall be by order of the ~~commissioner~~  
22 division, but the failure to issue an order shall not delay the effectiveness of a  
23 registration statement meeting the requirements of s. 553.26.

24 **SECTION 6838.** 553.30 (1) of the statutes is amended to read:

1           553.30 (1) The registration statement may be renewed for additional periods  
2 of one year each, unless the ~~commissioner~~ division by rule or order specifies a  
3 different period, by submitting to the ~~commissioner~~ division a registration renewal  
4 statement no later than 15 business days prior to the expiration of the registration  
5 unless such period is waived by order of the ~~commissioner~~ division. If no order under  
6 this chapter is in effect, renewal of the registration statement becomes effective on  
7 the day on which the prior registration statement expires or at such earlier time as  
8 the ~~commissioner~~ division determines.

9           **SECTION 6839.** 553.30 (2) of the statutes is amended to read:

10           553.30 (2) The registration renewal statement shall be in the form and content  
11 prescribed by the ~~commissioner~~ division, and shall be accompanied by 2 copies of the  
12 proposed offering prospectus.

13           **SECTION 6840.** 553.31 (1) of the statutes is amended to read:

14           553.31 (1) Except as provided in sub. (3), a franchisor shall within 30 days after  
15 the happening of any material event affecting a registered franchise notify the  
16 ~~commissioner~~ division in writing, by an application to amend the registration  
17 statement, of any material change in the information contained in the application  
18 as originally submitted, amended or renewed. The ~~commissioner~~ division may by  
19 rule further define what shall be considered a material change for such purposes, and  
20 the circumstances under which a revised offering prospectus must accompany such  
21 application.

22           **SECTION 6841.** 553.31 (2) of the statutes is amended to read:

23           553.31 (2) An amendment to an application filed after the effective date of the  
24 registration of the sale of franchises, if the amendment is approved by the

**SECTION 6841**

1 ~~commissioner~~ division, is effective on the date the ~~commissioner~~ division determines,  
2 having due regard for the public interest or the protection of franchisees.

3 **SECTION 6842.** 553.41 (1) of the statutes is amended to read:

4 553.41 (1) No person may make or cause to be made, in any document filed with  
5 the ~~commissioner~~ division or in any proceeding under this chapter, any statement  
6 which is, at the time and in the light of the circumstances under which it is made,  
7 false or misleading in any material respect or, in connection with any statement  
8 required to be made under s. 553.31 (1), omit to state a material fact necessary in  
9 order to make the statement made, in the light of the circumstances under which  
10 they are made, not misleading.

11 **SECTION 6843.** 553.41 (2) of the statutes is amended to read:

12 553.41 (2) No person may violate any order of the ~~commissioner~~ division or  
13 condition therein of which the person has notice.

14 **SECTION 6844.** 553.41 (5) of the statutes is amended to read:

15 553.41 (5) No person may wilfully represent to any prospective purchaser or  
16 seller of a franchise in this state that the filing of a franchise registration application  
17 or the registration of a franchise constitutes a finding by the ~~commissioner~~ division  
18 that any document filed under this chapter is true, complete, and not misleading, or  
19 in relation to an exemption or exception, that the ~~commissioner~~ division has passed  
20 in any way upon the merits of any franchise or wilfully represent in a similar manner  
21 that a franchise is registered or exempted when in fact, such is not the case.

22 **SECTION 6845.** 553.51 (4) of the statutes is amended to read:

23 553.51 (4) No action may be maintained to enforce any liability under this  
24 section unless brought before the expiration of 3 years after the act or transaction  
25 constituting the violation upon which the liability is based or 90 days after delivery

1 to the franchisee of a written notice disclosing any violation of s. 553.21 or 553.41,  
2 which notice shall be approved as to form by the ~~commissioner~~ division, whichever  
3 first expires.

4 **SECTION 6846.** 553.53 (1) of the statutes is amended to read:

5 553.53 (1) No person may publish, distribute or use in this state any  
6 advertisement offering to sell or to purchase a franchise unless 2 true copies of the  
7 advertisement have been filed ~~in the office of the commissioner~~ with the division at  
8 least 5 days prior to the first publication, distribution or use thereof or such shorter  
9 period as the ~~commissioner~~ division by rule or order may allow, or unless the  
10 advertisement has been exempted from this section by rule of the ~~commissioner~~  
11 division.

12 **SECTION 6847.** 553.53 (2) of the statutes is amended to read:

13 553.53 (2) The ~~commissioner~~ division may by rule or order prohibit the use of  
14 advertising deemed false, fraudulent, misleading or deceptive.

15 **SECTION 6848.** 553.54 (1) of the statutes is amended to read:

16 553.54 (1) The department of justice or any district attorney, upon informing  
17 the department of justice, may commence an action in circuit court in the name of  
18 the state to restrain by temporary or permanent injunction any act or practice  
19 constituting a violation of this chapter or any rule or order hereunder. The  
20 ~~commissioner~~ division may refer such evidence as is available concerning any  
21 violation to the district attorney of the county in which the violation occurred or to  
22 the attorney general who may institute proceedings under this section.

23 **SECTION 6849.** 553.54 (3) of the statutes is amended to read:

24 553.54 (3) The department of justice may subpoena persons, administer oaths,  
25 take testimony, require the production of books and other documents and may

**SECTION 6849**

1 request the ~~commissioner~~ division to exercise the ~~commissioner's~~ division's  
2 authority under s. 553.55 to aid in the investigation of alleged violations of this  
3 chapter. If a person fails to obey any subpoena issued by the department of justice,  
4 that person may be coerced under s. 885.12, except that no person shall be required  
5 to furnish any testimony or evidence under this subsection which might tend to  
6 incriminate that person.

7 **SECTION 6850.** 553.54 (4) of the statutes is amended to read:

8 553.54 (4) In lieu of instituting or continuing an action pursuant to this section,  
9 the ~~commissioner~~ division or the department of justice may accept a written  
10 assurance of discontinuance of any act or practice alleged to be a violation of this  
11 chapter from the person who has engaged in such act or practice. The acceptance of  
12 such assurance by either the ~~commissioner~~ division or the department of justice shall  
13 be deemed acceptance by other state officials if the terms of the assurance so provide.  
14 An assurance entered into pursuant to this subsection shall not be considered  
15 evidence of a violation of this chapter, however, a violation of such an assurance  
16 constitutes a violation of this chapter and shall be subject to all penalties and  
17 remedies provided therefor.

18 **SECTION 6851.** 553.55 (1) of the statutes is amended to read:

19 553.55 (1) The ~~commissioner~~ division may make such public or private  
20 investigations within or outside of this state as the ~~commissioner~~ division deems  
21 necessary to determine whether any person has violated or is about to violate this  
22 chapter or any rule or order hereunder or to aid in the enforcement of this chapter  
23 or in the prescribing of rules and forms hereunder, and publish information  
24 concerning the violation of this chapter or any rule or order hereunder.

25 **SECTION 6852.** 553.55 (2) of the statutes is amended to read:

1           553.55 (2) For the purpose of any investigation or proceeding under this  
2 chapter, the commissioner division or any officer designated by the commissioner  
3 division may administer oaths and affirmations, subpoena witnesses, compel their  
4 attendance, take evidence and require the production of any books, papers,  
5 correspondence, memoranda, agreements or other documents or records which the  
6 commissioner division deems relevant or material to the inquiry. Failure to obey a  
7 subpoena or give evidence may be dealt with under s. 885.12.

8           **SECTION 6853.** 553.55 (3) (a) of the statutes is amended to read:

9           553.55 (3) (a) No person is excused from attending and testifying or from  
10 producing any document or record before the commissioner division, or in obedience  
11 to the subpoena of the commissioner division or any officer designated by the  
12 commissioner division, or in any proceeding instituted by the commissioner division,  
13 on the ground that the testimony or evidence required of the person may tend to  
14 incriminate the person or subject the person to a penalty or forfeiture. No individual  
15 may be prosecuted or subjected to any penalty or forfeiture for or on account of his  
16 or her testimony or evidence, after claiming his or her privilege against  
17 self-incrimination, except that the individual testifying is not exempt from  
18 prosecution and punishment for perjury or contempt committed in testifying.

19           **SECTION 6854.** 553.56 (1) of the statutes is amended to read:

20           553.56 (1) Except as provided by sub. (2), no order may be entered by the  
21 commissioner division under s. 553.24, 553.28 or 553.53 (2) without appropriate  
22 prior notice to all interested parties, opportunity for hearing and written findings of  
23 fact and conclusions of law.

24           **SECTION 6855.** 553.56 (2) of the statutes is amended to read:

1           553.56 (2) Within 30 days after the ~~commissioner~~ division has issued an order  
2 summarily, an interested party may apply to the ~~commissioner~~ division for a hearing  
3 in respect to any matters determined by the order. Within 10 days after an interested  
4 party files a written request with the ~~commissioner~~ division for a hearing the matter  
5 shall be noticed for a hearing, and a hearing shall be held within 60 days after notice  
6 unless extended by the ~~commissioner~~ division for good cause. During the pendency  
7 of any hearing requested under this subsection, the order issued summarily shall  
8 remain in effect unless vacated or modified by the ~~commissioner~~ division.

9           **SECTION 6856.** 553.56 (3) of the statutes is amended to read:

10           553.56 (3) After a hearing, the ~~commissioner~~ division may issue a final order  
11 as appropriate. The final order may affirm, vacate or modify an order issued  
12 summarily in effect during the pendency of the hearing as appropriate, or may  
13 include such other sanctions as are provided for under s. 553.24 or 553.28. An order  
14 issued summarily against a party becomes a final order if the party fails to request  
15 a hearing under sub. (2) or if the party defaults after requesting a hearing.

16           **SECTION 6857.** 553.56 (5) of the statutes is amended to read:

17           553.56 (5) Orders and other official acts of the ~~commissioner~~ division are  
18 subject to judicial review under ch. 227 but orders originally entered without a  
19 hearing under s. 553.24, 553.28 or 553.60 may be reviewed only if the party seeking  
20 review has requested a hearing within the time provided by sub. (2).

21           **SECTION 6858.** 553.57 of the statutes is amended to read:

22           **553.57 Enforcement of criminal penalties.** The ~~commissioner~~ division  
23 may refer such evidence as is available concerning any violation of this chapter or  
24 of any rule or order hereunder to the district attorney of the county in which the

1 violation occurred, or to the attorney general, who may, with or without any  
2 reference, institute the appropriate criminal proceedings under this chapter.

3 **SECTION 6859.** 553.58 (1) of the statutes is amended to read:

4 553.58 (1) The ~~commissioner~~ division may make, amend and rescind any rules,  
5 forms and orders that are necessary to carry out this chapter, including rules and  
6 forms governing registration statements, applications and reports, defining any  
7 terms, whether or not used in this chapter, insofar as the definitions are not  
8 inconsistent with this chapter. The ~~commissioner~~ division may define by rule false,  
9 fraudulent or deceptive practices in the offer and sale of franchises. The  
10 ~~commissioner~~ division may also adopt rules with regard to advertising utilized in  
11 connection with exempt sales under s. 553.22, 553.23 or 553.235 and which need not  
12 be filed under s. 553.53. For the purpose of rules and forms, the ~~commissioner~~  
13 division may classify franchises, persons and matters within the ~~commissioner's~~  
14 division's jurisdiction, and prescribe different requirements for different classes.  
15 Rules shall be made and published and all administrative procedures, including  
16 hearings under s. 553.56 and issuance of orders, shall be in accordance with ch. 227.

17 **SECTION 6860.** 553.58 (2) of the statutes is amended to read:

18 553.58 (2) No rule, form or order may be made, amended or rescinded unless  
19 the ~~commissioner~~ division finds that the action is necessary or appropriate in the  
20 public interest or for the protection of investors. In adopting rules and forms the  
21 ~~commissioner~~ division may cooperate with official administrators of other states.

22 **SECTION 6861.** 553.58 (3) of the statutes is amended to read:

23 553.58 (3) The ~~commissioner~~ division may by rule or order prescribe the form  
24 and content of financial statements required under this chapter, the circumstances  
25 under which consolidated financial statements shall be filed, and whether any

1 required financial statements shall be certified by independent or certified public  
2 accountants. All financial statements shall be prepared in accordance with  
3 generally accepted accounting practices unless otherwise permitted by rule or order.

4 **SECTION 6862.** 553.58 (4) of the statutes is amended to read:

5 553.58 (4) No provision of this chapter imposing any liability applies to any act  
6 done or omitted in good faith in conformity with any rule, form or order of the  
7 ~~commissioner~~ division, notwithstanding that the rule, form or order may later be  
8 amended or rescinded or be determined to be invalid for any reason.

9 **SECTION 6863.** 553.58 (5) of the statutes is amended to read:

10 553.58 (5) All orders shall take effect when made and filed or at such later time  
11 as the ~~commissioner~~ division prescribes, and the ~~commissioner~~ division shall, upon  
12 making and filing such order, forthwith deliver personally or by mail a copy thereof  
13 to every person to whom such order relates at the person's last-known address as it  
14 appears on the records of the ~~office of the commissioner~~ division and that delivery  
15 shall constitute notice thereof.

16 **SECTION 6864.** 553.60 of the statutes is amended to read:

17 **553.60 (title) Miscellaneous powers of ~~the commissioner~~.** The  
18 ~~commissioner~~ division may by order summarily prohibit offers or sales of a franchise  
19 subject to s. 553.21 (1) which are being or have been made in this state, unless the  
20 offer or sale of the franchise is registered or exempted from registration under this  
21 chapter.

22 **SECTION 6865.** 553.605 (1) (a) (intro.) of the statutes is amended to read:

23 553.605 (1) (a) (intro.) The ~~commissioner~~ division or any officer designated by  
24 the ~~commissioner~~ division may impose an administrative assessment in the amount  
25 provided in par. (b) on any person who is subject to an order that is issued under s.

1 553.24, 553.28, 553.53, 553.58 (1) and (2) or 553.60 in any of the following  
2 circumstances:

3 **SECTION 6866.** 553.605 (1) (a) 1. of the statutes is amended to read:

4 553.605 (1) (a) 1. Following a hearing under s. 553.56 if the notice delivered to  
5 all interested parties includes notice of the ~~commissioner's~~ division's authority to  
6 impose an administrative assessment under this subsection.

7 **SECTION 6867.** 553.605 (1) (c) of the statutes is amended to read:

8 553.605 (1) (c) The ~~commissioner~~ division shall include any administrative  
9 assessment imposed under this subsection in the order issued under any of the  
10 sections referred to in par. (a) in the manner described in par. (a) 1. or 2.

11 **SECTION 6868.** 553.605 (1) (d) of the statutes is amended to read:

12 553.605 (1) (d) Upon the request of the ~~commissioner~~ division, the department  
13 of justice may bring a civil action in the circuit court for Dane county to compel  
14 payment of any unpaid administrative assessment, unless payment of the  
15 administrative assessment is stayed under s. 227.54.

16 **SECTION 6869.** 553.605 (2) of the statutes is amended to read:

17 553.605 (2) INVESTOR EDUCATION. All moneys collected from the administrative  
18 assessment under sub. (1) shall be credited to the appropriation under s. ~~20.185 (1)~~  
19 ~~(h)~~ 20.144 (1) (i). Subject to s. ~~20.185 (1) (h)~~ 20.144 (1) (i), the ~~commissioner~~ division  
20 shall use moneys credited to that appropriation to provide information to residents  
21 of this state about franchise investments to help investors and potential investors  
22 evaluate their investment decisions, protect themselves from false, fraudulent or  
23 deceptive practices in connection with the offer, sale or purchase of a franchise, be  
24 alert for false or misleading advertising or other harmful practices, and know their  
25 rights as investors.

**SECTION 6870**

1           **SECTION 6870.** 553.71 (1) of the statutes is amended to read:

2           553.71 (1) This chapter shall be administered by the ~~commissioner of securities~~  
3           division and by the department of justice when exercising its authority under s.  
4           553.54.

5           **SECTION 6871.** 553.71 (2) of the statutes is amended to read:

6           553.71 (2) It is unlawful for the ~~commissioner~~ division or any of the  
7           ~~commissioner's~~ division's officers or employes to use for personal benefit any  
8           information which is filed with or obtained by the ~~commissioner~~ division and which  
9           is not generally available to the public. Nothing in this chapter authorizes the  
10          ~~commissioner~~ division or any of the ~~commissioner's~~ division's officers or employes to  
11          disclose any confidential information except among themselves or to other securities  
12          administrators or regulatory authorities or when necessary or appropriate in a  
13          proceeding or investigation under this chapter. No provision of this chapter either  
14          creates or derogates from any privilege which exists at common law or otherwise  
15          when documentary or other evidence is sought under a subpoena directed to the  
16          ~~commissioner~~ division or any of the ~~commissioner's~~ division's officers or employes.

17          **SECTION 6872.** 553.72 (intro.) of the statutes is amended to read:

18          **553.72 Fees and expenses.** (intro.) The ~~commissioner~~ division shall charge  
19          and collect the fees fixed by this section.

20          **SECTION 6873.** 553.72 (2) of the statutes is amended to read:

21          553.72 (2) The ~~commissioner~~ division may by rule require the payment of  
22          prescribed fees for delinquent or materially deficient filings of information or  
23          documents required to be filed with the ~~commissioner~~ division under this chapter.

24          **SECTION 6874.** 553.72 (3) of the statutes is amended to read:

1           553.72 (3) The expenses reasonably attributable to the examination of any  
2 matter arising under this chapter shall be charged to the applicant or registrant  
3 involved, but the expenses so charged shall not exceed such maximum amounts as  
4 the ~~commissioner~~ division by rule prescribes.

5           **SECTION 6875.** 553.73 of the statutes is amended to read:

6           **553.73 Service of process.** When any person, including any nonresident of  
7 this state, engages in conduct prohibited or made actionable by this chapter or any  
8 rule or order under this chapter, whether or not the person has filed a consent to  
9 service of process under s. 553.27 (10), and personal jurisdiction over the person  
10 cannot otherwise be obtained in this state, that conduct shall be considered  
11 equivalent to the person's appointment of the ~~commissioner or the commissioner's~~  
12 ~~successor-in-office~~ division to be the person's attorney to receive service of any lawful  
13 process in any noncriminal suit, action or proceeding against the person or the  
14 person's successor, executor or administrator which grows out of that conduct and  
15 which is brought under this law or any rule or order under this chapter, with the  
16 same force and validity as if served on the person personally. Service may be made  
17 by leaving a copy of the process ~~in~~ at the office of the ~~commissioner~~ division, but it  
18 is not effective unless the plaintiff, who may be the ~~commissioner~~ division in a suit,  
19 action or proceeding instituted by the ~~commissioner~~ division, forthwith sends notice  
20 of the service and a copy of the process by registered or certified mail to the defendant  
21 or respondent at his or her last-known address or takes other steps which are  
22 reasonably calculated to give actual notice, and the plaintiff's affidavit of compliance  
23 with this section is filed in the case on or before the return day of the process, if any,  
24 or within such further time as the court allows.

25           **SECTION 6876.** 553.74 (1) of the statutes is amended to read:

1           553.74 (1) All applications, reports and other papers and documents filed with  
2 the ~~commissioner~~ division under this chapter shall be open to public inspection in  
3 accordance with rules adopted by the ~~commissioner~~ division. The ~~commissioner~~  
4 division may publish any information filed with or obtained by the ~~commissioner~~  
5 division, if, in the judgment of the ~~commissioner~~ division, such action is in the public  
6 interest. No provision of this chapter authorizes the ~~commissioner~~ division or any  
7 of the ~~commissioner's assistants, clerks or deputies~~ division's employes to disclose  
8 any information withheld from public inspection except among themselves or when  
9 necessary or appropriate in a proceeding or investigation under this chapter or to  
10 other federal or state regulatory agencies. No provision of this chapter either creates  
11 or derogates from any privilege which exists at common law or otherwise when  
12 documentary or other evidence is sought under a subpoena directed to the  
13 ~~commissioner~~ division or any of the ~~commissioner's assistants, clerks or deputies~~  
14 division's employes.

15           **SECTION 6877.** 553.74 (2) of the statutes is amended to read:

16           553.74 (2) It is unlawful for the ~~commissioner~~ division or any of the  
17 ~~commissioner's assistants, clerks or deputies~~ or division's employes to use for  
18 personal benefit any information which is filed with or obtained by the ~~commissioner~~  
19 division and which is not then generally available to the public.

20           **SECTION 6878.** 553.75 (1) of the statutes is amended to read:

21           553.75 (1) A document is filed when it is received by the ~~commissioner~~ division.

22           **SECTION 6879.** 553.75 (2) of the statutes is amended to read:

23           553.75 (2) The ~~commissioner~~ division shall keep a register of all filings which  
24 are or have ever been effective under this chapter and predecessor laws and all

1 denial, suspension or revocation orders which have been entered under this chapter.

2 The register shall be open for public inspection.

3 **SECTION 6880.** 553.75 (3) of the statutes is amended to read:

4 553.75 (3) The information contained in or filed with any registration  
5 statement, application or report shall be made available to the public in accordance  
6 with rules adopted by the ~~commissioner~~ division.

7 **SECTION 6881.** 553.75 (4) of the statutes is amended to read:

8 553.75 (4) The ~~commissioner~~ division upon request shall furnish to any person  
9 at a reasonable charge photostatic or other copies, certified ~~under the commissioner's~~  
10 ~~seal of office~~, by the division if certification is requested, of any entry in the register  
11 or any order or other document on file ~~in the commissioner's office~~ with the division.  
12 Any copy so certified is admissible in evidence under s. 889.18.

13 **SECTION 6882.** 553.75 (5) of the statutes is amended to read:

14 553.75 (5) The ~~commissioner~~ division may honor requests from interested  
15 persons for interpretative opinions.

16 **SECTION 6883.** 553.78 of the statutes is amended to read:

17 **553.78 Preemption.** This chapter shall not preempt the administration of ch.  
18 96, 100, 125, 133, 168 or 218. False, fraudulent and deceptive practices in connection  
19 with the offer, purchase or sale of a franchise defined by rule of the ~~commissioner~~  
20 division under s. 553.58 (1) may also constitute unfair methods of competition in  
21 business or unfair trade practices in business under s. 100.20 (1) or fraudulent  
22 advertising under s. 100.18.

23 **SECTION 6884.** 560.01 (1) of the statutes is amended to read:

24 560.01 (1) PURPOSES. The functions of the department are of an advocacy,  
25 regulatory, consultative, advisory, informational, coordinative and promotional

1 nature. Through research, planning, consultation and through promotion of the  
2 development and maximum wise use of the natural and human resources of the  
3 state, it shall foster the growth and diversification of the economy of the state. It  
4 shall serve as the central agency and clearinghouse for developmental activities  
5 concerning the economy of the state. It shall make recommendations to the governor  
6 for the purpose of guiding a coordinated and economically efficient development of  
7 the state and shall seek closer cooperation and coordination between units of state  
8 government, educational institutions, local governments, local planning agencies,  
9 including regional planning commissions, and business and industry to foster and  
10 encourage a pattern of community development and of state-local and business  
11 relationships so that the economy of the state may continue to develop fully and meet  
12 citizen and community needs. It shall make continuing studies of the problems  
13 affecting economic and community development and recommendations for relieving  
14 those problems, and function in any other reasonable manner that will accomplish  
15 the stated purposes of this chapter. The department may also coordinate training  
16 for local government officials provided by state agencies including, but not limited  
17 to, the university of Wisconsin-extension and the technical college system.

18 **SECTION 6885.** 560.01 (2) of the statutes is renumbered 560.01 (2) (a).

19 **SECTION 6886.** 560.01 (2) (a) (title) of the statutes is created to read:

20 560.01 (2) (a) (title) *State economic policy.*

21 **SECTION 6887.** 560.01 (2) (b) of the statutes is created to read:

22 560.01 (2) (b) *Regulation of industry, buildings and safety.* The department  
23 shall administer and enforce laws regulating industry, safety and buildings under  
24 chs. 101, 107, 145 and 168 and ss. 32.19 to 32.27, 167.10, 167.11 and 167.27 and as  
25 otherwise provided by statute.

1           **SECTION 6887g.** 560.03 (19) of the statutes is amended to read:

2           560.03 (19) Establish ~~and operate~~ a permit information center and regulatory  
3 assistance bureau to provide services as set forth in subch. III.

4           **SECTION 6887k.** 560.031 of the statutes, as created by 1993 Wisconsin Act 75,  
5 is amended to read:

6           **560.031 Recycling market development.** In carrying out its  
7 responsibilities under ss. 560.03 and 560.07, the department may promulgate rules  
8 for the provision of financial assistance for the development of markets for materials  
9 recovered from solid waste if the provision of that financial assistance is a  
10 responsibility assigned to the department in a memorandum of understanding under  
11 s. 159.03 (3) (b), contract or other agreement with the recycling market development  
12 board. The financial assistance may be in the form of grants, loans or manufacturing  
13 rebates.

14           **SECTION 6890.** 560.07 (10) of the statutes is repealed.

15           **SECTION 6891.** 560.081 (2) (e) of the statutes is amended to read:

16           560.081 (2) (e) Annually select, upon application, up to 5 municipalities to  
17 participate in the state main street program. The program for each municipality  
18 shall conclude after 3 years, except that the program for each municipality selected  
19 after the effective date of this paragraph ... [revisor inserts date], shall conclude  
20 after 5 years. The department shall select program participants representing  
21 various geographical regions and populations. A municipality may apply to  
22 participate, and the department may select a municipality for participation, more  
23 than one time. In selecting a municipality, however, the department may give  
24 priority to those municipalities that have not previously participated.

25           **SECTION 6892.** 560.081 (2) (f) 3. of the statutes is amended to read:

1           560.081 (2) (f) 3. Local organizational and financial commitment to employ a  
2 program manager for not less than 3 years, or not less than 5 years for participants  
3 selected after the effective date of this subdivision .... [revisor inserts date].

4           **SECTION 6893.** 560.09 (5) of the statutes, as affected by 1993 Wisconsin Act 75,  
5 is amended to read:

6           560.09 (5) CONSULTATION. The department shall consult with the ~~council on~~  
7 recycling market development board in developing any proposed rules under s.  
8 560.031.

9           **SECTION 6894.** 560.097 of the statutes is amended to read:

10           **560.097 Notification of position openings; compliance.** The department  
11 shall monitor compliance with the position-opening notification requirements under  
12 ss. 66.521 (6m) and ~~101.28~~ 106.16.

13           **SECTION 6895d.** 560.14 (3) (c) 8. of the statutes is amended to read:

14           560.14 (3) (c) 8. Whether the business incubator or technology-based incubator  
15 is or will be located in an area that has been designated as a development zone under  
16 s. 560.71, a development opportunity zone under s. 560.795 or an enterprise  
17 development zone under s. 560.797.

18           **SECTION 6895dm.** 560.14 (4) of the statutes is created to read:

19           560.14 (4) (a) Subject to par. (b), the department may make a grant under this  
20 subsection from the appropriation under s. 20.143 (1) (fg) to a community-based  
21 organization for regional economic development activity if all of the following apply:

22           1. A political subdivision in the region in which the economic development  
23 activity will be conducted joins in the application for the grant with the  
24 community-based organization.

25           2. The economic development activity is unique to or within the region.

1           3. The economic development activity is consistent with any economic  
2 development policy or plan of the political subdivision.

3           4. The economic development activity will likely stimulate investment in the  
4 region's economy or create or retain jobs in the region.

5           5. The community-based organization will receive contributions from private  
6 sources and from political subdivisions in the region for the economic development  
7 activity. The contributions may be in cash or in kind.

8           6. The applicants submit a plan that describes the economic development  
9 activity, how the economic development activity satisfies the criteria under this  
10 paragraph, how the grant will be administered and how the grant proceeds will be  
11 used to support the economic development activity; and the secretary approves the  
12 plan.

13           7. The applicants provide documentation of the contributions required under  
14 subd. 5.

15           (b) For grants under this subsection, the department may not award in any  
16 fiscal year more than the greater of \$100,000 or 10% of the amount appropriated for  
17 the fiscal year under s. 20.143 (1) (fg).

18           **SECTION 6895dp.** 560.14 (5) (bm) of the statutes is created to read:

19           560.14 (5) (bm) Promulgate rules with respect to how the department will  
20 administer the grants under this section.

21           **SECTION 6895dr.** 560.14 (5) (c) of the statutes is amended to read:

22           560.14 (5) (c) Consistent with subs. (2) ~~and~~, (3) and (4), award grants under this  
23 section on a competitive basis, using the criteria developed under par. (b).

24           **SECTION 6896.** 560.165 of the statutes is repealed.

25           **SECTION 6897.** 560.167 of the statutes is created to read:

1           **560.167 Wisconsin trade project program. (1)** In this section:

2           (a) “Eligible business” means a business operating in this state that  
3 manufactures a product or performs a service, or both, with a potential to be exported  
4 and that, together with all of its affiliates and subsidiaries and its parent company,  
5 had gross annual sales of \$25,000,000 or less in the calendar year preceding the year  
6 in which it applies for a reimbursement under this section.

7           (b) “Matchmaker trade delegation event” means a trade event that is planned  
8 by the U.S. department of commerce and that has prearranged meetings between  
9 new-to-market or new-to-export eligible businesses and prospective foreign  
10 representatives and distributors.

11           (c) “Trade show” means a trade event held in a country other than the United  
12 States that brings prospective foreign buyers to a central location and that is  
13 certified or coordinated by the U.S. department of commerce or the department.

14           **(2)** Subject to sub. (5), the department may make reimbursements totaling no  
15 more than \$100,000 in a fiscal year from the appropriations under s. 20.143 (1) (c)  
16 and (ie) to eligible businesses for any of the following:

17           (a) Fees for participation in a trade show or matchmaker trade delegation  
18 event.

19           (b) Costs associated with shipping displays, sample products, catalogs or  
20 advertising material to a trade show or matchmaker trade delegation event.

21           (c) Costs incurred at a trade show or matchmaker trade delegation event for  
22 utilities, booth construction or necessary modifications or repairs.

23           (d) Costs associated with foreign language translation of brochures or product  
24 information or with the use of translation services at a trade show or matchmaker  
25 trade delegation event.

1           **(3)** An eligible business seeking reimbursement under this section shall submit  
2 to the department an application containing all of the following:

3           (a) An export development plan and a description of how the activities for which  
4 reimbursement is sought will benefit the applicant's ability to export its product or  
5 service.

6           (b) An itemized budget for expenses expected to be incurred for all of the  
7 activities for which reimbursement is sought.

8           (c) A description of the proposed use of the reimbursement.

9           (d) Assurance that at least 50% of the manufactured value of the product or of  
10 the performance value of the service will be produced in this state.

11           **(4)** (a) The department may approve an eligible business for reimbursement  
12 after considering all of the following:

13           1. The extent to which the business' export development plan demonstrates the  
14 potential of the product or service to be exported in a particular foreign market.

15           2. The extent to which the business' proposed reimbursable activities relate to  
16 the potential success of the product or service to be exported.

17           (b) The department shall give priority for reimbursements under this section  
18 to eligible businesses participating in the department's export mentoring program.

19           **(5)** The department may not do any of the following:

20           (a) Reimburse an eligible business more than \$5,000 in a 12-month period.

21           (b) Reimburse an eligible business more than \$5,000 for participation in a trade  
22 show or matchmaker trade delegation event.

23           (c) Reimburse an eligible business for participating more than one time in the  
24 same trade show or matchmaker trade delegation event held at different times or in  
25 different locations.

1 (d) Reimburse an eligible business more than \$15,000 over the life of the  
2 program.

3 (6) An eligible business that is approved for a reimbursement under sub. (4)  
4 shall provide to the department, within 90 days after the trade show or matchmaker  
5 trade delegation event for which the reimbursement is sought, documentation  
6 detailing the costs for which the reimbursement is sought.

7 **SECTION 6898r.** 560.17 (5m) (b) of the statutes is amended to read:

8 560.17 (5m) (b) A business shall use the proceeds of a loan under this  
9 subsection for ~~working~~ any of the following:

10 1. Working capital or fixed.

11 2. Fixed asset financing or both.

12 **SECTION 6898s.** 560.17 (5m) (b) 3. of the statutes is created to read:

13 560.17 (5m) (b) 3. Employe relocation costs.

14 **SECTION 6898t.** 560.17 (5m) (bm) of the statutes is created to read:

15 560.17 (5m) (bm) If a business receives a loan under this subsection for the  
16 purpose specified in par. (b) 3., the department shall ensure that an employe of the  
17 business has the option of accepting or declining any relocation assistance that is  
18 available as a result of the loan.

19 **SECTION 6899q.** 560.183 (2) (b) of the statutes is amended to read:

20 560.183 (2) (b) A physician who is a participant in the national health service  
21 corps loan repayment scholarship program under 42 USC 254l-1 42 USC 254n, or  
22 a physician who was a participant in that program and who failed to carry out his  
23 or her obligations under that program, is not eligible for loan repayment under this  
24 section.

25 **SECTION 6900.** 560.183 (8) (intro.) of the statutes is amended to read:

**SECTION 6900**

1           560.183 (8) ADMINISTRATIVE CONTRACT. (intro.) From the appropriation under  
2 s. 20.143 (1) (fd), the department shall contract with the board of regents of the  
3 ~~university~~ University of Wisconsin system System for administrative services from  
4 the office of rural health of the department of professional and community  
5 development of the ~~university of Wisconsin hospital and clinics~~ University of  
6 Wisconsin Medical School. Under the contract, the office of rural health shall do all  
7 of the following:

8           **SECTION 6901.** 560.184 (1) (am) of the statutes is created to read:

9           560.184 (1) (am) “Eligible practice area” means a primary care shortage area,  
10 an obstetric shortage area, a state or federal prison, an area health education center  
11 program established under 42 USC 295g-1, an American Indian reservation or trust  
12 lands of an American Indian tribe.

13           **SECTION 6902.** 560.184 (1) (c) of the statutes is repealed and recreated to read:

14           560.184 (1) (c) “Obstetric shortage area” has the meaning given in s. 560.183  
15 (1) (ar).

16           **SECTION 6903.** 560.184 (1) (d) of the statutes is created to read:

17           560.184 (1) (d) “Primary care shortage area” has the meaning given in s.  
18 560.183 (1) (cm).

19           **SECTION 6904.** 560.184 (3) (a) of the statutes is amended to read:

20           560.184 (3) (a) The department shall enter into a written agreement with the  
21 health care provider. In the agreement, the health care provider shall agree to  
22 practice ~~exclusively in a primary care health professional shortage in this state~~  
23 primarily in an eligible practice area.

24           **SECTION 6905.** 560.184 (4) of the statutes is amended to read:

1           560.184 (4) LOAN REPAYMENT. (intro.) ~~Loans~~ Principal and interest due on loans,  
2 exclusive of any penalties, may be repaid by the department at the following rate:

3           (a) Ten percent of the principal of the loan or \$2,500, whichever is less, during  
4 the first year of practice ~~exclusively in a primary care health professional shortage~~  
5 ~~area.~~

6           (b) An additional 12.5% of the principal of the loan or \$3,125, whichever is less,  
7 during the 2nd year of practice ~~exclusively in a primary care health professional~~  
8 ~~shortage area.~~

9           (c) An additional 15% of the principal of the loan or \$3,750, whichever is less,  
10 during the 3rd year of practice ~~exclusively in a primary care health professional~~  
11 ~~shortage area.~~

12           (d) An additional 20% of the principal of the loan or \$5,000, whichever is less,  
13 during the 4th year of practice ~~exclusively in a primary care health professional~~  
14 ~~shortage area.~~

15           (e) An additional 42.5% of the principal of the loan or \$10,625, whichever is less,  
16 during the 5th year of practice ~~exclusively in a primary care health professional~~  
17 ~~shortage area.~~

18           **SECTION 6906.** 560.184 (5) (b) 1. to 5. of the statutes are amended to read:

19           560.184 (5) (b) 1. The degree to which there is an extremely high need for  
20 medical care in the ~~primary care health professional shortage~~ eligible practice area  
21 in which an eligible applicant desires to practice.

22           2. The likelihood that an eligible applicant will remain in the ~~primary care~~  
23 ~~health professional shortage~~ eligible practice area in which he or she desires to  
24 practice after the loan repayment period.

**SECTION 6906**

1           3. The per capita income of the ~~primary care health professional shortage~~  
2 eligible practice area in which an eligible applicant desires to practice.

3           4. The financial or other support for health care provider recruitment and  
4 retention provided by individuals, organizations or local governments in the ~~primary~~  
5 ~~care health professional shortage~~ eligible practice area in which an eligible applicant  
6 desires to practice.

7           5. The geographic distribution of the health care providers who have entered  
8 into loan repayment agreements under this section and the geographic location of  
9 the ~~primary care health professional shortage~~ eligible practice area in which an  
10 eligible applicant desires to practice.

11           **SECTION 6907.** 560.184 (7) (intro.) of the statutes is amended to read:

12           560.184 (7) ADMINISTRATIVE CONTRACT. (intro.) From the appropriation under  
13 s. 20.143 (1) (fd), the department shall contract with the board of regents of the  
14 ~~university~~ University of Wisconsin system System for administrative services from  
15 the office of rural health of the department of professional and community  
16 development of the ~~university of Wisconsin hospital and clinics~~ University of  
17 Wisconsin Medical School. Under the contract, the office of rural health shall do all  
18 of the following:

19           **SECTION 6908.** 560.19 (title) of the statutes is amended to read:

20           **560.19** (title) **Hazardous pollution prevention assessment grants.**

21           **SECTION 6909.** 560.19 (1) (title) of the statutes is repealed.

22           **SECTION 6910.** 560.19 (1) (a) of the statutes is repealed and recreated to read:

23           560.19 (1) (a) "Council" means the hazardous pollution prevention council  
24 under s. 15.157 (5).

25           **SECTION 6911.** 560.19 (1) (c) of the statutes is repealed.

1           **SECTION 6912.** 560.19 (2) of the statutes is repealed and recreated to read:

2           560.19 (2) From the appropriation under s. 20.143 (1) (em), the department  
3 may contract with the board of regents of the University of Wisconsin System for  
4 educational services from the University of Wisconsin-Extension solid and  
5 hazardous waste education center. If the department enters into a contract under  
6 this subsection, the contract shall provide that the solid and hazardous waste center  
7 shall do all of the following:

8           (a) Expand its educational program to include business assessment activities  
9 that are specified in the contract and that have the following purposes:

10           1. Determining the full costs of using and producing hazardous substances,  
11 toxic pollutants and hazardous waste.

12           2. Identifying processes that use or produce hazardous substances, toxic  
13 pollutants or hazardous waste and the composition of the hazardous substances,  
14 toxic pollutants or hazardous waste.

15           3. Identifying hazardous pollution prevention options.

16           (b) Consider all of the following in conducting the business assessment  
17 activities under the contract:

18           1. The need for a hazardous pollution prevention assessment and a program  
19 participant's willingness to participate in an assessment.

20           2. The technical and financial ability of a program participant to implement  
21 hazardous pollution prevention.

22           3. The potential for others to use the information gained from a hazardous  
23 pollution prevention assessment.

24           **SECTION 6913.** 560.19 (3) of the statutes is repealed and recreated to read:

25           560.19 (3) The department shall do all of the following:

1 (a) In coordination with the hazardous pollution prevention program under s.  
2 36.25 (30), the department of natural resources and the council, conduct an  
3 education, environmental management and technical assistance program to  
4 promote hazardous pollution prevention among businesses in the state.

5 (b) Assist the council in preparing the report under sub. (4) (d).

6 **SECTION 6914.** 560.19 (4) of the statutes is repealed and recreated to read:

7 560.19 (4) The council shall do all of the following:

8 (a) Monitor and make recommendations to the department and other state  
9 agencies on hazardous pollution prevention activities in this state.

10 (b) Advise the department and other state agencies on the promotion of  
11 hazardous pollution prevention.

12 (c) Recommend educational priorities to the University of  
13 Wisconsin—Extension for the hazardous pollution prevention program under s. 36.25  
14 (30).

15 (d) With the assistance of the department, the department of natural resources  
16 and the hazardous pollution prevention program under s. 36.25 (30), prepare and  
17 submit to the governor and to the legislature under s. 13.172 (2), by February 15 of  
18 each odd-numbered year, a report on all of the following:

19 1. The program under s. 36.25 (30) (a).

20 2. The program under s. 144.955.

21 3. The activities of the department under this section.

22 4. Other hazardous pollution prevention activities in this state.

23 **SECTION 6915.** 560.19 (5) of the statutes is repealed.

24 **SECTION 6916.** Subchapter II (title) of chapter 560 [precedes 560.21] of the  
25 statutes is repealed.

1           **SECTION 6917.** 560.21 of the statutes is repealed.

2           **SECTION 6918.** 560.23 of the statutes is renumbered 41.11, and 41.11 (2), as  
3 renumbered, is amended to read:

4           41.11 **(2) SALES.** The secretary shall annually formulate, in consultation with  
5 the 5 members of the council on tourism selected under s. 560.24 41.12, a statewide  
6 marketing strategy, which is a plan for marketing and promotion of the facilities and  
7 attractions of the state for the ensuing year. The department shall implement the  
8 plan. The department shall cooperate with the commercial recreation industry to  
9 assure coordination with private plans and programs, and may assist in the  
10 development and marketing of combined recreational opportunities such as package  
11 tours, convention and trade show facilities and special transportation  
12 arrangements.

13           **SECTION 6919.** 560.24 of the statutes is renumbered 41.12, and 41.12 (1), (2)  
14 and (3), as renumbered, are amended to read:

15           41.12 **(1)** The council on tourism shall advise the secretary on matters relating  
16 to tourism. Five members of the council on tourism shall assist the secretary in  
17 formulating a statewide marketing strategy. The 5 members shall be selected by a  
18 vote of the council on tourism from among the members, other than ex officio  
19 members, of the council on tourism.

20           **(2)** The council on tourism shall develop a plan to assist and encourage private  
21 companies located in this state to promote this state in their advertisements. Upon  
22 the adoption of a plan by the council on tourism, the secretary shall consider  
23 implementing the plan.

24           **(3)** The council on tourism shall consider the use of famous residents and  
25 former residents of this state in the tourism marketing strategies.

1           **SECTION 6920.** 560.25 of the statutes is renumbered 41.14.

2           **SECTION 6921.** 560.26 of the statutes is renumbered 41.15.

3           **SECTION 6922.** 560.29 of the statutes is renumbered 41.17.

4           **SECTION 6923.** 560.31 (title) and (1) to (2m) of the statutes are renumbered  
5 41.19 (title) and (1) to (2m), and 41.19 (2m) (c) (intro.), as renumbered, is amended  
6 to read:

7           41.19 **(2m)** (c) (intro.) Subject to par. (d), from the appropriation under s. ~~20.143~~  
8 ~~(2)~~ 20.380 (1) (bm), the department shall award a grant to the applicant on behalf of  
9 an area of the state selected under par. (a) if all of the following apply:

10           **SECTION 6923g.** 560.31 (3) of the statutes is amended to read:

11           560.31 **(3)** The At the commencement of each gubernatorial term of office, the  
12 secretary shall exercise his or her authority under s. 15.04 (1) (c) to create one or more  
13 committees to advise the department on issues related to the operation of the  
14 heritage tourism pilot program. The secretary shall create a sufficient number of  
15 committees, as determined by the secretary, to address each major type of heritage  
16 tourism that is the focus of the heritage tourism pilot program. The secretary shall  
17 appoint at least 2 members of each committee created under this subsection from a  
18 list of names submitted by the director of the historical society.

19           **SECTION 6923h.** 560.31 (3) of the statutes, as affected by 1995 Wisconsin Act  
20 .... (this act), is renumbered 41.19 (3).

21           **SECTION 6923maf.** Subchapter III (title) of chapter 560 [precedes 560.41] of the  
22 statutes is amended to read:

23

## CHAPTER 560

## 1 SUBCHAPTER III

2 PERMIT INFORMATION CENTER AND3 REGULATORY ASSISTANCE BUREAU4 **SECTION 6923mb.** 560.41 (1) of the statutes is amended to read:5 560.41 (1) “Center” “Bureau” means the permit information center operated  
6 by and regulatory assistance bureau in the department.7 **SECTION 6923mc.** 560.42 (1) (a) (intro.) of the statutes is amended to read:8 560.42 (1) (a) (intro.) The center bureau shall expedite the process of applying  
9 for permits, of reviewing and making determinations on permit applications and of  
10 issuing permits as follows:11 **SECTION 6923md.** 560.42 (1) (a) 1. of the statutes is amended to read:12 560.42 (1) (a) 1. The center bureau shall discharge its responsibilities under  
13 sub. (2) in a manner designed to expedite the process.14 **SECTION 6923me.** 560.42 (1) (a) 2. of the statutes is amended to read:15 560.42 (1) (a) 2. Upon request by a person applying for a permit and to the  
16 extent possible, the center bureau shall resolve misunderstandings between the  
17 person and the appropriate regulatory agency and shall prevent or mitigate delays  
18 in the process.19 **SECTION 6923mf.** 560.42 (1) (a) 3. of the statutes is amended to read:20 560.42 (1) (a) 3. If the center bureau determines that it is unable to resolve  
21 misunderstandings or prevent or mitigate delays under subd. 2., the center bureau  
22 shall request the assistance of the secretary and the head of the appropriate  
23 regulatory agency.24 **SECTION 6923mg.** 560.42 (1) (a) 4. of the statutes is amended to read:

1           560.42 (1) (a) 4. If the ~~center~~ bureau determines that the secretary and head  
2 of the appropriate regulatory agency are unable to resolve misunderstandings or  
3 prevent or mitigate delays under subd. 3., the ~~center~~ bureau shall request the  
4 assistance of the governor.

5           **SECTION 6923mh.** 560.42 (1) (b) of the statutes is amended to read:

6           560.42 (1) (b) The ~~center~~ bureau shall give priority to businesses new to this  
7 state and to businesses expanding within this state in providing assistance under  
8 par. (a).

9           **SECTION 6923mi.** 560.42 (1) (c) of the statutes is amended to read:

10          560.42 (1) (c) The ~~center~~ bureau shall maintain records identifying each person  
11 requesting assistance under par. (a) and setting forth assistance rendered and  
12 results achieved.

13          **SECTION 6923mj.** 560.42 (2) (a) (intro.) of the statutes is amended to read:

14          560.42 (2) (a) (intro.) The ~~center~~ bureau shall assist any person requesting  
15 information on which permits are required for a particular business activity or on the  
16 application process, including criteria applied in making a determination on a  
17 permit application and the time period within which a determination will be made.  
18 This assistance may include both any of the following:

19          **SECTION 6923mk.** 560.42 (2) (b) of the statutes is amended to read:

20          560.42 (2) (b) If a person receives assistance under this subsection and applies  
21 for a permit and if the person requests, the ~~center~~ bureau shall ~~check periodically on~~  
22 monitor the status of the permit application and periodically report the status to the  
23 person.

24          **SECTION 6923mL.** 560.42 (2m) of the statutes is renumbered 560.42 (2m)  
25 (intro.) and amended to read:

1           560.42 (2m) ADVOCACY. (intro.) The center bureau shall provide advocacy  
2 services before regulatory agencies on behalf of permit applicants. These services  
3 shall include ~~monitoring~~ all of the following:

4           (a) Monitoring the application approval process to ensure that permits are  
5 granted in the shortest amount of time possible consistent with the substantive  
6 requirements established by rule or law.

7           **SECTION 6923mm.** 560.42 (2m) (b) of the statutes is created to read:

8           560.42 (2m) (b) Advocating legislative changes to improve and expedite the  
9 issuance of permits.

10          **SECTION 6923mn.** 560.42 (2r) of the statutes is created to read:

11          560.42 (2r) MEDIATION AND DISPUTE RESOLUTION SERVICES. The bureau may  
12 provide mediation or other dispute resolution services to facilitate the resolution of  
13 a dispute between a regulatory agency and a person applying for a permit. The  
14 provision of mediation or other dispute resolution services under this subsection does  
15 not affect any right that the person may have to a contested hearing under ch. 227.

16          **SECTION 6923mm.** 560.42 (3) (title) of the statutes is amended to read:

17          560.42 (3) (title) ASSISTANCE BY CENTER BUREAU.

18          **SECTION 6923mn.** 560.42 (3) (a) of the statutes is amended to read:

19          560.42 (3) (a) The center bureau may not charge any person for services  
20 provided under this subchapter.

21          **SECTION 6923mo.** 560.42 (3) (b) of the statutes is amended to read:

22          560.42 (3) (b) The center bureau may refer to the appropriate regulatory  
23 agency, without giving further assistance, any person seeking information or  
24 assistance on a permit under chs. 186, 215, 217, 220 to 224, 440 to 480 and 600 to 646.

25          **SECTION 6923mp.** 560.42 (3) (c) of the statutes is amended to read:

1           560.42 (3) (c) Advice, assistance, mediation or other dispute resolution services  
2 or information rendered by the center bureau under this subchapter does not relieve  
3 any person from the obligation to secure a required permit or satisfy a regulatory  
4 requirement.

5           **SECTION 6923mq.** 560.42 (3) (d) of the statutes is amended to read:

6           560.42 (3) (d) The center bureau shall not be liable for any consequences  
7 resulting from the failure of a regulatory agency to issue, or the failure of a person  
8 to seek, a permit.

9           **SECTION 6923mr.** 560.42 (4) (a) of the statutes is amended to read:

10          560.42 (4) (a) The center bureau shall maintain and publicize the availability  
11 of a toll-free telephone line available to in-state and out-of-state callers to the  
12 center bureau.

13          **SECTION 6923ms.** 560.42 (4) (b) of the statutes is amended to read:

14          560.42 (4) (b) The center bureau shall seek to explain, promote and publicize  
15 its services to the public and shall provide information on its services for inclusion  
16 in any public informational material on permits provided by regulatory agencies.

17          **SECTION 6923mt.** 560.42 (4) (c) of the statutes is amended to read:

18          560.42 (4) (c) The center bureau shall, in its efforts under pars. (a) and (b),  
19 clearly represent that its services are advisory, informational and facilitative only.

20          **SECTION 6923mu.** 560.42 (5) (a) of the statutes is amended to read:

21          560.42 (5) (a) *Report.* ~~On Annually, on or before July 1, 1985, and every~~  
22 ~~January 1 thereafter April 1, the center bureau shall submit to the chief clerk of each~~  
23 ~~house of the legislature, for distribution to the appropriate standing committees~~  
24 ~~under s. 13.172 (3), a report containing the information required under pars. (am)~~  
25 ~~and (b) to the appropriate standing committees under s. 13.172 (3).~~

**SECTION 6924**

1           **SECTION 6924.** 560.42 (5) (am) (intro.) of the statutes is amended to read:

2           560.42 (5) (am) *Permit simplification.* (intro.) Based on the experience of the  
3           center bureau in assisting persons and discussions with regulatory agencies, the  
4           center bureau shall periodically submit a report containing recommendations for the  
5           legislature, governor, public records and forms board and regulatory agencies  
6           concerning all of the following:

7           **SECTION 6925.** 560.42 (5) (b) (intro.) of the statutes is amended to read:

8           560.42 (5) (b) *Record of assistance.* (intro.) Based on the experiences of the  
9           center bureau in assisting persons and on reports received under s. 227.116 (4), the  
10          center bureau shall periodically prepare information for the legislature, governor,  
11          public records and forms board and regulatory agencies which shall include all of the  
12          following:

13          **SECTION 6925cb.** 560.42 (6) of the statutes is amended to read:

14          560.42 (6) PERMIT CONSOLIDATION. In its ~~first annual report~~ reports submitted  
15          under sub. (5) (a), the center bureau shall include a ~~study of its recommendations~~  
16          concerning the feasibility and desirability of providing consolidated or multiple  
17          permit application forms or consolidated hearings on consolidated or multiple permit  
18          application forms.

19          **SECTION 6925cd.** 560.43 (1) (a) of the statutes is amended to read:

20          560.43 (1) (a) Designate a staff person to coordinate regulatory agency  
21          cooperation with center bureau staff, provide information to center bureau staff on  
22          the permit process and direct center bureau staff to appropriate staff within the  
23          regulatory agency.

24          **SECTION 6925cf.** 560.43 (1) (b) of the statutes is amended to read:

**SECTION 6925cf**

1           560.43 (1) (b) Cooperate ~~to the extent possible~~ with center bureau staff and  
2 respond promptly to requests for assistance in expediting and requests for  
3 information on the permit process under s. 560.42.

4           **SECTION 6925ch.** 560.43 (1) (c) of the statutes is amended to read:

5           560.43 (1) (c) Include material provided by the center bureau under s. 560.42  
6 (4) in any public informational material on permits that it provides.

7           **SECTION 6925cj.** 560.43 (1) (f) of the statutes is created to read:

8           560.43 (1) (f) Periodically review and, if appropriate, revise its administrative  
9 rules and its permit applications to simplify and expedite the processing of permit  
10 applications.

11           **SECTION 6925cL.** 560.43 (2) (intro.) of the statutes is amended to read:

12           560.43 (2) PREAPPLICATION MEETINGS. (intro.) Each regulatory agency shall  
13 provide an opportunity for a preapplication meeting with its staff to any person  
14 interested in applying for a permit upon request by the person or the center bureau,  
15 and shall comply with the following requirements:

16           **SECTION 6925cn.** 560.43 (2) (d) of the statutes is amended to read:

17           560.43 (2) (d) The regulatory agency shall invite participation by center bureau  
18 staff in preapplication meetings when appropriate.

19           **SECTION 6925t.** 560.60 (4) of the statutes is amended to read:

20           560.60 (4) “Eligible recipient” means a business, small business, consortium  
21 or governing body, except that for a grant or loan under s. 560.65, “eligible recipient”  
22 means a business, a municipality or other public entity, a nonprofit organization or  
23 an entity organized by a group of any of those entities.

24           **SECTION 6928c.** 560.605 (2m) (g) of the statutes is amended to read:

1           560.605 (2m) (g) Whether the area is designated as a development zone under  
2 s. 560.71 or as an enterprise development zone under s. 560.797.

3           **SECTION 6930.** 560.61 (1) of the statutes, as affected by 1993 Wisconsin Act 75,  
4 is amended to read:

5           560.61 (1) Make a grant or loan to an eligible recipient for a project that meets  
6 the criteria for funding under s. 560.605 (1) and (2) and under s. 560.62, 560.625,  
7 560.63, 560.65 or 560.66, whichever is appropriate, from the appropriations under  
8 s. 20.143 (1) (c) ~~and, (cb), (ie), (s) and (sb).~~

9           **SECTION 6933jb.** 560.65 (title) of the statutes is amended to read:

10           **560.65** (title) **Recycling Technology and pollution control and**  
11 **abatement grants and loans.**

12           **SECTION 6933jc.** 560.65 (1) (a) of the statutes is repealed and recreated to read:

13           560.65 (1) (a) “Air pollution” has the meaning given in s. 144.01 (1).

14           **SECTION 6933jd.** 560.65 (1) (ag) and (ar) of the statutes are created to read:

15           560.65 (1) (ag) “Industrial waste” has the meaning given in s. 144.01 (5).

16           (ar) “Nonattainment area” has the meaning given in s. 144.30 (21).

17           **SECTION 6933je.** 560.65 (1) (c) to (f) of the statutes are created to read:

18           560.65 (1) (c) “Stationary source” has the meaning given in s. 144.30 (23).

19           (d) “Volatile organic compound” has the meaning given in s. 144.30 (24).

20           (e) “Volatile organic compound accommodation area” has the meaning given in  
21 s. 144.30 (25).

22           (f) “Waters of the state” has the meaning given in s. 144.01 (19).

23           **SECTION 6933jf.** 560.65 (1m) (a) (intro.) of the statutes is amended to read:

24           560.65 (1m) (a) (intro.) Subject to sub. (4), the board may award a grant or loan  
25 not exceeding \$750,000 under s. 560.61 to a new or expanding business, a

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1 municipality or other public entity, a nonprofit organization or an entity organized  
2 by a group of any of those entities for any of the following:

3 **SECTION 6933jg.** 560.65 (1m) (a) 1. of the statutes is amended to read:

4 560.65 (1m) (a) 1. The production of a product made from one or more materials  
5 recovered from postconsumer waste or ~~of equipment necessary to make the product~~  
6 industrial waste.

7 **SECTION 6933jh.** 560.65 (1m) (a) 2. of the statutes is repealed.

8 **SECTION 6933ji.** 560.65 (1m) (a) 2m. of the statutes is created to read:

9 560.65 (1m) (a) 2m. Technical research intended to result in the development  
10 of a new process, or the improvement of an existing process, for processing  
11 postconsumer waste or industrial waste.

12 **SECTION 6933jj.** 560.65 (1m) (a) 3. of the statutes is renumbered 560.65 (1m)  
13 (a) 3. (intro.) and amended to read:

14 560.65 (1m) (a) 3. (intro.) The development, construction, purchase or  
15 operation of a facility ~~to~~ or equipment to do any of the following:

16 a. To process one or more materials recovered from postconsumer waste that  
17 will be used in the production of a product or the development and operation of a  
18 business to haul postconsumer waste that will be used in the production of a product  
19 or industrial waste.

20 **SECTION 6933jk.** 560.65 (1m) (a) 3. b. to e. of the statutes are created to read:

21 560.65 (1m) (a) 3. b. To control or treat industrial wastes or air pollution but  
22 not other wastes, as defined in s. 144.01 (8).

23 c. To abate or eliminate air pollution or pollution of the waters of the state that  
24 originates from property that is not used to grow agricultural products for sale.

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1 d. To reduce emissions of volatile organic compounds from a stationary source  
2 owned or operated by the applicant in a nonattainment area or volatile organic  
3 compound accommodation area.

4 e. To comply with the air pollution control requirements of ss. 144.30 to  
5 144.403, of a local air pollution control program under s. 144.41 or of the federal clean  
6 air act, 42 USC 7401 to 7671q.

7 **SECTION 6933jm.** 560.65 (1m) (b) of the statutes is amended to read:

8 560.65 (1m) (b) A ~~business recipient~~ may use the proceeds of a loan under this  
9 subsection for technical research, capital expenses or working capital expenses.

10 **SECTION 6933jn.** 560.65 (2) (a) of the statutes is amended to read:

11 560.65 (2) (a) Subject to sub. (4), the board may award a grant or loan not  
12 exceeding \$100,000 under s. 560.61 to a new or expanding business, a municipality  
13 or other public entity, a nonprofit organization or an entity organized by a group of  
14 any of those entities for any of the activities under sub. (1m) (a) 1. to 3.

15 **SECTION 6933jp.** 560.65 (2) (b) (intro.) of the statutes is amended to read:

16 560.65 (2) (b) (intro.) A ~~business recipient~~ may use the proceeds of a grant or  
17 loan under this subsection for any of the following:

18 **SECTION 6933jq.** 560.65 (2) (b) 5. of the statutes is amended to read:

19 560.65 (2) (b) 5. Specialized technical research.

20 **SECTION 6933jr.** 560.65 (3) (a) of the statutes is amended to read:

21 560.65 (3) (a) Subject to sub. (4), the board may award a grant or loan not  
22 exceeding \$25,000 under s. 560.61 to a new or expanding business, a municipality  
23 or other public entity, a nonprofit organization or an entity organized by a group of  
24 any of those entities for investigating the feasibility of any of the activities under sub.  
25 (1m) (a) 1. to 3.

1           **SECTION 6933js.** 560.65 (3) (b) (intro.) of the statutes is amended to read:

2           560.65 (3) (b) (intro.) A ~~business~~ recipient may use the proceeds of a grant or  
3 loan under this subsection for any of the following:

4           **SECTION 6933jt.** 560.65 (3) (b) 1. of the statutes is amended to read:

5           560.65 (3) (b) 1. Performing a ~~business~~ feasibility study.

6           **SECTION 6933ju.** 560.65 (3m) of the statutes is repealed.

7           **SECTION 6933jv.** 560.65 (4) (a) of the statutes, as affected by 1993 Wisconsin  
8 Act 75, is amended to read:

9           560.65 (4) (a) ~~Except for awards made under sub. (1m) (a) 2.~~ If the project is  
10 for the production of a product made from one or more materials recovered from  
11 postconsumer waste, whether the production is consistent with the priorities  
12 established under s. ~~159.03 (1) (b), 1991 stats.,~~ 159.42 (5) for the development of  
13 markets for materials recovered from solid waste that are in effect on January 1 of  
14 the year in which the applicant submits a complete application for a grant or loan  
15 under this section to the department.

16           **SECTION 6933jw.** 560.65 (4) (c) of the statutes is amended to read:

17           560.65 (4) (c) If the grant or loan is for a project relating to the processing of  
18 ~~one or more materials recovered from~~ postconsumer waste, whether there is or is  
19 likely to be a market for the processed materials.

20           **SECTION 6933jx.** 560.65 (4) (d) of the statutes is created to read:

21           560.65 (4) (d) Whether the project is in the best interest of the state in order  
22 to do any of the following:

23           1. Protect public health.

24           2. Protect, maintain and improve the quality and management of the waters  
25 of the state.

1           3. Protect, maintain and improve the quality of the air and of the natural  
2 environment.

3           4. Conserve resources and energy.

4           **SECTION 6933jy.** 560.65 (4m) of the statutes is repealed.

5           **SECTION 6933jz.** 560.65 (5) (a) of the statutes, as created by 1993 Wisconsin Act  
6 75, is amended to read:

7           560.65 (5) (a) The board may not award a grant or loan under this section after  
8 July 1, ~~1995~~ 1997.

9           **SECTION 6933p.** 560.70 (intro.) of the statutes is amended to read:

10           **560.70 Definitions.** (intro.) In this subchapter ~~section and ss. 560.71 to~~  
11 560.795:

12           **SECTION 6933r.** 560.70 (7) of the statutes is amended to read:

13           560.70 (7) "Tax benefits" means the development zones day care credit under  
14 ss. 71.07 (2dd), 71.28 (1dd) and 71.47 (1dd), the development zones environmental  
15 remediation credit under ss. 71.07 (2de), 71.28 (1de) and 71.47 (1de), the  
16 development zones investment credit under ss. 71.07 (2di), 71.28 (1di) and 71.47  
17 (1di), the development zones jobs credit under ss. 71.07 (2dj), 71.28 (1dj) and 71.47  
18 (1dj), the development zones location credit under ss. 71.07 (2dL), 71.28 (1dL) and  
19 71.47 (1dL), the development zones sales tax credit under ss. 71.07 (2ds), 71.28 (1ds)  
20 and 71.47 (1ds) and the additional 5% credit under ss. 71.28 (4) and 71.47 (4).

21           **SECTION 6934.** 560.73 (1) (i) 1. of the statutes is amended to read:

22           560.73 (1) (i) 1. Whether a grant diversion project has been established in the  
23 county in which the area is located and, if a grant diversion project has not been  
24 established, how the local governing body intends to work with the county and the

1 department of ~~health and social services~~ industry, labor and human relations to  
2 establish a grant diversion project.

3 **SECTION 6935.** 560.73 (1) (i) 2. of the statutes is amended to read:

4 560.73 (1) (i) 2. How the local governing body will work with the county and  
5 department of ~~health and social services~~ industry, labor and human relations to  
6 promote and encourage participation in the grant diversion project by employers in  
7 the development zone.

8 **SECTION 6936.** 560.75 (11) of the statutes is amended to read:

9 560.75 (11) For the purposes of s. 49.193 (5), notify the department of ~~health~~  
10 ~~and social services~~ industry, labor and human relations when a development zone  
11 has been established and of which local governing body helps administer the  
12 development zone.

13 **SECTION 6936p.** 560.795 (3) (e) of the statutes is created to read:

14 560.795 (3) (e) For purposes of s. 49.193 (5), notify the department of health and  
15 social services of the designation of an area as a development opportunity zone and  
16 of the local governing body of the area.

17 **SECTION 6936r.** 560.795 (3) (e) of the statutes, as created by 1995 Wisconsin  
18 Act .... (this act), is amended to read:

19 560.795 (3) (e) For purposes of s. 49.193 (5), notify the department of ~~health and~~  
20 ~~social services~~ industry, labor and human relations of the designation of an area as  
21 a development opportunity zone and of the local governing body of the area.

22 **SECTION 6936s.** 560.797 of the statutes is created to read:

23 **560.797 Enterprise development zone program. (1) DEFINITIONS.** In this  
24 section:

25 (a) "Environmental pollution" has the meaning given in s. 144.01 (3).

1 (b) "Project" means economic activity in the state.

2 (c) "Target population" means persons who are members of targeted groups for  
3 the purpose of the credit under ss. 71.07 (2dj), 71.28 (1dj) and 71.47 (1dj).

4 (d) "Tax benefits" has the meaning given in s. 560.70 (7).

5 **(2) CRITERIA FOR DESIGNATION AS AN ENTERPRISE DEVELOPMENT ZONE.** (a) Subject  
6 to pars. (c) and (d), the department may designate an area as an enterprise  
7 development zone for a project if the department determines all of the following:

8 1. That the project serves a public purpose.

9 2. That the project will likely retain or increase employment in the state.

10 3. That the project is not likely to occur or continue without the department's  
11 designation of the area as an enterprise development zone.

12 4. That the project will likely positively affect an area that meets at least 3 of  
13 the following criteria:

14 a. The unemployment rate in the area is higher than the state average for the  
15 18 months immediately preceding the date on which the application under sub. (3)  
16 was submitted to the department.

17 b. The percentage of persons residing in the area who are members of  
18 households with household income levels at or below 80% of the statewide median  
19 household income is higher than the state average.

20 c. The percentage of households in the area receiving unemployment  
21 compensation under ch. 108, general relief administered under s. 49.02, relief of  
22 needy Indian persons under s. 49.046 or aid to families with dependent children  
23 under s. 49.19 is higher than the state average.

24 d. In the 36 months immediately preceding the date on which the application  
25 under sub. (3) was submitted to the department, a number of workers in the area

1 were permanently laid off by their employer or became unemployed as a result of a  
2 business action subject to s. 109.07 (1m).

3 e. An employer in the vicinity of the area has given public notice under s. 109.07  
4 (1m) of either a business closing or a mass layoff of at least 25 employes, or 25% of  
5 the employes, of a business, whichever is greater, that will result in a number of  
6 workers in the area being laid off permanently.

7 f. Property values in the area have been declining.

8 g. There has been a decline in the population in the area.

9 (b) In making a determination under par. (a), the department shall consider all  
10 of the following:

11 1. The extent of poverty, unemployment or other factors contributing to general  
12 economic hardship in the area.

13 2. The prospects for new investment and economic development in the area.

14 3. The amount of investment that is likely to result from the project.

15 4. The number of jobs that are likely to be created as a result of the project.

16 5. The number of jobs that are likely to be available to the target population  
17 as a result of the project.

18 6. The competitive effect of designating the area as an enterprise development  
19 zone on other businesses in the area.

20 7. The needs of other areas of the state.

21 8. Any other factors that the department considers relevant.

22 (c) The department may not designate as an enterprise development zone, or  
23 as any part of an enterprise development zone, an area that is located within the  
24 boundaries of an area that is designated as a development zone under s. 560.71, or

1 as a development opportunity zone under s. 560.795, the designation of which is in  
2 effect.

3 (d) The department may not designate more than 50 enterprise development  
4 zones unless the department obtains the approval of the joint committee on finance  
5 to do so.

6 **(3) APPLICATION AND PROJECT PLAN.** (a) A person that conducts or that intends  
7 to conduct a project and that desires to have the area in which the project is or is to  
8 be conducted designated as an enterprise development zone for the purpose of  
9 claiming tax benefits may submit to the department an application and a project  
10 plan.

11 (b) A project plan under par. (a) shall include all of the following:

12 1. The name and address of the person's business for which tax benefits will be  
13 claimed.

14 2. The appropriate Wisconsin tax identification number of the person.

15 3. The names and addresses of other locations outside of the area proposed to  
16 be designated as an enterprise development zone where the person conducts  
17 business and a description of the business activities conducted at those locations.

18 4. The amount that the person proposes to invest in a business; to spend on the  
19 construction, rehabilitation, repair or remodeling of a building; or to spend on the  
20 removal or containment of, or the restoration of soil or groundwater affected by,  
21 environmental pollution; in the area proposed to be designated as an enterprise  
22 development zone.

23 5. The estimated total investment of the person in the enterprise development  
24 zone.

1           6. The estimated number of jobs that will be created, retained or substantially  
2 upgraded as a result of the person's project in relation to the amount of tax benefits  
3 estimated for the person.

4           7. The person's plans to make reasonable attempts to hire employees from the  
5 target population.

6           8. The estimated number of jobs that will be filled by members of the target  
7 population.

8           9. The person's plans to make available or provide day care center benefits, as  
9 defined in s. 71.07 (2dd) (a) 1., to each qualifying child, as defined in s. 71.07 (2dd)  
10 (a) 3.

11          10. The boundaries or legal description of the area proposed to be designated  
12 as an enterprise development zone.

13          11. Any other information required by the department or the department of  
14 revenue.

15          **(4) DESIGNATION, CERTIFICATION AND ADDITIONAL DUTIES.** (a) Subject to par. (b),  
16 if the department approves a project plan under sub. (3) and designates the area in  
17 which the person submitting the project plan conducts or intends to conduct the  
18 project as an enterprise development zone under the criteria under sub. (2), the  
19 department shall certify the person as eligible for tax benefits.

20          (b) The department may certify only one person as eligible for tax benefits in  
21 an area designated as an enterprise development zone.

22          (c) When the department designates an area as an enterprise development  
23 zone for a project, the department shall notify the governing body of any city, village,  
24 town or federally recognized American Indian tribe or band in which the area is  
25 located of the area's designation.

1 (d) The department shall notify the department of revenue of all persons  
2 entitled to claim tax benefits under this section.

3 (e) For purposes of s. 49.193 (5), the department shall notify the department  
4 of health and social services of the designation of an area as an enterprise  
5 development zone and of the governing body of any city, village, town or federally  
6 recognized American Indian tribe or band in which the area is located.

7 (f) The tax benefits for which a person is certified as eligible under this  
8 subsection are not transferable to another person, business or location, except to the  
9 extent permitted under section 383 of the internal revenue code.

10 **(5) DURATION AND LIMITS.** (a) When the department designates an area as an  
11 enterprise development zone under this section, the department shall specify the  
12 length of time, not to exceed 84 months, that the designation is effective, subject to  
13 par. (d) and sub. (6).

14 (b) When the department designates an area as an enterprise development  
15 zone under this section, the department shall establish a limit, not to exceed  
16 \$3,000,000, for tax benefits for the enterprise development zone.

17 (c) Annually, the department shall estimate the amount of foregone state  
18 revenue because of tax benefits claimed by persons in each enterprise development  
19 zone.

20 (d) 1. Notwithstanding the length of time specified by the department under  
21 par. (a), the designation of an area as an enterprise development zone shall expire  
22 90 days after the day on which the department determines that the foregone tax  
23 revenues under par. (c) will equal or exceed the limit established for the enterprise  
24 development zone.

1           2. The department shall immediately notify the department of revenue and the  
2 governing body of any city, village, town or federally recognized American Indian  
3 tribe or band in which the enterprise development zone is located of a change in the  
4 expiration date of the enterprise development zone under this paragraph.

5           **(6) REVOCATION OF ENTITLEMENT.** (a) The department shall revoke the  
6 entitlement of a person to claim tax benefits under this section, and the designation  
7 of the area as an enterprise development zone shall expire, if the person does any of  
8 the following:

9           1. Supplies false or misleading information to obtain the tax benefits.

10           2. Leaves the enterprise development zone to conduct substantially the same  
11 business outside of the enterprise development zone.

12           3. Ceases operations in the enterprise development zone and does not renew  
13 operation of the trade or business or a similar trade or business in the enterprise  
14 development zone within 12 months.

15           (b) The department shall notify the department of revenue within 30 days after  
16 revoking an entitlement under par. (a).

17           **SECTION 6936sm.** 560.797 (2) (a) 4. c. of the statutes, as created by 1995  
18 Wisconsin Act .... (this act), is amended to read:

19           560.797 **(2)** (a) 4. c. The percentage of households in the area receiving  
20 unemployment compensation under ch. 108, ~~general relief administered under s.~~  
21 ~~49.02, relief of needy Indian persons under s. 49.046~~ funded by a relief block grant  
22 under ch. 49 or aid to families with dependent children under s. 49.19 is higher than  
23 the state average.

24           **SECTION 6936v.** 560.797 (4) (e) of the statutes, as created by 1995 Wisconsin  
25 Act .... (this act), is amended to read:

1           560.797 (4) (e) For purposes of s. 49.193 (5), the department shall notify the  
2 department of ~~health and social services~~ industry, labor and human relations of the  
3 designation of an area as an enterprise development zone and of the governing body  
4 of any city, village, town or federally recognized American Indian tribe or band in  
5 which the area is located.

6           **SECTION 6937.** 560.80 (3) of the statutes is amended to read:

7           560.80 (3) “Early planning project” means the preliminary stages of  
8 considering and planning the start-up or expansion of a business that will be a  
9 minority business.

10          **SECTION 6938.** 560.82 (4) (a) of the statutes is amended to read:

11          560.82 (4) (a) Award, for grants under sub. (1), more than ~~5%~~ 10% of the funds  
12 appropriated for the fiscal biennium under s. 20.143 (1) (fm).

13          **SECTION 6939.** 560.82 (4) (b) of the statutes is amended to read:

14          560.82 (4) (b) Award, to any one eligible recipient or for any one early planning  
15 project, grants under sub. (1) or s. 560.835 (6) that total more than \$5,000 \$15,000.

16          **SECTION 6939g.** 560.84 (2) (c) 2. of the statutes is amended to read:

17          560.84 (2) (c) 2. A development zone designated under s. 560.71, a development  
18 opportunity zone designated under s. 560.795 or an enterprise development zone  
19 designated under s. 560.797.

20          **SECTION 6940.** 560.875 (1) of the statutes is amended to read:

21          560.875 (1) Annually, the department shall grant to the Great Lakes  
22 inter-tribal council the amount appropriated under s. 20.143 (1) (df) to partially fund  
23 a program to provide technical assistance for economic development on Indian  
24 reservations if the conditions under subs. (2) and (3) are satisfied.

25          **SECTION 6940g.** 561.01 (4) of the statutes is repealed.

**SECTION 6940h**

1           **SECTION 6940h.** 561.02 of the statutes is renumbered 561.02 (1) and amended  
2 to read:

3           **561.02 (1)** The commission shall coordinate and regulate all activities relating  
4 to, and promulgate all rules relating to, racing and pari-mutuel wagering conducted  
5 under ch. 562, bingo and raffles conducted under ch. 563, and crane games conducted  
6 under ch. 564 ~~and the state lottery conducted under ch. 565~~, and shall perform its  
7 duties and functions under ch. 569 regarding Indian gaming.

8           **SECTION 6940j.** 561.02 (2) of the statutes is created to read:

9           **561.02 (2)** The board shall coordinate and regulate all activities relating to the  
10 state lottery under ch. 565, with the assistance of the department of revenue in the  
11 manner provided in ch. 565, and the board may promulgate rules relating to the state  
12 lottery under ch. 565.

13           **SECTION 6940k.** 561.02 (2m) of the statutes is created to read:

14           **561.02 (2m)** The board shall appoint a chief legal counsel, who shall also serve  
15 as the board's legislative liaison.

16           **SECTION 6940L.** 561.03 of the statutes is created to read:

17           **561.03 Executive director.** The governor shall nominate, and with the  
18 advice and consent of the senate appoint, an executive director of the board, who  
19 shall assist the board in performing its duties under s. 561.02 (1).

20           **SECTION 6940m.** 561.06 (1) of the statutes is amended to read:

21           **561.06 (1)** ~~Provide~~ Subject to s. 565.25 (1m), provide all of the security services  
22 for the gaming operations under chs. 562 to 569.

23           **SECTION 6940r.** 561.10 of the statutes is repealed.

24           **SECTION 6951.** 562.02 (1) (k) of the statutes is created to read:

**SECTION 6951**

1           562.02 (1) (k) Approve or reject the amount that a licensee is required to deduct  
2 from the total amount wagered under s. 562.065 (3) (a).

3           **SECTION 6952.** 562.02 (2) (h) of the statutes is created to read:

4           562.02 (2) (h) Inspect and conduct investigations of facilities in this state used  
5 for breeding or training animals for racing, for the purpose of obtaining compliance  
6 with laws relating to the humane treatment of animals.

7           **SECTION 6953.** 562.03 (4) of the statutes is amended to read:

8           562.03 (4) The administrator shall appoint and supervise a ~~deputy and an~~  
9 ~~assistant to serve outside the classified service and~~ a chief steward.

10          **SECTION 6954.** 562.057 (1) of the statutes is amended to read:

11          562.057 (1) ~~Except as provided in sub. (2), an~~ An intertrack wagering licensee  
12 may accept wagers on races that are conducted at 2 or more host tracks during the  
13 same race day with the approval of the commission.

14          **SECTION 6955.** 562.057 (2) of the statutes is repealed.

15          **SECTION 6956.** 562.057 (3) (a) of the statutes is renumbered 562.057 (3).

16          **SECTION 6957.** 562.057 (3) (b) of the statutes is repealed.

17          **SECTION 6958.** 562.057 (4) of the statutes is amended to read:

18          562.057 (4) The Subject to sub. (4m), the commission may permit a licensee  
19 under s. 562.05 (1) (b) to receive simulcast races from out-of-state racetracks ~~not~~  
20 ~~more than 9 simuleast races each year and,~~ to conduct pari-mutuel wagering on  
21 those races and to commingle the licensee's wagering pools on those races with those  
22 of any out-of-state racetrack from which the licensee is permitted to receive  
23 simulcast races. The licensee shall use at least 4.5% of the total amount of intertrack  
24 and simulcast wagers for purses for races held at the racetrack at which the wagering  
25 was conducted. The commission may permit a licensee under s. 562.05 (1) (b) to

1 simulcast races to any out-of-state legal wagering entity, and to commingle the  
2 licensee's wagering pools on those races with those of any out-of-state legal  
3 wagering entity to which the licensee is permitted to simulcast those races.

4 **SECTION 6958m.** 562.057 (4m) of the statutes is created to read:

5 562.057 (4m) The commission may not permit a licensee under s. 562.05 (1) (b)  
6 to receive simulcast races under sub. (4) unless the commission determines that all  
7 of the following conditions are met:

8 (a) 1. For a racetrack at which \$25,000,000 or more was wagered during the  
9 calendar year immediately preceding the year in which the applicant proposes to  
10 conduct wagering on simulcast races, at least 250 race performances were conducted  
11 at the racetrack during that period.

12 2. For a racetrack at which less than \$25,000,000 was wagered during the  
13 calendar year immediately preceding the year in which the applicant proposes to  
14 conduct wagering on simulcast races, at least 200 race performances were conducted  
15 at the racetrack during that period.

16 (b) Wagering on simulcast races will be conducted at the racetrack only as an  
17 adjunct to, and not in a manner that will supplant, wagering on live on-track racing  
18 at that racetrack, and wagering on simulcast races will not be the primary source of  
19 wagering revenue at that racetrack.

20 (c) The conduct of wagering on simulcast races will not adversely affect the  
21 public health, welfare or safety.

22 **SECTION 6959.** 562.057 (5) of the statutes is created to read:

23 562.057 (5) The commission shall promulgate rules administering sub. (4).

24 **SECTION 6960.** 562.065 (3) (a) of the statutes is amended to read:

1           562.065 (3) (a) *Deduction.* From the total amount wagered on all animals  
2 selected to win, place or show in a race, a licensee under s. 562.05 (1) (b) and (c) shall  
3 deduct 17% or an amount approved by the commission under s. 562.02 (1) (k) up to  
4 20% and pay the balance, minus breakage, to winning ticket holders, except that for  
5 a multiple pool, the licensee shall deduct 23% or an amount approved by the  
6 commission under s. 562.02 (1) (k) up to 25% and pay the balance, minus breakage,  
7 to winning ticket holders. Nothing in this paragraph prohibits the licensee from  
8 retaining amounts wagered in multiple pools which are required to be paid to  
9 winning ticket holders if there are no winning ticket holders, for the sole purpose of  
10 paying these amounts to winning ticket holders of subsequent races.

11           **SECTION 6961.** 562.065 (3) (b) of the statutes is amended to read:

12           562.065 (3) (b) *Purses.* 1. For horse races, from the total amount deducted  
13 under par. (a) on each race day, the licensee under s. 562.05 (1) (b) shall use at least  
14 an amount equal to 8% of the total amount wagered on each race day for purses for  
15 races held on that race day, except as provided in s. 562.057 ~~(3) (b)~~ (4). The licensee  
16 shall pay purses directly to the owner of a horse or, if a horse is leased, the licensee  
17 shall pay the purse directly to the lessor and lessee of the horse as agreed in a written  
18 lease agreement on file with the licensee.

19           2. For dog races, from the total amount deducted under par. (a) on each race  
20 day, the licensee under s. 562.05 (1) (b) shall use at least an amount equal to 4.5%  
21 of the total amount wagered on each race day for purses, except as provided in s.  
22 562.057 ~~(3) (b)~~ (4). Purses shall be paid on or before Thursday of the calendar week  
23 immediately following the race day on which the purses are won. The licensee shall  
24 pay purses directly to the owner of a dog or, if a dog is leased, the licensee shall pay

**SECTION 6961**

1 the purse directly to the lessor and lessee of the dog as agreed in a written lease  
2 agreement on file with the licensee.

3 **SECTION 6961m.** 562.065 (3) (b) 3. of the statutes is created to read:

4 562.065 (3) (b) 3. In addition to the amounts required under subs. 1. and 2.,  
5 if a licensee deducts under par. (a) more than 17% from the total amount wagered  
6 on all animals selected to win, place or show in a race or more than 23% from the total  
7 amount wagered on all animals for a multiple pool in a race, the licensee shall use  
8 for purses at least an amount that equals 4.5% of any amount that the licensee  
9 deducts as a result of increasing the deduction under par. (a) beyond the 17% and 23%  
10 levels.

11 **SECTION 6965.** 562.065 (3) (e) (intro.) of the statutes is renumbered 562.065 (3)  
12 (e) and amended to read:

13 562.065 (3) (e) *Breakage.* A licensee under s. 562.05 (1) (b) ~~shall deposit with~~  
14 ~~the commission an amount equal to 50%~~ may retain 100% of the breakage for each  
15 race day. ~~The moneys received under this paragraph shall be deposited as follows:~~

16 **SECTION 6966.** 562.065 (3) (e) 1. and 2. of the statutes are repealed.

17 **SECTION 6967.** 562.065 (3r) of the statutes is amended to read:

18 562.065 (3r) PERIOD FOR DEPOSIT BY LICENSEE. The licensee shall make the  
19 deposits required under subs. (3) (c) 1. to 2g., and (d) 1. ~~and (e) and (3m) (c) 2.~~ no later  
20 than 48 hours after the close of the race day or, if the 48-hour period does not include  
21 a business day, on the first business day immediately following the close of the race  
22 day.

23 **SECTION 6968.** 562.075 (title) of the statutes is amended to read:

24 **562.075 (title) Horses foaled in this state; three-year-old horses; races**  
25 **and purse supplements.**

1           **SECTION 6969.** 562.075 (1) (a) (title) of the statutes is repealed.

2           **SECTION 6970.** 562.075 (1) (a) of the statutes is renumbered 562.075 (1).

3           **SECTION 6971.** 562.075 (1) (b) of the statutes is repealed.

4           **SECTION 6972.** 562.075 (2) (c) of the statutes is repealed.

5           **SECTION 6975.** 562.09 (2) (b) 2. of the statutes is amended to read:

6           562.09 (2) (b) 2. The commission shall require, by rule, that immediately after  
7 every race ~~the animal which won the race,~~ at least one animal selected at random and  
8 ~~any additional animals,~~ as identified by the commission rule, shall be tested to  
9 determine if a medication or foreign substance has been administered to the animal  
10 in violation of sub. (1). A steward or veterinarian employed by, under contract with  
11 or approved by the commission may designate additional animals to be tested to  
12 determine whether a violation of sub. (1) has occurred.

13           **SECTION 6976.** 563.05 (6) of the statutes is amended to read:

14           563.05 (6) The commission shall deposit all moneys received by the commission  
15 under this chapter, except s. 563.80, in the appropriation account under s. 20.197 (1)  
16 ~~(g)~~ (j).

17           **SECTION 6976c.** 563.055 (1) of the statutes is amended to read:

18           563.055 (1) If the holder of a license issued under this chapter pays a fee  
19 required under s. 563.13 (4), 563.22 (2) or 563.92 ~~(1)~~ (2) by check and the check is not  
20 paid by the bank upon which the check is drawn, the commission may cancel the  
21 license on or after the 60th day after the commission receives the notice from the  
22 bank, subject to sub. (2).

23           **SECTION 6976d.** 563.92 (1) of the statutes is renumbered 563.92 (2).

24           **SECTION 6976f.** 563.92 (1m) of the statutes is created to read:

1           563.92 (1m) The commission may issue a Class A license for the conduct of a  
2 raffle in which some or all of the tickets for that raffle are sold on days other than the  
3 same day as the raffle drawing. The commission may issue a Class B license for the  
4 conduct of a raffle in which all of the tickets for that raffle are sold on the same day  
5 as the raffle drawing.

6           **SECTION 6976m.** 563.93 (title) of the statutes is amended to read:

7           **563.93 (title) ~~Tickets; calendars; drawings~~ The conduct of raffles under**  
8 **a Class A license.**

9           **SECTION 6976p.** 563.93 (intro.) of the statutes is created to read:

10          **563.93 (intro.)** All of the following shall apply to the conduct of a raffle under  
11 a Class A license:

12          **SECTION 6976s.** 563.93 (1m) of the statutes is repealed.

13          **SECTION 6976t.** 563.93 (3) of the statutes is amended to read:

14          563.93 (3) No person may sell a raffle ticket or calendar unless authorized by  
15 an organization licensed under this subchapter with a Class A license.

16          **SECTION 6976v.** 563.935 of the statutes is created to read:

17          **563.935 The conduct of raffles under a Class B license.** All of the  
18 following shall apply to the conduct of a raffle under a Class B license:

19           (1) All raffle tickets shall be identical in shape, form and color.

20           (2) The tickets need not be numbered consecutively.

21           (3) No raffle ticket may exceed \$10 in cost.

22           (4) No person may sell a raffle ticket unless authorized by an organization with  
23 a Class B license.

24           (5) All raffle drawings shall be held in public.

1           **(6)** The purchaser of a ticket must be present at the drawing to win a prize,  
2 unless the purchaser gives the ticket to another person who may claim the prize on  
3 behalf of the purchaser, but only if that other person is present at the drawing. If a  
4 purchaser of a ticket must leave before the drawing, the purchaser may request and  
5 receive a refund in the amount of the price of the ticket, but only if the purchaser  
6 makes the request before the drawing. The seller of the ticket shall immediately void  
7 that ticket.

8           **(7)** All prizes shall be awarded.

9           **(8)** The time of the drawing and the prizes to be awarded, the prize amount or  
10 the methodology used to determine the prize amount shall be posted or announced  
11 before the drawing.

12           **(9)** If a raffle drawing is canceled, the organization shall refund the receipts  
13 to the ticket purchasers.

14           **SECTION 6977.** 564.02 (2) (g) of the statutes is amended to read:

15           564.02 **(2)** (g) The commission shall deposit all moneys received by the  
16 commission under this subsection in the appropriation account under s. 20.197 (1)  
17 ~~(g)~~ (j).

18           **SECTION 6977b.** 565.01 (1) of the statutes is amended to read:

19           565.01 **(1)** “Administrator” means the administrator of the lottery division in  
20 the department.

21           **SECTION 6977c.** 565.01 (2) of the statutes is created to read:

22           565.01 **(2)** “Department” means the department of revenue, except as  
23 otherwise expressly provided.

24           **SECTION 6977d.** 565.01 (4c) (a) of the statutes is amended to read:

**SECTION 6977d**

1           565.01 (4c) (a) The development of a specification related to a bid or  
2 competitive sealed proposal to supply goods or services to the ~~commission~~  
3 department relating to the state lottery.

4           **SECTION 6977f.** 565.01 (4c) (b) of the statutes is amended to read:

5           565.01 (4c) (b) The evaluation of a bid or competitive sealed proposal to supply  
6 goods or services to the ~~commission~~ department relating to the state lottery.

7           **SECTION 6977h.** 565.01 (6) of the statutes is amended to read:

8           565.01 (6) "Retailer" means a person who sells lottery tickets or lottery shares  
9 on behalf of the ~~commission~~ department under the terms of a lottery retailer contract  
10 entered into under s. 565.10.

11           **SECTION 6977j.** 565.01 (6m) (b) 9. (intro.) of the statutes is amended to read:

12           565.01 (6m) (b) 9. (intro.) Any game or device that is commonly known as a  
13 video game of chance or a video gaming machine or that is commonly known as or  
14 considered to be a video gambling machine, except a video device authorized by the  
15 ~~commission~~ department to permit the sale of tickets by retailers in a game  
16 authorized under par. (a) if all of the following apply:

17           **SECTION 6977L.** 565.01 (6m) (b) 11. of the statutes is amended to read:

18           565.01 (6m) (b) 11. Any other game that is commonly considered to be a form  
19 of gambling and is not, or is not substantially similar to, a game that the ~~commission~~  
20 department has the authority to conduct under this chapter.

21           **SECTION 6977m.** 565.017 of the statutes is created to read:

22           **565.017 Recommendation of proposed rules by the department.** The  
23 department may recommend proposed rules to the board.

24           **SECTION 6977n.** 565.02 (1) (a) of the statutes is amended to read:

**SECTION 6977n**

1           565.02 (1) (a) Prior to appointing an administrator, the ~~commission~~  
2 department shall conduct a nationwide search to find the best, most qualified  
3 appointee and consider the business management experience, marketing  
4 experience, computer experience and lottery management experience of the  
5 applicants.

6           **SECTION 6977p.** 565.02 (1) (b) 4. of the statutes is amended to read:

7           565.02 (1) (b) 4. A violation of a provision of this chapter or rule of the  
8 ~~commission~~ board.

9           **SECTION 6977r.** 565.02 (1) (c) of the statutes is amended to read:

10          565.02 (1) (c) Before appointment of an administrator is made, the ~~commission~~  
11 department, with the assistance of the department of justice, shall conduct a  
12 background investigation of the proposed administrator. The ~~commission~~  
13 department shall require the ~~propose~~ proposed administrator to be photographed  
14 and fingerprinted on 2 fingerprint cards each bearing a complete set of the person's  
15 fingerprints. The department of justice may submit the fingerprint cards to the  
16 federal bureau of investigation for the purposes of verifying the identity of the person  
17 fingerprinted and obtaining records of his or her criminal arrests and convictions.  
18 The ~~commission~~ department shall reimburse the department of justice for the  
19 department's services under this paragraph.

20          **SECTION 6977t.** 565.02 (2) (a) of the statutes is amended to read:

21          565.02 (2) (a) The administrator shall perform the duties assigned to the  
22 administrator under this chapter and by the ~~commission~~ secretary of revenue.

23          **SECTION 6978.** 565.02 (2) (b) of the statutes is amended to read:

24          565.02 (2) (b) The administrator shall appoint and supervise employees,  
25 ~~including, outside the classified service, the deputy and assistant of the lottery~~

1 ~~division~~, as specified by the commission by rule under sub. (3) (a), as necessary to  
2 carry out the duties of the commission and administrator.

3 **SECTION 6978b.** 565.02 (2) (b) of the statutes, as affected by 1995 Wisconsin Act  
4 .... (this act), is amended to read:

5 565.02 (2) (b) The administrator shall appoint and supervise employees, as  
6 specified by the ~~commission~~ board by rule under sub. (3) (a), as necessary to carry out  
7 the duties of the ~~commission~~ and administrator.

8 **SECTION 6978c.** 565.02 (2) (c) 3. of the statutes is amended to read:

9 565.02 (2) (c) 3. A violation of a provision of this chapter or rule of the  
10 ~~commission~~ board.

11 **SECTION 6978d.** 565.02 (2) (d) of the statutes is amended to read:

12 565.02 (2) (d) Before appointment of employees is made under par. (b), the  
13 ~~commission~~ department, with the assistance of the department of justice, shall  
14 conduct a background investigation of the proposed employees. The ~~commission~~  
15 department shall require the persons proposed as employees to be photographed and  
16 fingerprinted on 2 fingerprint cards each bearing a complete set of the person's  
17 fingerprints. The department of justice may submit the fingerprint cards to the  
18 federal bureau of investigation for the purposes of verifying the identity of the person  
19 fingerprinted and obtaining records of his or her criminal arrests and convictions.  
20 The ~~commission~~ department shall reimburse the department of justice for the  
21 department's services under this paragraph.

22 **SECTION 6978e.** 565.02 (2r) of the statutes is amended to read:

23 565.02 (2r) The ~~commission~~ department may require a fidelity bond from the  
24 administrator or any other employe of the lottery division in the department.

25 **SECTION 6978f.** 565.02 (3) (intro.) of the statutes is amended to read:

1           565.02 (3) (intro.) The ~~commission~~ board shall promulgate all of the following  
2 rules:

3           **SECTION 6978g.** 565.02 (3) (b) 6. of the statutes is amended to read:

4           565.02 (3) (b) 6. Qualifications for retailers, in addition to those under this  
5 section, as determined by the ~~commission~~ board.

6           **SECTION 6978gm.** 565.02 (3) (e) of the statutes is repealed.

7           **SECTION 6978h.** 565.02 (4) (intro.) of the statutes is amended to read:

8           565.02 (4) (intro.) The ~~commission~~ board may promulgate all of the following  
9 rules:

10          **SECTION 6978i.** 565.02 (6) of the statutes is amended to read:

11          565.02 (6) The ~~commission~~ department shall deposit all gross lottery revenues,  
12 as defined in s. 25.75 (1) (b), in the lottery fund.

13          **SECTION 6978j.** 565.02 (7) of the statutes is amended to read:

14          565.02 (7) Not later than March 1 of each year, the ~~commission~~ department  
15 shall submit to the joint committee on finance a report that includes an estimate for  
16 that fiscal year and for the subsequent fiscal year of the gross revenues from the sale  
17 of lottery tickets and lottery shares, the total amount paid as prizes and the prize  
18 payout ratio for each type of lottery game offered, and an evaluation of the effect of  
19 prize payout ratios of lottery games on lottery sales, lottery operating costs and on  
20 maximizing the revenue available for the lottery property tax credit. If, within 14  
21 working days after the date on which the committee receives the report, the  
22 cochairpersons of the committee notify the ~~commission~~ department that the  
23 committee has scheduled a meeting for the purpose of reviewing the ~~commission's~~  
24 department's proposed prize payouts, the ~~commission~~ department may proceed with  
25 its plans for the prize payouts for the subsequent fiscal year only upon approval of

1 the plans by the committee. If the cochairpersons of the committee do not notify the  
2 ~~commission~~ department within 14 working days after the date on which the  
3 committee receives the report that the committee has scheduled a meeting for the  
4 purpose of reviewing the ~~commission's~~ department's proposed prize payouts, the  
5 ~~commission's~~ department's plans for the prize payouts for the subsequent fiscal year  
6 are considered approved by the committee.

7 **SECTION 6978k.** 565.05 (1) (intro.) of the statutes is amended to read:

8 565.05 (1) (intro.) No member or employe of the ~~commission~~ board, secretary  
9 of revenue, deputy secretary of revenue or employe in the lottery division of the  
10 department may do any of the following:

11 **SECTION 6978L.** 565.05 (1) (a) of the statutes is amended to read:

12 565.05 (1) (a) Have a direct or indirect interest in or be employed by any vendor  
13 while serving as a ~~commission~~ member or employe of the board, secretary of revenue,  
14 deputy secretary of revenue or employe in the lottery division of the department or  
15 for 2 years following the ~~member's or employe's~~ person's termination of service.

16 **SECTION 6978m.** 565.10 (1) of the statutes is amended to read:

17 565.10 (1) SELECTION OF RETAILERS; RETAILER CONTRACT. Under rules  
18 promulgated by the ~~commission~~ board under s. 565.02 (3) (b) and (4) (a), the  
19 administrator may contract with a person for the retail sale of lottery tickets or  
20 lottery shares. Retailers shall be selected for contract so as to provide adequate and  
21 convenient availability of lottery tickets and lottery shares to prospective buyers.

22 **SECTION 6978n.** 565.10 (3) (c) 4. of the statutes is amended to read:

23 565.10 (3) (c) 4. The restrictions under par. (a) do not apply to the partnership,  
24 limited liability company, association or corporation if the ~~commission~~ department  
25 determines that the partnership, limited liability company, association or

**SECTION 6978n**

1 corporation has terminated its relationship with the partner, member, officer,  
2 director or owner who was convicted or entered the plea or with the partner, member,  
3 officer, director, owner or other individual whose actions directly contributed to the  
4 partnership's, limited liability company's, association's or corporation's conviction or  
5 entry of plea.

6 **SECTION 6978no.** 565.10 (4) (b) (intro.) of the statutes is amended to read:

7 565.10 (4) (b) (intro.) Subject to approval of each such retailer contract by the  
8 ~~commission~~ department, the retailer contract is with one of the following:

9 **SECTION 6978p.** 565.10 (5) (a) of the statutes is amended to read:

10 565.10 (5) (a) In entering into a lottery retailer contract with state agencies,  
11 other than the ~~commission~~ department, and agencies of local units of government,  
12 the administrator shall attempt to minimize the competitive effect of sales by the  
13 state or local agencies on other retailers. An application for a retailer contract by a  
14 local unit of government shall be approved by the governing body of the local unit of  
15 government.

16 **SECTION 6978q.** 565.10 (5) (b) of the statutes is amended to read:

17 565.10 (5) (b) A lottery retailer contract may be entered into with a private  
18 person operating activities on state or local government property. The ~~commission~~  
19 department shall give preference to an individual, group of individuals or nonprofit  
20 organization, as specified under sub. (4) (b), in entering into contracts under this  
21 paragraph.

22 **SECTION 6978r.** 565.10 (7) (b) of the statutes is amended to read:

23 565.10 (7) (b) The administrator may, under rules promulgated by the  
24 ~~commission~~ board, contract for a period that is shorter than 3 years in order to  
25 stagger lottery retailer contract expiration dates throughout a 3-year period.

**SECTION 6978s**

1           **SECTION 6978s.** 565.10 (8) of the statutes is amended to read:

2           565.10 **(8)** CONTRACT FEES. A contract entered into under this section may  
3 require payment of a nonrefundable initial application fee or a nonrefundable  
4 annual fee for continuation, or both, in an amount promulgated by the ~~commission~~  
5 board by rule under s. 565.02 (4) (b). A separate nonrefundable fee, in an amount  
6 specified in rules promulgated under s. 565.02 (4) (b), may be required for each  
7 certificate of authority issued under sub. (11).

8           **SECTION 6978t.** 565.10 (8m) of the statutes is amended to read:

9           565.10 **(8m)** (title) PAYMENT TO ~~COMMISSION~~ DEPARTMENT OR CONTRACTOR.  
10 Payment by a retailer to the ~~commission~~ department or to any contractor for lottery  
11 tickets or lottery shares shall be by check, bank draft, electronic fund transfer or  
12 other recorded means, as determined by the administrator. No payment under this  
13 subsection may be in cash.

14           **SECTION 6978u.** 565.10 (11) of the statutes is amended to read:

15           565.10 **(11)** CERTIFICATE OF AUTHORITY; REQUIRED DISPLAY. The ~~commission~~  
16 department shall issue to each retailer a separate certificate of authority for each  
17 location from which the retailer may sell lottery tickets or lottery shares. Each  
18 retailer shall conspicuously display the certificate of authority on the premises  
19 where retail sales of lottery tickets or lottery shares are authorized under the  
20 certificate in a location which is accessible for public inspection.

21           **SECTION 6979.** 565.10 (14) (b) of the statutes is amended to read:

22           565.10 **(14)** (b) The basic compensation to be paid to a retailer is ~~5%~~ 5.5% of the  
23 retail price of lottery tickets or lottery shares sold by the retailer. The commission  
24 may, in the rules promulgated under s. 565.02 (4) (f), provide for the payment of a  
25 higher rate of compensation to nonprofit organizations making sales under a

1 contract issued on a temporary basis than the rate of compensation paid to other  
2 retailers.

3 **SECTION 6979m.** 565.10 (14) (b) of the statutes, as affected by 1995 Wisconsin  
4 Act .... (this act), is amended to read:

5 565.10 (14) (b) The basic compensation to be paid to a retailer is 5.5% of the  
6 retail price of lottery tickets or lottery shares sold by the retailer. The ~~commission~~  
7 board may, in the rules promulgated under s. 565.02 (4) (f), provide for the payment  
8 of a higher rate of compensation to nonprofit organizations making sales under a  
9 contract issued on a temporary basis than the rate of compensation paid to other  
10 retailers.

11 **SECTION 6980.** 565.10 (14) (c) of the statutes is repealed.

12 **SECTION 6980c.** 565.10 (15) of the statutes is amended to read:

13 565.10 (15) REMITTING PROCEEDS. A retailer shall, on a daily basis, unless  
14 another basis, but not less than weekly, is provided by the ~~commission~~ board by rule,  
15 remit to the ~~commission~~ department the lottery proceeds from the sale of lottery  
16 tickets or lottery shares. The amount of compensation deducted by the retailer, if  
17 any, shall be indicated as a deduction from the total remitted.

18 **SECTION 6980e.** 565.12 (1) (intro.) of the statutes is amended to read:

19 565.12 (1) (intro.) A lottery retailer contract entered into under s. 565.10 may  
20 be terminated or suspended for a specified period if the ~~commission~~ department finds  
21 that the retailer has done any of the following:

22 **SECTION 6980g.** 565.12 (1) (e) of the statutes is amended to read:

23 565.12 (1) (e) Failed to account accurately for lottery tickets, revenues or prizes  
24 or lottery shares, as required by the ~~commission~~ department, or is delinquent in  
25 remitting lottery ticket or lottery share revenues.

**SECTION 6980i**

1           **SECTION 6980i.** 565.12 (2) of the statutes is amended to read:

2           565.12 (2) If the administrator determines that the immediate suspension or  
3           termination of a lottery retailer contract entered into under s. 565.10 is necessary to  
4           protect the public interest or the security, integrity or fiscal responsibility of the  
5           lottery, the administrator may, without prior notice or hearing, suspend for a  
6           specified period or terminate the lottery retailer contract by mailing to the retailer  
7           a notice of suspension or termination that includes a statement of the facts or conduct  
8           that warrant the suspension or termination and a notice that the retailer may, within  
9           30 days after the date on which the notice of suspension or termination is mailed,  
10          have the suspension or termination reconsidered by the administrator. If, upon  
11          reconsideration, the administrator affirms the determination to suspend or  
12          terminate the lottery retailer contract, the retailer shall be afforded an opportunity  
13          for a hearing before the ~~commission~~ board to review the determination of the  
14          administrator.

15          **SECTION 6980k.** 565.12 (3) of the statutes is amended to read:

16          565.12 (3) The ~~commission~~ board shall render the final decisions under s.  
17          227.47 for all terminations and suspensions under subs. (1) and (2).

18          **SECTION 6980m.** 565.15 of the statutes is amended to read:

19          **565.15** (title) **Commission Department retail outlet.** The ~~commission~~  
20          department may establish and operate a lottery ticket or lottery share retail sales  
21          outlet or sell lottery tickets or lottery shares to the public at a special event. In  
22          considering whether to engage in direct retail sales, the ~~commission~~ department  
23          shall attempt to minimize the competitive effects of its sales on sales by other  
24          retailers.

25          **SECTION 6980p.** 565.17 (1) of the statutes is amended to read:

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1           565.17 (1) WHO MAY SELL. Lottery tickets or lottery shares may not be sold by  
2 any person other than a retailer or the ~~commission~~ department.

3           **SECTION 6980q.** 565.17 (2) of the statutes is amended to read:

4           565.17 (2) PRICE. No person may sell lottery tickets or lottery shares at a price  
5 other than the retail sales price established by the administrator under s. 565.27 (1)  
6 (b), except to the extent of any discount authorized by the administrator or the  
7 ~~commission~~ department.

8           **SECTION 6980s.** 565.17 (5) (title) of the statutes is amended to read:

9           565.17 (5) (title)   ~~COMMISSION~~ BOARD MEMBERS AND EMPLOYEES; CERTAIN  
10 DEPARTMENT EMPLOYEES.

11          **SECTION 6980u.** 565.17 (5) (a) of the statutes is amended to read:

12          565.17 (5) (a) No member or employe of the ~~commission~~ board, secretary of  
13 revenue, deputy secretary of revenue or employe of the lottery division in the  
14 department or any relative residing in the same household with a member or  
15 employe of the ~~commission~~ board, secretary of revenue, deputy secretary of revenue  
16 or employe of the lottery division in the department may purchase a lottery ticket or  
17 lottery share.

18          **SECTION 6981.** 565.25 (1m) of the statutes is amended to read:

19          565.25 (1m) SCOPE OF AUTHORITY. Subject to approval by the commission, the  
20 administrator may determine whether lottery functions shall be performed by  
21 commission employes or by one or more persons under contract with the department,  
22 except that no contract may provide for the entire management of the lottery or for  
23 the entire operation of the lottery by any private person. The department may  
24 contract for management consultation services to assist in the management or  
25 operation of the lottery. The department may not contract for financial auditing or

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1 security monitoring services, except that if the department delegates under s. 16.71  
2 (1) to the commission the authority to make a major procurement the commission  
3 may contract with the department for warehouse and building protection services.

4 If the department delegates under s. 16.71 (1) to the commission the authority to  
5 make a major procurement, the commission shall assume the powers and duties of  
6 the department and the administrator shall assume the powers and duties of the  
7 secretary of administration under this section and ss. 16.70 to 16.77, except under  
8 ss. 16.72 (4) (a), 16.76 (1) and 16.77 (1).

9 **SECTION 6981b.** 565.25 (1m) of the statutes, as affected by 1995 Wisconsin Act  
10 ....(this act), is amended to read:

11 565.25 (1m) SCOPE OF AUTHORITY. Subject to approval by the ~~commission~~ board,  
12 the administrator may determine whether lottery functions shall be performed by  
13 ~~commission~~ department of revenue employes or by one or more persons under  
14 contract with the department of administration, except that no contract may provide  
15 for the entire management of the lottery or for the entire operation of the lottery by  
16 any private person. The department of administration may contract for  
17 management consultation services to assist in the management or operation of the  
18 lottery. The department of administration may not contract for financial auditing  
19 or security monitoring services, except that, if the department of administration  
20 delegates under s. 16.71 (1) to the ~~commission~~ department of revenue the authority  
21 to make a major procurement, the ~~commission~~ department of revenue may contract  
22 with the department of administration for warehouse and building protection  
23 services relating to the state lottery. If the department of administration delegates  
24 under s. 16.71 (1) to the ~~commission~~ department of revenue the authority to make  
25 a major procurement, the department of revenue shall assume the powers and duties

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1 of the department of administration and the administrator shall assume the powers  
2 and duties of the secretary of administration under this section and ss. 16.70 to 16.77,  
3 except under ss. 16.72 (4) (a), 16.76 (1) and 16.77 (1).

4 **SECTION 6981bm.** 565.25 (2) (a) 1. of the statutes is amended to read:

5 565.25 (2) (a) 1. Except as provided ~~under~~ in par. (d) and s. 16.71 (1), the  
6 department shall make major procurements.

7 **SECTION 6981c.** 565.25 (2) (a) 4. (intro.) of the statutes is amended to read:

8 565.25 (2) (a) 4. (intro.) The administrator shall develop specifications for  
9 major procurements. If security is a factor in the materials, supplies, equipment,  
10 property or services to be purchased in any major procurement, then invitations for  
11 bids or competitive sealed proposals shall include specifications related to security.  
12 The administrator shall submit specifications for major procurement to the  
13 ~~commission~~ secretary of revenue for review and approval before the department of  
14 administration releases the specifications in invitations for bids or competitive  
15 sealed proposals. The department of administration shall require separate bids or  
16 separate competitive sealed proposals for each of the following supplies and services  
17 if the supplies or services are provided under contract as provided in sub. (1m):

18 **SECTION 6981d.** 565.25 (2) (a) 6. of the statutes is amended to read:

19 565.25 (2) (a) 6. If the department delegates under s. 16.71 (1) to the  
20 ~~commission~~ department of revenue the authority to make a major procurement, the  
21 award of the major procurement contract is subject to approval by the ~~commission~~  
22 board and to the requirements in ss. 16.72 (4) (a) and 16.76 (1). Copies of requisitions  
23 and contracts for major procurements shall be maintained by the administrator and  
24 shall be subject to inspection and copying under subch. II of ch. 19.

25 **SECTION 6981e.** 565.25 (2) (a) 7. of the statutes is amended to read:

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1           565.25 (2) (a) 7. No bill or statement for any purchase or engagement for the  
2       ~~commission~~ department of revenue relating to the state lottery may be paid until the  
3       bill or statement is approved by the administrator.

4           **SECTION 6981em.** 565.25 (2) (d) of the statutes is created to read:

5           565.25 (2) (d) This subsection does not apply to procurements made under s.  
6       16.706 (7).

7           **SECTION 6981f.** 565.25 (4) of the statutes is amended to read:

8           565.25 (4) BACKGROUND INVESTIGATIONS. ~~The commission, with the assistance~~  
9       ~~of the~~ department of justice, shall conduct a background investigation of any person  
10      proposing to contract or contracting for a major procurement and of all partners,  
11      members, officers, directors, owners and beneficial owners identified under sub. (3)  
12      (b). ~~The commission~~ department of justice may require the person and partners,  
13      members, officers, directors and shareholders identified under sub. (3) (b) to be  
14      photographed and fingerprinted on 2 fingerprint cards each bearing a complete set  
15      of the person's fingerprints. The department of justice may submit the fingerprint  
16      cards to the federal bureau of investigation for the purposes of verifying the identity  
17      of the persons fingerprinted and obtaining records of their criminal arrests and  
18      convictions. If the results of the background investigation disclose information  
19      specified in sub. (3) (a) with respect to the person, partner, member, officer, director,  
20      owner or beneficial owner, a contract with the vendor, if entered into prior to the  
21      disclosure, is void and the vendor shall forfeit any amount filed, deposited or  
22      established under sub. (5) (b). ~~The commission~~ department of revenue shall  
23      reimburse the department of justice for the department of justice's services under  
24      this subsection and shall obtain payment from the person proposing to contract or  
25      the vendor in the amount of the reimbursement.

**SECTION 6981fm**

1           **SECTION 6981fm.** 565.25 (6) of the statutes is created to read:

2           565.25 (6) ADVERTISING CONTRACTS. Contracts for the advertising of the state  
3 lottery or any multistate lottery in which the state participates, other than contracts  
4 for promotional advertising under s. 565.32 (2), that involve any marketing,  
5 production or talent services may only be entered into with businesses that have  
6 their principal place of business in this state. Such contracts shall require that all  
7 marketing, production and talent services be provided by residents of this state.

8           **SECTION 6981g.** 565.27 (1) (intro.) of the statutes is amended to read:

9           565.27 (1) GAME FEATURES AND PROCEDURES. (intro.) Subject to this section, the  
10 rules promulgated under s. 565.02 (3) (d) and (4) (a) and ~~commission~~ board approval,  
11 the administrator shall determine the particular features of and procedures for each  
12 lottery game offered. The administrator shall recommend to the ~~commission~~ board  
13 for promulgation by rule under s. 565.02 (3) (d) the types of state or multistate lottery  
14 games to be offered. The features and procedures shall be in writing, shall be  
15 accessible to the public and shall include all of the following:

16           **SECTION 6981h.** 565.27 (2) (a) of the statutes is amended to read:

17           565.27 (2) (a) The actual selection of any winning lottery ticket or lottery share  
18 may not be performed by an elected or appointed official, an employe of the lottery  
19 division in the department or a member or employe of the ~~commission~~ board.

20           **SECTION 6981i.** 565.27 (2) (b) 4. of the statutes is amended to read:

21           565.27 (2) (b) 4. Any equipment used for the drawing must be inspected by a  
22 certified public accountant and a ~~commission~~ department employe before and after  
23 the drawing.

24           **SECTION 6981j.** 565.30 (1) of the statutes is amended to read:

1           565.30 (1) PAYMENT OF PRIZES. The administrator shall direct the payment of  
2 a prize to the holder of the winning lottery ticket or lottery share or to a person  
3 designated under sub. (2), except that a prize may be paid to another person under  
4 a court order or to the estate of a deceased prize winner. The ~~commission~~ board,  
5 department, administrator, state and any contractor for materials, equipment or  
6 services of the game in which the prize is won are discharged of all liability upon  
7 payment of the prize to the holder of a winning lottery ticket or lottery share.

8           **SECTION 6981k.** 565.30 (4m) of the statutes is amended to read:

9           565.30 (4m) CARRY OVER OF PRIZE MONEY. The ~~commission~~ department may  
10 carry over unexpended lottery prize money that is not unclaimed lottery prize money  
11 from one drawing of a game to another drawing of the same game.

12           **SECTION 6981km.** 565.30 (5) of the statutes is amended to read:

13           565.30 (5) WITHHOLDING OF DELINQUENT STATE TAXES, CHILD SUPPORT OR DEBTS  
14 OWED THE STATE. The administrator shall report the name, address and social security  
15 number of each winner of a lottery prize equal to or greater than \$1,000 to the  
16 ~~department~~ secretary of revenue to determine whether the payee of the prize is  
17 delinquent in the payment of state taxes under ch. 71, 72, 76, 77, 78 or 139 or in  
18 court-ordered payment of child support or has a debt owing to the state. Upon  
19 receipt of a report under this subsection, the ~~department~~ secretary of revenue shall  
20 first ascertain based on certifications by the ~~department of health and social services~~  
21 under s. ~~46.255 (2)~~ 73.255 (1) whether any person named in the report is currently  
22 delinquent in court-ordered payment of child support and shall next certify to the  
23 administrator whether any person named in the report is delinquent in  
24 court-ordered payment of child support or payment of state taxes under ch. 71, 72,  
25 76, 77, 78 or 139. Upon this certification by the ~~department~~ secretary of revenue or

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6981km**

1 upon court order the administrator shall withhold the certified amount and send it  
2 to the department of revenue for remittance to the appropriate agency or person. At  
3 the time of remittance, the department of revenue shall charge its administrative  
4 expenses to the state agency that has received the remittance. The administrative  
5 expenses received by the department of revenue shall be credited to the  
6 appropriation under s. 20.566 (1) (h). In instances in which the payee of the prize is  
7 delinquent both in payments for state taxes and in court-ordered payments of child  
8 support, or is delinquent in one or both of these payments and has a debt owing to  
9 the state, the amount remitted to the appropriate agency or person shall be in  
10 proportion to the prize amount as is the delinquency or debt owed by the payee.

11 **SECTION 6981kp.** 565.30 (5m) of the statutes is amended to read:

12 565.30 (5m) WITHHOLDING OF CHILD SUPPORT, SPOUSAL SUPPORT, MAINTENANCE OR  
13 FAMILY SUPPORT. The administrator shall report to the department of ~~health and~~  
14 ~~social services~~ revenue the name, address and social security number of each winner  
15 of a lottery prize that is payable in instalments. Upon receipt of the report, the  
16 department of ~~health and social services~~ revenue shall certify to the administrator  
17 whether any payee named in the report is obligated to provide child support, spousal  
18 support, maintenance or family support under s. 767.02 (1) (f) or (g), 767.10, 767.23,  
19 767.25, 767.26, 767.261, 767.465 (2m), 767.51 (3), 767.65 (24) [ch. 769] or 948.22 (7)  
20 and the amount required to be withheld from the lottery prize under s. 767.265. The  
21 administrator shall withhold the certified amount from each payment made to the  
22 winner and remit the certified amount to the department of ~~health and social~~  
23 ~~services~~ revenue.

24 **SECTION 6981L.** 565.32 (1) of the statutes is amended to read:

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1           565.32 (1) PROMOTIONAL ADVERTISING PROHIBITION. The expenditure by the  
2      ~~commission~~ board, department or any other state agency of public funds or of  
3      revenues derived from lottery operations to engage in promotional advertising of the  
4      state lottery or any multistate lottery is prohibited.

5           **SECTION 6981m.** 565.32 (3) (a) (intro.) of the statutes is amended to read:

6           565.32 (3) (a) (intro.) Any advertising, as defined by the ~~commission~~ board by  
7      rule under s. 565.02 (3) (f), of the lottery which describes a specific lottery game and  
8      each lottery ticket and lottery share shall include:

9           **SECTION 6981n.** 565.37 (1) of the statutes is amended to read:

10          565.37 (1) FINANCIAL AND PERFORMANCE AUDITS. The ~~commission~~ department  
11      shall annually contract with the legislative audit bureau to conduct a financial audit  
12      of the transactions and accounts of the state lottery, and, to the extent of the  
13      ~~commission's~~ department's participation, of any multistate lotteries in which the  
14      state participates, for the preceding fiscal year and shall biennially contract with the  
15      legislative audit bureau for a performance audit of the state lottery and, to the extent  
16      of the ~~commission's~~ department's participation, of those multistate lotteries.

17          **SECTION 6981no.** 565.37 (2) of the statutes is amended to read:

18          565.37 (2) INDEPENDENT POSTAUDIT. At no less than 3-year intervals, the  
19      ~~commission~~ department may retain an independent certified public accountant to  
20      conduct a postaudit of all the lottery division's accounts and transactions. The  
21      ~~commission~~ department shall provide copies of each such postaudit to the legislative  
22      audit bureau, the board and the department of justice.

23          **SECTION 6981p.** 565.37 (3) of the statutes is amended to read:

24          565.37 (3) (title) ~~COMMISSION~~ DEPARTMENT REPORT. The ~~commission~~ department  
25      shall submit quarterly reports on the operation of the lottery to the chief clerk of each

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1 house of the legislature, for distribution to the legislature under s. 13.172 (2) and to  
2 the governor, attorney general, state treasurer, secretary of state, board and state  
3 auditor.

4 **SECTION 6981q.** 565.37 (4) of the statutes is amended to read:

5 565.37 (4) ADMINISTRATOR REPORT. The administrator shall submit monthly  
6 financial reports to the ~~commission~~ board.

7 **SECTION 6981r.** 565.37 (5) of the statutes is amended to read:

8 565.37 (5) VERIFICATION OF ODDS. The ~~commission~~ department shall contract  
9 with the legislative audit bureau to verify the odds on winning a lottery game that  
10 are represented by the ~~commission~~ department, a contractor or a retailer.

11 **SECTION 6981s.** 565.37 (6) of the statutes is amended to read:

12 565.37 (6) AUDIT OF LOTTERY SECURITY. By July 1, 1990, and at least biennially  
13 thereafter, the ~~commission~~ department shall hire an independent firm to perform an  
14 audit of lottery security that is independent of any other audit under this section.

15 **SECTION 6981t.** 565.40 (1) of the statutes is amended to read:

16 565.40 (1) INVESTIGATIONS. The department of justice may investigate any  
17 activities by the ~~commission~~ board, vendors, or ~~lottery division~~ employees, including  
18 the administrator in the department, which affect the operation or administration  
19 of the state lottery or any multistate lottery in which the state participates, and shall  
20 report suspected violations of state or federal law to the appropriate prosecuting  
21 authority.

22 **SECTION 6981u.** 565.45 of the statutes is amended to read:

23 **565.45 Report on expense limitation.** Before January 1, 1992, and every 2  
24 years thereafter, the ~~commission~~ department shall submit a report to the chief clerk  
25 of each house of the legislature, for distribution to the legislature under s. 13.172 (2),

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1 on the effects on the operation of the lottery of the 15% expense limitation under s.  
2 25.75 (3) (b).

3 **SECTION 6981v.** 565.46 of the statutes is amended to read:

4 **565.46 Minority advertising, procurements, retailers and hiring.** The  
5 ~~commission board~~ shall promulgate rules establishing goals that attempt to increase  
6 the total amount of expenditures by the ~~commission~~ department for advertising,  
7 public relations and other procurements that are directed to minority businesses, the  
8 number of retailers that are minority businesses and the number of employes of the  
9 lottery division in the department who are minority group members.

10 **SECTION 6984.** 569.01 (1m) (c) of the statutes is created to read:

11 569.01 **(1m)** (c) Moneys received by the state from Indian tribes as  
12 reimbursement for state costs of gaming services and assistance provided by the  
13 state that are requested by an Indian tribe.

14 **SECTION 6985.** 569.06 of the statutes is amended to read:

15 **569.06 Indian gaming receipts.** Indian gaming receipts shall be credited to  
16 the appropriation accounts under s. ~~ss.~~ 20.197 (1) (h) and 20.455 (2) (gc) as specified  
17 under ss. 20.197 (1) (h) and 20.455 (2) (gc).

18 **SECTION 6985b.** 600.01 (1) (b) 8. of the statutes is amended to read:

19 600.01 **(1)** (b) 8. Guarantees of the Wisconsin housing and economic  
20 development authority under ss. 234.67, 234.68, 234.69, 234.765, 234.82, 234.83,  
21 234.84, 234.87, 234.90, 234.905 and 234.907.

22 **SECTION 6987.** 601.31 (1) (a) 1. of the statutes is amended to read:

23 601.31 **(1)** (a) 1. Domestic and nondomestic insurers, ~~\$100~~ \$400.

24 **SECTION 6988.** 601.31 (1) (a) 2. of the statutes is amended to read:

25 601.31 **(1)** (a) 2. Rate service organizations, ~~\$100~~ \$400.

**SECTION 6989**

1           **SECTION 6989.** 601.31 (1) (a) 3. of the statutes is amended to read:

2           601.31 (1) (a) 3. Motor clubs, ~~\$100~~ \$400.

3           **SECTION 6990.** 601.31 (1) (b) 1. of the statutes is amended to read:

4           601.31 (1) (b) 1. Domestic and nondomestic insurers, ~~\$100~~ \$400.

5           **SECTION 6991.** 601.31 (1) (b) 2. of the statutes is amended to read:

6           601.31 (1) (b) 2. Rate service organizations, ~~\$100~~ \$400.

7           **SECTION 6992.** 601.31 (1) (b) 3. of the statutes is amended to read:

8           601.31 (1) (b) 3. Motor clubs, ~~\$100~~ \$400.

9           **SECTION 6993.** 601.31 (1) (c) 1. of the statutes is amended to read:

10          601.31 (1) (c) 1. Domestic and nondomestic insurers, ~~\$25~~ \$100.

11          **SECTION 6994.** 601.31 (1) (c) 3. of the statutes is amended to read:

12          601.31 (1) (c) 3. Motor clubs, ~~\$25~~ \$100.

13          **SECTION 6995.** 601.31 (1) (k) of the statutes is renumbered 601.31 (1) (k) (intro.)

14          and amended to read:

15          601.31 (1) (k) (intro.) For filing an annual statement, ~~\$25~~, except as provided

16          in s. 641.13;

17          **SECTION 6996.** 601.31 (1) (k) 1. of the statutes is created to read:

18          601.31 (1) (k) 1. Domestic and nondomestic insurers, \$100.

19          **SECTION 6997.** 601.31 (1) (k) 2. of the statutes is created to read:

20          601.31 (1) (k) 2. Rate service organizations, \$100.

21          **SECTION 6998.** 601.31 (1) (k) 3. of the statutes is created to read:

22          601.31 (1) (k) 3. Motor clubs, \$100.

23          **SECTION 6999.** 601.31 (1) (k) 4. of the statutes is created to read:

24          601.31 (1) (k) 4. Licensees under ch. 615, \$25.

25          **SECTION 7000.** 601.31 (1) (k) 5. of the statutes is created to read:

1           601.31 (1) (k) 5. Providers of services under ch. 647, \$25.

2           **SECTION 7001.** 601.31 (1) (Lm) of the statutes is created to read:

3           601.31 (1) (Lm) For issuing a duplicate license, \$5.

4           **SECTION 7002.** 601.31 (1) (n) of the statutes is amended to read:

5           601.31 (1) (n) For listing, or renewing a listing of, an agent under s. 628.11, a  
6 fee to be set by the commissioner by rule but not to exceed \$5 ~~\$8~~ annually for resident  
7 agents ~~and \$15~~ or \$24 annually for nonresident agents.

8           **SECTION 7003.** 601.31 (1) (p) of the statutes is amended to read:

9           601.31 (1) (p) For substituted service of process on the commissioner, ~~\$5~~ under  
10 s. 601.72 (2), \$10.

11          **SECTION 7004.** 601.31 (1) (x) of the statutes is created to read:

12          601.31 (1) (x) 1. For issuing approval to an organization to offer prelicensing  
13 or continuing education courses or programs for intermediaries under s. 628.04 (3),  
14 a fee to be set by the commissioner by rule, but not to exceed \$500.

15          2. By organizations approved under subd. 1., for renewing the approval of such  
16 organizations, annually after the year in which the approval under subd. 1. is issued,  
17 an amount to be set and paid at times and under procedure set by the commissioner  
18 by rule, but not to exceed \$100.

19          3. By organizations approved under subd. 1., for submitting, for initial  
20 approval or approval of any subsequent modification, each course for prelicensing or  
21 continuing education, a fee to be set by the commissioner by rule, but not to exceed  
22 \$25 per credit hour.

23          **SECTION 7005.** 601.31 (1) (y) of the statutes is created to read:

1           601.31 (1) (y) 1. For certifying a copy of an annual statement, an examination  
2 report, a certificate of authority or articles and bylaws, or amendments to any of  
3 those documents, \$10.

4           2. For a duplicate certification that is requested at the same time as the  
5 certification under subd. 1., \$5.

6           **SECTION 7006.** 601.415 (9) of the statutes is amended to read:

7           601.415 (9) CONSUMER CREDIT LAW. The commissioner shall cooperate with the  
8 ~~commissioner~~ division of banking in the administration of ch. 424, shall determine  
9 the method for computation of refunds under s. 424.205, shall approve forms,  
10 schedules of premium rates and charges under s. 424.209 and shall issue rules or  
11 orders of compliance to insurers under s. 424.602.

12           **SECTION 7007.** 601.57 (1) (a) of the statutes is amended to read:

13           601.57 (1) (a) The commissioner, in consultation with the department of health  
14 and social services, shall study the feasibility and cost-effectiveness of requiring  
15 every health insurer to issue to its insureds uniform machine-readable health  
16 insurance identification cards and to establish a computerized support system for  
17 the cards that will accept and respond to electronically conveyed requests from  
18 health care providers for information related to an insured, such as eligibility,  
19 coverages and authorizations. The study shall consider the feasibility and  
20 cost-effectiveness of including the medical assistance program under ~~ss. 49.45 to~~  
21 ~~49.47~~ subch. IV of ch. 49 in the system of identification cards and the computerized  
22 support system and the feasibility of using those systems to coordinate the payment  
23 of benefits by health insurers and the medical assistance program.

24           **SECTION 7009.** 601.72 of the statutes is repealed and recreated to read:

1           **601.72 Registered agent for service of process.** (1) Every insurer shall  
2 continuously maintain in this state a registered agent for service of process on the  
3 insurer, which agent must be an individual resident of this state, a domestic insurer  
4 or a nondomestic insurer authorized to do business in this state. The name and  
5 address of the registered agent shall be filed with the commissioner.

6           (2) If an insurer fails to maintain an agent for service of process in this state  
7 or if the agent cannot be found, substituted service under the procedures provided  
8 in s. 601.73 may be made on the commissioner or, if the proceeding is brought by the  
9 state against an insurer or intermediary other than a risk retention group or risk  
10 purchasing group, on the secretary of state. Litigants serving process on the  
11 commissioner under this subsection shall pay the fee specified in s. 601.31 (1) (p).

12           **SECTION 7010b.** 601.72 (2) of the statutes, as affected by 1995 Wisconsin Act  
13 .... (this act), is amended to read:

14           601.72 (2) If an insurer fails to maintain an agent for service of process in this  
15 state or if the agent cannot be found, substituted service under the procedures  
16 provided in s. 601.73 may be made on the commissioner or, if the proceeding is  
17 brought by the state against an insurer or intermediary other than a risk retention  
18 group or risk purchasing group, on the ~~secretary of state~~ department of financial  
19 institutions. Litigants serving process on the commissioner under this subsection  
20 shall pay the fee specified in s. 601.31 (1) (p).

21           **SECTION 7011.** 601.73 (1) (intro.) of the statutes is amended to read:

22           601.73 (1) REQUIREMENTS FOR EFFECTIVE SERVICE. (intro.) Service upon the  
23 commissioner or secretary of state under s. 601.72 (2) is service on the principal, if:

24           **SECTION 7012b.** 601.73 (1) (intro.) of the statutes, as affected by 1995  
25 Wisconsin Act .... (this act), is repealed and recreated to read:

1           601.73 (1) REQUIREMENTS FOR EFFECTIVE SERVICE. (intro.) Service upon the  
2 commissioner or department of financial institutions under s. 601.72 (2) is service  
3 on the principal, if:

4           **SECTION 7013b.** 601.73 (1) (a) of the statutes is amended to read:

5           601.73 (1) (a) Two copies of the process are left in the hands or office of the  
6 commissioner or ~~secretary of state~~ department of financial institutions respectively;  
7 and

8           **SECTION 7014b.** 601.73 (1) (b) of the statutes is amended to read:

9           601.73 (1) (b) The commissioner or ~~secretary of state~~ department of financial  
10 institutions mails a copy of the process to the person served according to sub. (2) (b).

11           **SECTION 7015b.** 601.73 (2) (a) of the statutes is amended to read:

12           601.73 (2) (a) *Records.* The commissioner and ~~secretary of state~~ department  
13 of financial institutions shall give receipts for and keep records of all process served  
14 through them.

15           **SECTION 7016b.** 601.73 (2) (b) of the statutes is amended to read:

16           601.73 (2) (b) *Process mailed.* The commissioner or ~~secretary of state~~  
17 department of financial institutions shall send immediately by certified mail to the  
18 person served, at the person's last-known principal place of business, residence or  
19 post-office address or at an address designated in writing by the person, one copy of  
20 any process received and shall retain the other copy.

21           **SECTION 7017.** 601.73 (2) (c) of the statutes is amended to read:

22           601.73 (2) (c) *Default judgment.* No plaintiff or complainant is entitled to a  
23 judgment by default in any proceeding in which process is served under ~~ss.~~ this  
24 section and s. 601.72 and 601.73 (2) until the expiration of 20 days from the date of  
25 mailing of the process under par. (b).

**SECTION 7018b**

1           **SECTION 7018b.** 601.73 (3) of the statutes is amended to read:

2           601.73 (3) PROOF OF SERVICE. A certificate by the commissioner or the secretary  
3 of state department of financial institutions, showing service made upon the  
4 commissioner or ~~secretary of state~~ department of financial institutions, and attached  
5 to a copy of the process presented for that purpose is sufficient evidence of the service.

6           **SECTION 7019.** 601.93 (2) of the statutes is amended to read:

7           601.93 (2) Every insurer doing a fire insurance business in this state shall,  
8 before March 1 in each year, file with the commissioner a statement, showing the  
9 amount of premiums upon fire insurance due for the preceding calendar year.  
10 Return premiums may be deducted in determining the premium on which the fire  
11 department dues are computed. Payments of quarterly instalments of the total  
12 estimated payment for the then current calendar year under this subsection are due  
13 on or before April 15, June 15, September 15 and December 15. On March 1 the  
14 insurer shall pay any additional amounts due for the preceding calendar year.  
15 Overpayments will be credited on the amount due April 15. The commissioner shall,  
16 prior to May 1 each year, report to the department of ~~industry, labor and human~~  
17 relations development the amount of dues paid under this subsection and to be paid  
18 under s. 101.573 (1).

19           **SECTION 7022.** 609.65 (1) (b) (intro.) of the statutes is amended to read:

20           609.65 (1) (b) (intro.) If the provider performing the examination, evaluation  
21 or treatment does not have a provider agreement with the health maintenance  
22 organization, limited service health organization or preferred provider plan which  
23 covers the provision of that service to the enrolled participant, reimburse the  
24 provider for the examination, evaluation or treatment of the enrolled participant in  
25 an amount not to exceed the maximum reimbursement for the service under the

1 medical assistance program under ~~ss. 49.45 to 49.47~~ subch. IV of ch. 49, if any of the  
2 following applies:

3 **SECTION 7023b.** 610.01 (4) of the statutes is amended to read:

4 610.01 (4) In any provision of ch. 180 or 181 made applicable by any section of  
5 chs. 600 to 646, "~~secretary of state~~" "department" shall be read "commissioner of  
6 insurance".

7 **SECTION 7024b.** 611.72 (1) of the statutes is amended to read:

8 611.72 (1) GENERAL. Subject to this section, ss. 180.1101, 180.1103 to 180.1107,  
9 180.1706, 180.1707 and 180.1708 (5) apply to the merger of a domestic stock  
10 insurance corporation or its parent insurance holding corporation, except that  
11 papers required by those sections to be filed with the ~~secretary of state~~ department  
12 of financial institutions shall instead be filed with the commissioner.

13 **SECTION 7025b.** 611.73 (1) of the statutes is amended to read:

14 611.73 (1) AUTHORIZATION, DOMESTIC CORPORATIONS. Any 2 or more domestic  
15 mutuals may merge or consolidate under the procedures of ss. 181.42 to 181.47,  
16 except that papers required by those sections to be filed with the ~~secretary of state~~  
17 department of financial institutions shall instead be filed with the commissioner.

18 **SECTION 7026b.** 611.74 (1) of the statutes is amended to read:

19 611.74 (1) PLAN OF DISSOLUTION. At least 60 days prior to the submission to  
20 shareholders or policyholders of any proposed voluntary dissolution of an insurance  
21 corporation under s. 180.1402 or 181.50 the plan shall be filed with the commissioner.  
22 The commissioner may require the submission of additional information to establish  
23 the financial condition of the corporation or other facts relevant to the proposed  
24 dissolution. If the shareholders or policyholders adopt the resolution to dissolve, the  
25 commissioner shall, within 30 days after the adoption of the resolution, begin to

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1 examine the corporation. The commissioner shall approve the dissolution unless,  
2 after a hearing, the commissioner finds that it is insolvent or may become insolvent  
3 in the process of dissolution. Upon approval, the corporation may dissolve under ss.  
4 180.1402 to 180.1408 and 180.1706, or ss. 181.51 to 181.555, except that the last  
5 sentence of s. 181.555 does not apply and papers required by those sections to be filed  
6 with the ~~secretary of state~~ department of financial institutions shall instead be filed  
7 with the commissioner. Upon disapproval, the commissioner shall petition the court  
8 for liquidation or for rehabilitation under ch. 645.

9 **SECTION 7027.** 611.76 (11) of the statutes is amended to read:

10 611.76 (11) SECURITY REGULATION. The filing with the ~~office of the commissioner~~  
11 division of securities of a certified copy of the plan of conversion as approved by the  
12 commissioner constitutes registration under s. 551.27 of the securities authorized to  
13 be issued thereunder.

14 **SECTION 7028b.** 613.01 (8) of the statutes is amended to read:

15 613.01 (8) (title) ~~SECRETARY OF STATE~~ DEPARTMENT OF FINANCIAL INSTITUTIONS.  
16 In any provision of ch. 180 or 181 made applicable to service insurance corporations  
17 in this chapter, “~~secretary of state~~” “department” means commissioner of insurance.

18 **SECTION 7029.** 613.81 of the statutes is amended to read:

19 **613.81** (title) **Tax exemption for certain hospital service insurance**  
20 **corporations.** Every nonprofit service insurance corporation organized under s.  
21 613.80 which does not pay any dividends, benefits or pecuniary profits to any  
22 members or directors and which does not offer a health maintenance organization  
23 as defined in s. 609.01 (2) or a limited service health organization as defined in s.  
24 609.01 (3) is, except for purposes of the franchise tax measured by net income, a  
25 charitable and benevolent corporation. Every nonprofit service insurance

1 corporation organized under s. 613.80 that offers a health maintenance organization  
2 as defined in s. 609.01 (2) or a limited service health organization as defined in s.  
3 609.01 (3) is not a charitable and benevolent corporation.

4 **SECTION 7030.** 614.05 (1) of the statutes is amended to read:

5 614.05 (1) CHAPTERS 611 AND 619. No section of ~~chs.~~ ch. 611 or subch. I of ch.  
6 619 applies to fraternal unless it is specifically made applicable by this chapter.

7 **SECTION 7031b.** 614.09 of the statutes is amended to read:

8 **614.09 Reservation of corporate name.** Section 181.07 applies to  
9 fraternal, except that ~~“secretary of state”~~ “department” shall be read  
10 ~~“secretary of state”~~ “department”.

11 **SECTION 7032.** 614.80 of the statutes is amended to read:

12 **614.80 Tax exemption.** Every domestic and nondomestic fraternal, except  
13 those that offer a health maintenance organization as defined in s. 609.01 (2) or a  
14 limited service health organization as defined in s. 609.01 (3) is exempt from all state,  
15 county, district, municipal and school taxes or fees, except the fees required by s.  
16 601.31 (2), but is required to pay all taxes and special assessments on its real estate  
17 and office equipment, except as provided in s. 70.11 (4) and (8).

18 **SECTION 7033b.** 616.09 (1) (c) 2. of the statutes is amended to read:

19 616.09 (1) (c) 2. In all actions commenced after May 11, 1980, in those  
20 provisions of ch. 185 which apply under subd. 1. to plans authorized under s. 616.06,  
21 ~~“secretary of state”~~ “department” shall be deemed to read ~~“secretary of state~~  
22 “department of financial institutions and commissioner”, except in s. 185.48, where  
23 ~~“secretary of state”~~ “department” shall be deemed to read ~~“secretary of state”~~ “department” shall be deemed to read “commissioner”.

24 **SECTION 7034.** 616.74 (1) (c) of the statutes is amended to read:

1           616.74 (1) (c) A certificate from the secretary of state department of financial  
2 institutions, if it is a nonprofit corporation, that it has complied with the corporation  
3 laws of this state; if it is a corporation the stock of which has been or is being sold to  
4 the general public, a certificate from the ~~commissioner~~ division of securities that it  
5 has complied with the requirements of the securities law of this state.

6           **SECTION 7035.** 619.10 (6) of the statutes is amended to read:

7           619.10 (6) "Medical assistance" means health care benefits provided under ss.  
8 ~~49.45 to 49.47~~ subch. IV of ch. 49.

9           **SECTION 7036.** 619.12 (3) (b) of the statutes is amended to read:

10          619.12 (3) (b) Persons for whom deductible or coinsurance amounts are paid  
11 or reimbursed under ch. 47 for vocational rehabilitation, under s. ~~49.48~~ 49.68 for  
12 renal disease, under s. ~~49.485 (8)~~ 49.685 (8) for hemophilia or under s. ~~49.483~~ 49.683  
13 for cystic fibrosis are not ineligible for coverage under the plan by reason of such  
14 payments or reimbursements.

15          **SECTION 7037.** 626.12 (3) of the statutes is amended to read:

16          626.12 (3) PHYSICAL IMPAIRMENT. Rates or rating plans may not take into  
17 account the physical impairment of employes. Any employer who applies or  
18 promotes any oppressive plan of physical examination and rejection of employes or  
19 applicants for employment shall forfeit the right to experience rating. If the  
20 department of industry, labor and human relations determines that grounds exist for  
21 such forfeiture it shall file with the commissioner a certified copy of its findings,  
22 which shall automatically suspend any experience rating credit for the employer.  
23 The department shall make the determination as prescribed in ss. ~~101.02~~ s. 103.005  
24 (5) (b) to (f), (6) to ~~(12)~~ and ~~(14)~~ (11), (13) (b) to (d) and ~~101.03~~ (16), so far as such

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1 sections subsections are applicable, subject to review under ch. 227. Restoration of  
2 an employer to the advantages of experience rating shall be by the same procedure.

3 **SECTION 7038.** 628.04 (3) of the statutes is amended to read:

4 628.04 (3) CLASSIFICATION AND EXAMINATION. The commissioner may by rule  
5 prescribe classifications of intermediaries in addition to agent and surplus lines  
6 agent or broker, by kind of authority, or kind of insurance, or in other ways, and may  
7 prescribe different standards of competence, including examinations and  
8 educational prerequisites, for each class. The commissioner may by rule set  
9 prelicensing and annual continuing education standards, but may not require a  
10 licensed intermediary to complete a course of study requiring more than ~~15~~ 30 hours,  
11 per license, of approved continuing education, including continuing education  
12 programs approved by the commissioner and presented by the insurers, in any  
13 ~~one-year~~ 2-year period. The commissioner may approve courses or programs that  
14 an applicant for an intermediary's license may attend to fulfill a prelicensing  
15 education requirement, or that a licensed intermediary may attend to fulfill a  
16 continuing education requirement, and may approve organizations that may offer  
17 approved courses or programs. The commissioner may, by rule, exempt any class of  
18 intermediaries from the continuing education requirements. So far as practicable,  
19 the commissioner shall issue a single license to each individual intermediary for a  
20 single fee.

21 **SECTION 7039.** 628.10 (2) (a) of the statutes is amended to read:

22 628.10 (2) (a) *For failure to comply with continuing education requirements.*

23 The commissioner may by order suspend the license of any intermediary who fails  
24 to produce evidence of compliance with continuing education standards set by the  
25 commissioner. If an intermediary whose license has been suspended under this

1 paragraph produces evidence of compliance within 60 days after the date on which  
2 the license is suspended, the commissioner shall reinstate the license effective on the  
3 date of suspension. If such an intermediary does not produce evidence of compliance  
4 within 60 days, the license is revoked and the intermediary may be relicensed only  
5 after satisfying all requirements under s. 628.04.

6 **SECTION 7040.** 628.11 of the statutes is amended to read:

7 **628.11 Listing of insurance agents.** An insurer shall report to the  
8 commissioner at such intervals as the commissioner establishes by rule all  
9 appointments, including renewals of appointments, and all terminations of  
10 appointments of insurance agents to do business in this state, and shall pay the fees  
11 prescribed under s. 601.31 (1) (n).

12 **SECTION 7041.** 632.10 (1) of the statutes is amended to read:

13 **632.10 (1)** “Building and safety standards” means the requirements of chs. 101  
14 and 145 and of any rule promulgated by the department of industry, labor and human  
15 relations development under ch. 101 or 145, and standards of a 1st class city relating  
16 to the health and safety of occupants of buildings.

17 **SECTION 7041c.** 632.102 (2) (b) of the statutes is amended to read:

18 **632.102 (2) (b)** The lesser of \$5,000 \$7,500 or the limits under the policy for  
19 coverage of the building or other structure affixed to land that sustained the loss.

20 **SECTION 7042.** 632.72 (title) of the statutes is amended to read:

21 **632.72 (title) Medical benefits or assistance; assignment.**

22 **SECTION 7043.** 632.72 (1) of the statutes is renumbered 632.72 (1r) and  
23 amended to read:

24 **632.72 (1r)** The providing of medical benefits ~~under s. 49.02 or 49.046~~ or of  
25 ~~medical assistance under s. 49.45, 49.46, 49.465, 49.468 or 49.47~~ constitutes an

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1 assignment to the department of ~~health and social services or the county providing~~  
2 ~~the medical benefits or assistance~~ or contract provider. The assignment shall be, to  
3 the extent of the medical benefits or assistance provided, for benefits to which the  
4 recipient would be entitled under any policy of health and disability insurance.

5 **SECTION 7044.** 632.72 (1g) of the statutes is created to read:

6 632.72 (1g) In this section:

7 (a) "Department or contract provider" means the department of health and  
8 social services, the county providing the medical benefits or assistance or a health  
9 maintenance organization that has contracted with the department of health and  
10 social services to provide the medical benefits or assistance.

11 (b) "Medical benefits or assistance" means medical benefits under s. 49.02 or  
12 49.046 or medical assistance, as defined under s. 49.43 (8).

13 **SECTION 7045b.** 632.72 (1g) (b) of the statutes, as affected by 1995 Wisconsin  
14 Act ... (this act), is amended to read:

15 632.72 (1g) (b) "Medical benefits or assistance" means ~~medical benefits~~ health  
16 care services funded by a relief block grant under ~~s. 49.02 or 49.046~~ ch. 49, or medical  
17 assistance, as defined under s. 49.43 (8).

18 **SECTION 7046.** 632.72 (2) of the statutes is amended to read:

19 632.72 (2) An insurer may not impose on the department of ~~health and social~~  
20 ~~services~~ or contract provider, as assignee of a person who is covered under the policy  
21 of health and disability insurance and who is eligible for medical benefits under ~~s.~~  
22 ~~49.02 or 49.046~~ or for medical assistance under ~~s. 49.45, 49.46, 49.465, 49.468 or~~  
23 ~~49.47~~, requirements that are different from those imposed on any other agent or  
24 assignee of a person who is covered under the policy of health and disability  
25 insurance.

1           **SECTION 7047.** 632.89 (1) (e) 1. of the statutes is amended to read:

2           632.89 (1) (e) 1. A program in an outpatient treatment facility, if both are  
3 approved by the department of health and social services ~~and, the program is~~  
4 established and maintained according to rules promulgated under s. 51.42 (7) (b) and  
5 the facility is certified under s. 51.04.

6           **SECTION 7048.** 632.895 (3) of the statutes is amended to read:

7           632.895 (3) SKILLED NURSING CARE. Every disability insurance policy filed after  
8 November 29, 1979, which provides coverage for hospital care shall provide coverage  
9 for at least 30 days for skilled nursing care to patients who enter a licensed skilled  
10 nursing care facility. A disability insurance policy, other than a medicare  
11 supplement policy or medicare replacement policy, may limit coverage under this  
12 subsection to patients who enter a licensed skilled nursing care facility within 24  
13 hours after discharge from a general hospital. The daily rate payable under this  
14 subsection to a licensed skilled nursing care facility shall be no less than the  
15 maximum daily rate established for skilled nursing care in that facility by the  
16 department of health and social services for purposes of reimbursement under the  
17 medical assistance program under ~~ss. 49.45 to 49.47~~ subch. IV of ch. 49. The coverage  
18 under this subsection shall apply only to skilled nursing care which is certified as  
19 medically necessary by the attending physician and is recertified as medically  
20 necessary every 7 days. If the disability insurance policy is other than a medicare  
21 supplement policy or medicare replacement policy, coverage under this subsection  
22 shall apply only to the continued treatment for the same medical or surgical  
23 condition for which the insured had been treated at the hospital prior to entry into  
24 the skilled nursing care facility. Coverage under any disability insurance policy  
25 governed by this subsection may be subject to a deductible that applies to the hospital

1 care coverage provided by the policy. The coverage under this subsection shall not  
2 apply to care which is essentially domiciliary or custodial, or to care which is  
3 available to the insured without charge or under a governmental health care  
4 program, other than a program provided under ch. 49.

5 **SECTION 7049.** 645.76 of the statutes is amended to read:

6 **645.76 Disposition of records during and after termination of**  
7 **liquidation.** Records of any insurer in the process of liquidation or completely  
8 liquidated under this chapter shall be disposed of by the public records and forms  
9 board in the same manner as state records under s. 16.61.

10 **SECTION 7050.** 701.107 (3m) of the statutes is created to read:

11 701.107 (3m) "Division" means the division of banking.

12 **SECTION 7051.** 701.107 (4) of the statutes is amended to read:

13 701.107 (4) "Nonreciprocal state" means a state other than this state and other  
14 than a regional state, as defined in s. 221.58 (1) (h), that the ~~commissioner of banking~~  
15 division finds satisfies s. 221.58 (4) (a).

16 **SECTION 7052.** 701.108 (1) (b) of the statutes is amended to read:

17 701.108 (1) (b) The bank or bank holding company proposing to obtain the stock  
18 of a bank holding company under this section has filed an application with the  
19 ~~commissioner of banking~~ division, and the ~~commissioner of banking~~ division does not  
20 disapprove the application under sub. (2).

21 **SECTION 7053.** 701.108 (1) (c) of the statutes is amended to read:

22 701.108 (1) (c) The ~~commissioner of banking~~ division gives a class 3 notice,  
23 under ch. 985, in the official state newspaper, of the application to take an action  
24 under this subsection and of the opportunity for a hearing and, if at least 25 residents  
25 of this state petition for a hearing within 30 days after the final notice or if the

1 ~~commissioner~~ division on his or her the division's motion calls for a hearing within  
2 30 days after the final notice, the ~~commissioner~~ division holds a public hearing on  
3 the application, except that a hearing is not required if the ~~commissioner~~ division  
4 finds that an emergency exists and that the proposed action under this subsection  
5 is necessary and appropriate to prevent the probable failure of a bank owned by the  
6 charitable trust that is closed or in danger of closing.

7 **SECTION 7054.** 701.108 (1) (d) of the statutes is amended to read:

8 701.108 (1) (d) The ~~commissioner of banking~~ division is provided a copy of any  
9 original application seeking approval by a federal agency of the transaction and of  
10 any supplemental material or amendments filed with the application.

11 **SECTION 7055.** 701.108 (1) (e) of the statutes is amended to read:

12 701.108 (1) (e) The applicant has paid the ~~commissioner of banking~~ division a  
13 fee of \$1,000 together with the actual costs incurred by the ~~commissioner~~ division in  
14 holding any hearing on the application.

15 **SECTION 7056.** 701.108 (2) (intro.) of the statutes is amended to read:

16 701.108 (2) STANDARDS FOR DISAPPROVAL. (intro.) The ~~commissioner of banking~~  
17 division may disapprove an application filed under sub. (1) if the ~~commissioner~~  
18 division finds any of the following:

19 **SECTION 7057.** 701.108 (2) (f) (intro.) of the statutes is amended to read:

20 701.108 (2) (f) (intro.) The applicant has failed to enter into an agreement  
21 prepared by the ~~commissioner~~ division to comply with all of the following:

22 **SECTION 7058.** 701.108 (2) (i) of the statutes is amended to read:

23 701.108 (2) (i) The applicant fails to meet any other standards established by  
24 rule of the ~~commissioner~~ division.

25 **SECTION 7059.** 701.108 (3) (b) 2. of the statutes is amended to read:

1           701.108 (3) (b) 2. A regional state bank holding company, as defined in s. 221.58  
2           (1) (g), that has its principal place of business in a regional state that the  
3           ~~commissioner of banking~~ division finds satisfies s. 221.58 (4) (a).

4           **SECTION 7060.** 701.108 (3m) (b) of the statutes is amended to read:

5           701.108 (3m) (b) With respect to a bank or bank holding company which  
6           obtains the stock of a bank holding company under this section and which has its  
7           principal place of business in a regional state, as defined in s. 221.58 (1) (h), par. (a)  
8           is satisfied if the ~~commissioner of banking~~ division finds that the statutes of that  
9           regional state satisfy s. 221.58 (4) (a).

10          **SECTION 7061.** 703.10 (2m) of the statutes is amended to read:

11          703.10 (2m) LIMITATION ON ENFORCEMENT OF CERTAIN PROVISIONS. No bylaw or  
12          rule adopted under a bylaw and no covenant, condition or restriction set forth in a  
13          declaration or deed to a unit may be applied to discriminate against an individual  
14          in a manner described in s. ~~101.22~~ 106.04.

15          **SECTION 7062b.** 703.23 (1) of the statutes is amended to read:

16          703.23 (1) APPOINTMENT OF RESIDENT AGENT; CHANGE IN NAME OR ADDRESS. When  
17          any property is submitted to a condominium declaration, the declarant shall appoint  
18          a resident agent for the condominium who shall be a citizen and actual resident of  
19          the state or corporation duly registered or qualified to do business in the state. The  
20          declarant shall file the name and address of the resident agent with the ~~secretary of~~  
21          state department of financial institutions. The name or address of the resident agent  
22          may be changed by the association or other proper authority of the condominium in  
23          the same manner and to the same extent that names and addresses of registered  
24          agents may be changed by corporations. If the association is incorporated, the

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1 registered agent for the association shall be the registered agent for the  
2 condominium.

3 **SECTION 7063b.** 703.23 (2) of the statutes is amended to read:

4 703.23 (2) INDEX OF NAMES AND ADDRESS OF RESIDENT AGENTS. The ~~secretary of~~  
5 state department of financial institutions shall keep an index of the names and  
6 addresses of resident agents and shall make the information available to the public  
7 on request.

8 **SECTION 7064b.** 704.22 (2) of the statutes is amended to read:

9 704.22 (2) Designation of an agent under sub. (1) shall be in writing and filed  
10 with the ~~secretary of state~~ department of financial institutions.

11 **SECTION 7064m.** 704.90 (11) (title) and (a) of the statutes are amended to read:

12 704.90 (11) (title) ~~DUTIES OF THE DEPARTMENT OF JUSTICE~~ AGRICULTURE, TRADE AND  
13 CONSUMER PROTECTION. (a) Except as provided in par. (c), the department of ~~justice~~  
14 agriculture, trade and consumer protection shall investigate alleged violations of  
15 this section and rules promulgated under sub. (9). To facilitate its investigations, the  
16 department may subpoena persons and records and may enforce compliance with the  
17 subpoenas as provided in s. 885.12.

18 **SECTION 7065.** 705.04 (2g) of the statutes is created to read:

19 705.04 (2g) Notwithstanding subs. (1) and (2), the department of health and  
20 social services may collect, from funds of a decedent that are held by the decedent  
21 immediately before death in a joint account or a P.O.D. account, an amount equal to  
22 the medical assistance that is recoverable under s. 49.496 (3) (a) and that was paid  
23 on behalf of the decedent or the decedent's spouse.

24 **SECTION 7065b.** 705.04 (2g) of the statutes, as created by 1995 Wisconsin Act  
25 .... (this act), is amended to read:

**SECTION 7065b**

1           705.04 (2g) Notwithstanding subs. (1) and (2), the department of health and  
2 social services may collect, from funds of a decedent that are held by the decedent  
3 immediately before death in a joint account or a P.O.D. account, an amount equal to  
4 the medical assistance that is recoverable under s. 49.496 (3) (a) or an amount equal  
5 to aid under s. 49.48, 49.483 or 49.485 that is recoverable under s. 49.482 (2) (a) and  
6 that was paid on behalf of the decedent or the decedent's spouse.

7           **SECTION 7065bm.** 705.04 (2g) of the statutes, as affected by 1995 Wisconsin Act  
8 .... (this act), sections 7065 and 7065b, is amended to read:

9           705.04 (2g) Notwithstanding subs. (1) and (2), the department of health and  
10 social services may collect, from funds of a decedent that are held by the decedent  
11 immediately before death in a joint account or a P.O.D. account, an amount equal to  
12 the medical assistance that is recoverable under s. 49.496 (3) (a), ~~or~~ an amount equal  
13 to aid under s. 49.48, 49.483 or 49.485 that is recoverable under s. 49.482 (2) (a) or  
14 an amount equal to long-term community support services under s. 46.27 that is  
15 recoverable under s. 46.27 (7g) (c) 1. and that was paid on behalf of the decedent or  
16 the decedent's spouse.

17           **SECTION 7065c.** 705.04 (2g) of the statutes, as affected by 1995 Wisconsin Act  
18 .... (this act), sections 7065, 7065b and 7065bm, is amended to read:

19           705.04 (2g) Notwithstanding subs. (1) and (2), the department of health and  
20 social services may collect, from funds of a decedent that are held by the decedent  
21 immediately before death in a joint account or a P.O.D. account, an amount equal to  
22 the medical assistance that is recoverable under s. 49.496 (3) (a), an amount equal  
23 to aid under ~~49.48, 49.483 or 49.485~~ 49.68, 49.683 or 49.685 that is recoverable under  
24 s. ~~49.482~~ 49.682 (2) (a) or an amount equal to long-term community support services

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1 under s. 46.27 that is recoverable under s. 46.27 (7g) (c) 1. and that was paid on behalf  
2 of the decedent or the decedent's spouse.

3 **SECTION 7066.** 706.11 (1) (f) of the statutes is amended to read:

4 706.11 (1) (f) Any mortgage executed to a mortgage banker, as defined in s.  
5 ~~440.71~~ 224.71 (3).

6 **SECTION 7066c.** 707.49 (4) of the statutes is amended to read:

7 707.49 (4) SURETY BOND AND OTHER OPTIONS. Instead of placing deposits in an  
8 escrow account, a developer may obtain a surety bond issued by a company  
9 authorized to do business in this state, an irrevocable letter of credit or a similar  
10 arrangement, in an amount which at all times is not less than the amount of the  
11 deposits otherwise subject to the escrow requirements of this section. The bond,  
12 letter of credit or similar arrangement shall be filed with the department of justice  
13 agriculture, trade and consumer protection and made payable to the department of  
14 ~~justice~~ agriculture, trade and consumer protection for the benefit of aggrieved  
15 parties.

16 **SECTION 7066g.** 707.57 (2) (title) of the statutes is amended to read:

17 707.57 (2) (title) ~~ATTORNEY GENERAL'S~~ DEPARTMENT OF AGRICULTURE, TRADE AND  
18 CONSUMER PROTECTION AUTHORITY.

19 **SECTION 7066n.** 707.57 (2) (a) of the statutes is amended to read:

20 707.57 (2) (a) The department of justice agriculture, trade and consumer  
21 protection, or any district attorney upon informing the department of justice  
22 agriculture, trade and consumer protection, may commence an action in circuit court  
23 in the name of the state to restrain by temporary or permanent injunction any  
24 violation of this chapter. Before entry of final judgment, the court may make such  
25 orders or judgments as may be necessary to restore to any person any pecuniary loss

**SECTION 7066n**

1 suffered because of the acts or practices involved in the action if proof of these acts  
2 or practices is submitted to the satisfaction of the court.

3 **SECTION 7066r.** 707.57 (2) (b) of the statutes is amended to read:

4 707.57 (2) (b) The department of justice agriculture, trade and consumer  
5 protection may conduct hearings, administer oaths, issue subpoenas and take  
6 testimony to aid in its investigation of violations of this chapter.

7 **SECTION 7066w.** 707.57 (3) of the statutes is amended to read:

8 707.57 (3) PENALTY. Any person who violates this chapter shall be required to  
9 forfeit not more than \$5,000 for each offense. Forfeitures under this subsection shall  
10 be enforced by action on behalf of the state by the department of justice agriculture,  
11 trade and consumer protection or by the district attorney of the county where the  
12 violation occurs.

13 **SECTION 7067.** 709.03 (form) 8. of the statutes is amended to read:

14 709.03 (form) 8. .... .... I am aware of underground fuel storage  
15 tanks on the property. (If correct,  
16 the owner, by law, must report the  
17 location to the department of  
18 ~~industry, labor and human relations~~  
19 development at P.O. Box ~~7969~~ 7970,  
20 Madison, Wisconsin, 53707.)

21 **SECTION 7068g.** 751.025 of the statutes is created to read:

22 **751.025 Temporary use of court reporters.** If the court reporter appointed  
23 by the judge is not available or if an additional court reporter is needed, the judge,  
24 in cooperation with the chief judge and court administrator for that judicial district,

1 shall attempt to locate and use a court reporter from another branch of court before  
2 hiring a private court reporter.

3 **SECTION 7070.** 753.061 (3) of the statutes is repealed.

4 **SECTION 7073.** 756.04 (2) (am) 1. f. of the statutes is amended to read:

5 756.04 (2) (am) 1. f. Lists of persons ~~on general relief under ch. 49 and persons~~  
6 ~~on~~ receiving aid to families with dependent children under ch. 49.

7 **SECTION 7074.** 756.04 (2) (am) 1. f. of the statutes, as affected by 1995  
8 Wisconsin Act .... (this act), is amended to read:

9 756.04 (2) (am) 1. f. Lists of persons receiving aid to families with dependent  
10 children under subch. III of ch. 49.

11 **SECTION 7075.** 756.096 (3) (b) of the statutes is renumbered 756.096 (3) (b) 1.  
12 and amended to read:

13 756.096 (3) (b) 1. ~~A~~ Except as provided in subd. 2., a jury in civil and traffic cases  
14 shall consist of 6 persons unless a party requests a greater number, not to exceed 12.  
15 The court, on its own motion may require a greater number, not to exceed 12.

16 **SECTION 7076.** 756.096 (3) (b) 2. of the statutes is created to read:

17 756.096 (3) (b) 2. A jury in cases involving traffic regulations, as defined in s.  
18 345.20 (1) (b), shall consist of 6 persons.

19 **SECTION 7076m.** 757.48 (1) (b) of the statutes is amended to read:

20 757.48 (1) (b) The guardian ad litem shall be allowed reasonable compensation  
21 for his or her services such as is customarily charged by attorneys in this state for  
22 comparable services. If the court orders a county to pay the compensation of the  
23 guardian ad litem, the amount ordered may not exceed the compensation paid to  
24 private attorneys under s. 977.08 (4m) (b). If the attorney of record is also the

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1 guardian ad litem, the attorney shall be entitled only to attorney fees and shall  
2 receive no compensation for services as guardian ad litem.

3 **SECTION 7077.** 757.57 (5) of the statutes is amended to read:

4 757.57 (5) Except as provided in SCR 71.04 (4), every reporter, upon the request  
5 of any party to an action or proceeding, shall make a typewritten transcript, and as  
6 many copies thereof as the party requests, of the testimony and proceedings reported  
7 by him or her in the action or proceeding, or any part thereof specified by the party,  
8 the transcript and each copy thereof to be duly certified by him or her to be a correct  
9 transcript thereof. For the transcripts the reporter is entitled to receive the fees  
10 prescribed in s. 814.69 (2) (1) (b).

11 **SECTION 7078.** 757.83 (4) of the statutes is amended to read:

12 757.83 (4) STAFF. The judicial commission shall hire an executive director, and  
13 may hire one staff member, in the unclassified service. The executive director shall  
14 be a member of the state bar of Wisconsin and shall provide staff services to the  
15 judicial commission and the judicial council.

16 **SECTION 7079.** 758.01 (2) of the statutes is amended to read:

17 758.01 (2) The supreme court may establish and charge fees for photocopying,  
18 microfilm copying, books, generation of copies of documents from optical disk or  
19 electronic storage, computer services and other services provided by the state law  
20 library. The fees are subject to the cost limitations under ss. 19.35 (3) and 20.908.

21 **SECTION 7080.** 758.13 (1) of the statutes is amended to read:

22 758.13 (1) MEMBERSHIP; APPOINTMENT; TERMS. There is created a judicial council  
23 of ~~20~~ 21 members as follows: a supreme court justice designated by the supreme  
24 court; a court of appeals judge designated by the court of appeals; the director of state  
25 courts or his or her designee; 4 circuit judges designated by the judicial conference;

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1 the chairpersons of the senate and the assembly committees dealing with judicial  
2 affairs or a member of each such committee designated by the respective  
3 chairperson; the attorney general or his or her designee; the revisor of statutes or an  
4 assistant designated by the revisor; the deans of the law schools of the university of  
5 Wisconsin and Marquette university or a member of the respective law school  
6 faculties designated by the deans; the state public defender or his or her designee;  
7 the president-elect of the state bar of Wisconsin or a member of the board of  
8 governors of the state bar designated by the president-elect and 3 additional  
9 members thereof selected by the state bar to serve 3-year terms; one district attorney  
10 appointed by the governor; and 2 citizens at large appointed by the governor to serve  
11 3-year terms. The names of the members shall be certified to the secretary of state  
12 by the executive secretary of the judicial commission. Members shall hold office until  
13 their successors have been selected. Members shall receive no compensation, but  
14 shall be reimbursed from the appropriation made by s. ~~20.645~~ 20.665 (1) for expenses  
15 necessarily incurred by them in attending council meetings.

16 **SECTION 7081.** 758.13 (2) (g) of the statutes is created to read:

17 758.13 (2) (g) Recommend to the supreme court, legislature and governor any  
18 changes in the organization, operation and methods of conducting the business of the  
19 courts that will improve the efficiency and effectiveness of the court system and  
20 result in cost savings.

21 **SECTION 7082.** 758.13 (3) (d) of the statutes is repealed.

22 **SECTION 7084.** 758.19 (4m) of the statutes is created to read:

23 758.19 (4m) The director of state courts shall purchase equipment needed by  
24 court reporters employed by the state on July 1, 1999, who have not purchased the  
25 necessary equipment by July 1, 1999. The director of state courts is not required to

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1 purchase necessary equipment for any court reporter who has not purchased his or  
2 her equipment by July 1, 1999, if that court reporter, on July 1, 1999, is within 2 years  
3 of retirement, as determined by the director of state courts. If a court reporter begins  
4 employment as a court reporter with the state after July 1, 1999, he or she shall have  
5 the option of purchasing the necessary court reporter equipment before commencing  
6 employment or having the state purchase the necessary equipment. The department  
7 of administration shall promulgate a rule specifying the types and amount of  
8 equipment that a court reporter needs to purchase to be exempt from the state  
9 purchasing court reporter equipment on his or her behalf under this subsection. Any  
10 equipment that the director of state courts purchases for state employes, including  
11 equipment purchased for state-employed court reporters, is the property of the state.

12 **SECTION 7086.** 758.19 (5) (a) 8. of the statutes is created to read:

13 758.19 (5) (a) 8. Any other court costs, except costs related to courtroom  
14 security, including security personnel, and costs related to rent, utilities,  
15 maintenance, rehabilitation and construction of court facilities.

16 **SECTION 7087.** 758.19 (5) (b) (intro.) of the statutes is amended to read:

17 758.19 (5) (b) (intro.) From the appropriation under s. 20.625 (1) (d), the  
18 director of state courts shall make ~~the following payments to counties totaling~~  
19 \$3,443,950 on July 1, 1995, or the effective date of this paragraph .... [revisor inserts  
20 date], whichever is later, totaling \$8,294,050 on January 1, 1996, and totaling  
21 \$8,244,800 on every July 1 and January 1 thereafter, which the director of state  
22 courts shall distribute as follows:

23 **SECTION 7088.** 758.19 (5) (b) 1. and 2. of the statutes are repealed and recreated  
24 to read:

25 758.19 (5) (b) 1. For each circuit court branch in the county, \$32,900.

1           2. In addition to the payment under subd. 1., for each county with one or less  
2 circuit court branches, \$5,000 in the 1995-96 fiscal year and \$10,000 in each fiscal  
3 year thereafter.

4           **SECTION 7089.** 758.19 (5) (b) 3. of the statutes is repealed and recreated to read:

5           758.19 (5) (b) 3. In addition to the payment under subd. 1., for each county with  
6 more than one circuit court branch, a payment equal to the county's proportion of the  
7 state population times the amount remaining after the payments are made under  
8 subds. 1. and 2.

9           **SECTION 7090.** 758.19 (5) (b) 4. of the statutes is repealed.

10          **SECTION 7091.** 758.19 (5) (c) of the statutes is amended to read:

11          758.19 (5) (c) ~~The amount paid to each county under par. (b) shall be~~  
12 ~~determined by dividing the number of circuit court branches in the county by the~~  
13 ~~total number of circuit court branches in the state and multiplying that result by the~~  
14 ~~total payment to be made.~~ For those counties that share the services of one or more  
15 circuit court branches, the director of state courts shall annually determine the  
16 proportional share of that circuit court branch for each county based on the circuit  
17 court branch case load in each county.

18          **SECTION 7092.** 758.19 (5) (e) (intro.) of the statutes is renumbered 758.19 (5)  
19 (e) and amended to read:

20          758.19 (5) (e) No later than July 1, 1994, and no later than July 1 of each year  
21 thereafter, each county shall submit to the director of state courts, in a format that  
22 is established by the director of state courts, information regarding the amount of  
23 actual court costs that the county incurred in the previous calendar year for each of  
24 the following: court costs listed in par. (a) 1. to 8.

25          **SECTION 7095k.** 758.19 (6) of the statutes is repealed and recreated to read:

1           758.19 (6) (a) In this subsection, “guardian ad litem costs” means the costs of  
2 guardian ad litem compensation that a county incurs under ch. 48, 55, 767 or 880,  
3 that the county has final legal responsibility to pay or that the county is unable to  
4 recover from another person and that does not exceed the per hour rate established  
5 for time spent in court by private attorneys under s. 977.08 (4m) (b).

6           (b) From the appropriation under s. 20.625 (1) (e), the director of state courts,  
7 beginning on July 1, 1995, shall annually on July 1 pay to each county the county’s  
8 share, as determined under par. (c), of the total appropriation under s. 20.625 (1) (e).  
9 The payment is designed to defray a county’s guardian ad litem costs but, except as  
10 provided in par. (d), the director of state courts may not require a county to account  
11 for the county’s guardian ad litem costs or the manner in which or the purposes for  
12 which the county expends the payment.

13           (c) 1. In this paragraph:

14           a. “Court support services fee” means the fee under s. 814.634.

15           b. “Judicial need” means the need for a circuit judge, calculated under the  
16 weighted caseload formula, based on case filings in the previous calendar year for  
17 those types of cases which the director of state courts determines are likely to involve  
18 significant guardian ad litem costs.

19           c. “Weighted caseload formula” means the formula utilized by the director of  
20 state courts to assist in determining the comparative need for circuit court judges in  
21 this state, based on the number of cases filed in a given year and the judicial time  
22 needed to process the cases.

23           2. The amount paid to each county under par. (b) shall be the sum of the  
24 following amounts:

1 a. The amount determined by dividing the number of circuit court branches in  
2 the county by the total number of circuit court branches in the state and multiplying  
3 that result by one-third of the total amount to be paid under par. (b).

4 b. The amount determined by dividing the judicial need for the county by the  
5 total judicial need for all counties in this state and multiplying that result by  
6 one-third of the total amount to be paid under par. (b).

7 c. The amount determined by dividing the amount of court support services fees  
8 charged and collected in the county in the previous calendar year by the total amount  
9 of court support services fees charged and collected in the state in the previous  
10 calendar year and multiplying that result by one-third of the total amount to be paid  
11 under par. (b).

12 (d) Annually, no later than July 1, each county shall submit to the director of  
13 state courts, in a format that the director of state courts establishes, all of the  
14 following:

15 1. The total cost of guardian ad litem compensation that the county incurred  
16 under chs. 48, 55, 767 and 880 in the previous calendar year.

17 2. The total guardian ad litem compensation that the county initially paid  
18 under chs. 48, 55, 767 and 880 and that was recovered in the previous calendar year  
19 by the county from another responsible person.

20 **SECTION 7095m.** 758.19 (7) of the statutes is created to read:

21 758.19 (7) The director of state courts shall adopt, revise biennially and submit  
22 to the cochairpersons of the joint committee on information policy, the governor and  
23 the secretary of administration, no later than September 15 of each even-numbered  
24 year, a strategic plan for the utilization of information technology to carry out the  
25 functions of the courts and judicial branch agencies, as defined in section 16.70 (5)

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1 of the statutes. The plan shall address the business needs of the courts and judicial  
2 branch agencies and shall identify all resources relating to information technology  
3 which the courts and judicial branch agencies desire to acquire, contingent upon  
4 funding availability, the priority for such acquisitions and the justification for such  
5 acquisitions. The plan shall also identify any changes in the functioning of the courts  
6 and judicial branch agencies under the plan.

7 **SECTION 7096.** 766.565 (7) of the statutes is amended to read:

8 766.565 (7) With respect to consumer credit transactions, the ~~commissioner~~  
9 division of banking may promulgate rules to interpret this chapter and chs. 421 to  
10 427, consistent with the purposes and policies of this chapter and chs. 421 to 427.

11 **SECTION 7096m.** 767.001 (1) of the statutes is renumbered 767.001 (1m).

12 **SECTION 7096n.** 767.001 (1d) of the statutes is created to read:

13 767.001 (1d) "Department" means the department of revenue.

14 **SECTION 7096p.** 767.02 (3) of the statutes is amended to read:

15 767.02 (3) Commencement of an action affecting the family which affects a  
16 minor child constitutes an application to the department of ~~health and social services~~  
17 for services on behalf of the minor child under s. ~~46.25~~ 73.25. This application does  
18 not authorize intervention as a party in any action, by the department of ~~health and~~  
19 ~~social services~~.

20 **SECTION 7096r.** 767.045 (1) (c) 1. of the statutes is amended to read:

21 767.045 (1) (c) 1. Aid is provided under s. 49.19 or 49.45 on behalf of the child,  
22 but the state and its delegate under s. ~~46.25~~ 73.25 (7) are barred by a statute of  
23 limitations from commencing an action under s. 767.45 on behalf of the child.

24 **SECTION 7096s.** 767.045 (1) (c) 2. of the statutes is amended to read:

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1           767.045 (1) (c) 2. An application for legal services has been filed with the child  
2 support program under s. ~~46.25~~ 73.25 on behalf of the child, but the state and its  
3 delegate under s. ~~46.25~~ 73.25 (7) are barred by a statute of limitations from  
4 commencing an action under s. 767.45 on behalf of the child.

5           **SECTION 7096t.** 767.045 (6) of the statutes is amended to read:

6           767.045 (6) COMPENSATION. The guardian ad litem shall be compensated at a  
7 rate that the court determines is reasonable. The court shall order either or both  
8 parties to pay all or any part of the compensation of the guardian ad litem. In  
9 addition, upon motion by the guardian ad litem, the court shall order either or both  
10 parties to pay the fee for an expert witness used by the guardian ad litem, if the  
11 guardian ad litem shows that the use of the expert is necessary to assist the guardian  
12 ad litem in performing his or her functions or duties under this chapter. ~~If either or~~  
13 ~~both parties are unable to pay indigent,~~ the court may direct that the county of venue  
14 pay the compensation and fees, ~~in whole or in part, and may direct that any or all~~  
15 ~~parties reimburse the county, in whole or in part, for the payment.~~ If the court orders  
16 a county to pay the compensation of the guardian ad litem, the amount ordered may  
17 not exceed the compensation paid to private attorneys under s. 977.08 (4m) (b). The  
18 court may order a separate judgment for the amount of the reimbursement in favor  
19 ~~of the county and against the party or parties responsible for the reimbursement.~~  
20 The court may enforce its orders under this subsection by means of its contempt  
21 power.

22           **SECTION 7096u.** 767.075 (1) (a) of the statutes is amended to read:

23           767.075 (1) (a) An action to establish paternity whenever there is a completed  
24 application for legal services filed with the child support program under s. ~~46.25~~  
25 73.25 or whenever s. 767.45 (6m) applies.

1           **SECTION 7096v.** 767.075 (1) (b) of the statutes is amended to read:

2           767.075 (1) (b) An action to establish or enforce a child support or maintenance  
3 obligation whenever there is a completed application for legal services filed with the  
4 child support program under s. ~~46.25~~ 73.25.

5           **SECTION 7097d.** 767.075 (2) (a) of the statutes is amended to read:

6           767.075 (2) (a) Except as provided in par. (b), in any action affecting the family  
7 under a child support enforcement program, an attorney acting under s. ~~46.25~~ 73.25  
8 or 59.07 (97), including any district attorney or corporation counsel, represents only  
9 the state. Child support services provided by an attorney as specified in sub. (1) do  
10 not create an attorney-client relationship with any other party.

11           **SECTION 7097e.** 767.075 (2) (b) of the statutes is amended to read:

12           767.075 (2) (b) Paragraph (a) does not apply to an attorney who is employed  
13 by the department of health and social services under s. ~~46.25~~ 73.25 or a county under  
14 s. 59.07 (97) or 59.458 (1) to act as the guardian ad litem of the minor child for the  
15 purpose of establishing paternity.

16           **SECTION 7097m.** 767.077 (intro.) of the statutes is amended to read:

17           **767.077 Support for dependent child.** (intro.) The state or its delegate  
18 under s. ~~46.25~~ 73.25 (7) shall bring an action for support of a minor child under s.  
19 767.02 (1) (f) or, if appropriate, for paternity determination and child support under  
20 s. 767.45 whenever the child's right to support is assigned to the state under s. 49.19  
21 (4) (h) 1. b. if all of the following apply:

22           **SECTION 7098.** 767.078 (1) (b) 1. of the statutes is amended to read:

23           767.078 (1) (b) 1. Register for work at a public employment office established  
24 under s. ~~101.23~~ 106.09.

25           **SECTION 7098c.** 767.078 (1) (d) 1. c. of the statutes is amended to read:

1           767.078 (1) (d) 1. c. The parent who is absent from the home works, on average,  
2 less than 32 hours per week and is not participating in an employment training  
3 program that meets criteria established by the department of industry, labor and  
4 human relations.

5           **SECTION 7098e.** 767.078 (1) (d) 3. of the statutes is amended to read:

6           767.078 (1) (d) 3. Subdivisions 1. and 2. only apply while the department of  
7 ~~health and social services~~ industry, labor and human relations conducts the program  
8 under s. 49.25.

9           **SECTION 7098m.** 767.08 (3) of the statutes is amended to read:

10          767.08 (3) If the state or any subdivision thereof furnishes public aid to a  
11 spouse or dependent child for support and maintenance and the spouse, person with  
12 legal custody or nonlegally responsible relative fails or refuses to institute an  
13 appropriate court action under this chapter to provide for the same, the person in  
14 charge of county welfare activities, the county child support program designee under  
15 s. 59.07 (97) or the ~~state department of health and social services~~ is a real party in  
16 interest under s. 767.075 and shall initiate an action under this section, for the  
17 purpose of obtaining support and maintenance. Any attorney employed by the state  
18 or any subdivision thereof may initiate an action under this section. The title of the  
19 action shall be "In re the support or maintenance of A.B. (Child)".

20          **SECTION 7099d.** 767.085 (1) (g) of the statutes is amended to read:

21          767.085 (1) (g) Whenever the petitioner requests an order or judgment  
22 affecting a minor child, that the petitioner requests the department of ~~health and~~  
23 ~~social services~~ to provide services on behalf of the minor child under s. ~~46.25~~ 73.25,  
24 except that this application does not authorize representation under s. ~~46.25~~ 73.25

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1 or 59.458 (2), or intervention as a party in any action, by the department of health  
2 and social services.

3 **SECTION 7099f.** 767.085 (2) (b) of the statutes is amended to read:

4 767.085 (2) (b) The clerk of court shall provide without charge, to each person  
5 filing a petition requesting child support, a document setting forth the percentage  
6 standard established by the department of health and social services under s. ~~46.25~~  
7 73.25 (9) and listing the factors which a court may consider under s. 767.25 (1m).

8 **SECTION 7099h.** 767.085 (2m) (a) 2. of the statutes is amended to read:

9 767.085 (2m) (a) 2. Shall be accompanied by a document, provided without  
10 charge by the clerk of court, setting forth the percentage standard established by the  
11 department of health and social services under s. ~~46.25~~ 73.25 (9) and listing the  
12 factors which a court may consider under s. 767.25 (1m).

13 **SECTION 7099j.** 767.085 (5) of the statutes is amended to read:

14 767.085 (5) RESPONSE, CONTENTS. Whenever the respondent requests an order  
15 or judgment affecting a minor child, the response shall state that the respondent  
16 requests the department of health and social services to provide services on behalf  
17 of the minor child under s. ~~46.25~~ 73.25, except that this application does not  
18 authorize representation under s. ~~46.25~~ 73.25 or 59.458 (2), or intervention as a party  
19 in any action, by the department of health and social services.

20 **SECTION 7100.** 767.10 (2) (b) of the statutes is amended to read:

21 767.10 (2) (b) A court may not approve a stipulation for a division of property  
22 that assigns substantially all of the property to one of the parties in the action if the  
23 other party in the action is in the process of applying for medical assistance under  
24 ~~ss. 49.45 to 49.47~~ subch. IV of ch. 49 or if the court determines that it can be  
25 reasonably anticipated that the other party in the action will apply for medical

**SECTION 7100**

1 assistance under ~~ss. 49.45 to 49.47~~ subch. IV of ch. 49 within 30 months of the  
2 stipulation.

3 **SECTION 7100d.** 767.13 (7) of the statutes is amended to read:

4 767.13 (7) COOPERATION. Each family court commissioner shall cooperate with  
5 the county and the department of ~~health and social services~~ to ensure that all  
6 dependent children receive reasonable and necessary child support.

7 **SECTION 7100f.** 767.15 (2) of the statutes is amended to read:

8 767.15 (2) In any appeal of any action affecting the family in which support or  
9 maintenance of a child of any party is at issue, the person who initiates the appeal  
10 shall notify the department of ~~health and social services~~ of the appeal by sending a  
11 copy of the notice of appeal to the department.

12 **SECTION 7100h.** 767.23 (1) (am) of the statutes is amended to read:

13 767.23 (1) (am) ~~Granting~~ Upon the request of a party, granting periods of  
14 physical placement to a party ~~specified in s. 767.24 (4).~~ The court or family court  
15 commissioner shall make a determination under this paragraph within 30 days after  
16 the request for a temporary order regarding periods of physical placement is filed.

17 **SECTION 7100m.** 767.23 (1n) of the statutes is amended to read:

18 767.23 (1n) Before making any temporary order under sub. (1), the court or  
19 family court commissioner shall consider those factors which the court is required  
20 by this chapter to consider before entering a final judgment on the same subject  
21 matter. If the court or family court commissioner makes a temporary child support  
22 order that deviates from the amount of support that would be required by using the  
23 percentage standard established by the department of ~~health and social services~~  
24 under s. ~~46.25~~ 73.25 (9), the court or family court commissioner shall comply with the  
25 requirements of s. 767.25 (1n). A temporary order under sub. (1) may be based upon

**SECTION 7100m**

1 the written stipulation of the parties, subject to the approval of the court or the family  
2 court commissioner. Temporary orders made by the family court commissioner may  
3 be reviewed by the court as provided in s. 767.13 (6).

4 **SECTION 7100p.** 767.24 (6) (b) of the statutes is amended to read:

5 767.24 (6) (b) Notwithstanding s. 767.001 (1) (1m), in making an order of joint  
6 legal custody, the court may give one party sole power to make specified decisions,  
7 while both parties retain equal rights and responsibilities for other decisions.

8 **SECTION 7100r.** 767.25 (1g) of the statutes is amended to read:

9 767.25 (1g) In determining child support payments, the court may consider all  
10 relevant financial information or other information relevant to the parent's earning  
11 capacity, including information reported to the department of health and social  
12 services, or the county child and spousal support agency, under s. ~~46.25~~ 73.25 (2m).

13 **SECTION 7100t.** 767.25 (1j) of the statutes is amended to read:

14 767.25 (1j) Except as provided in sub. (1m), the court shall determine child  
15 support payments by using the percentage standard established by the department  
16 of health and social services under s. ~~46.25~~ 73.25 (9).

17 **SECTION 7101.** 767.25 (4m) (a) of the statutes is amended to read:

18 767.25 (4m) (a) In this subsection, "health insurance" does not include medical  
19 assistance provided under subch. IV of ch. 49.

20 **SECTION 7101r.** 767.25 (4m) (d) 2. of the statutes is amended to read:

21 767.25 (4m) (d) 2. Provide family coverage of health care expenses for the child,  
22 if eligible for coverage, upon application by the parent, the child's other parent, the  
23 department of health and social services or the county designee under s. 59.07 (97).

24 **SECTION 7102.** 767.25 (4m) (e) 1. of the statutes is amended to read:

**SECTION 7102**

1           767.25 (~~4m~~) (e) 1. If a parent who has been ordered by a court to provide  
2 coverage of the health care expenses of a child who is eligible for medical assistance  
3 under ~~ss. 49.45 to 49.47~~ subch. IV of ch. 49 receives payment from a 3rd party for the  
4 cost of services provided to the child but does not pay the health care provider for the  
5 services or reimburse the department of health and social services or any other  
6 person who paid for the services on behalf of the child, the department of health and  
7 social services may obtain a judgment against the parent for the amount of the 3rd  
8 party payment.

9           **SECTION 7103.** 767.254 (2) (a) of the statutes is amended to read:

10           767.254 (**2**) (a) Register for work at a public employment office established  
11 under s. ~~101.23~~ 106.09.

12           **SECTION 7103p.** 767.262 (1) (b) of the statutes is amended to read:

13           767.262 (**1**) (b) If one party receives services under s. ~~46.25~~ 73.25 or services  
14 provided by the state or county as a result of an assignment of income under s. 49.19,  
15 order the other party to pay any fee chargeable under s. ~~46.25~~ 73.25 (6) or the cost  
16 of services rendered by the state or county under s. 49.19.

17           **SECTION 7103r.** 767.262 (3) of the statutes is amended to read:

18           767.262 (**3**) The court may order that the amount be paid directly to the  
19 attorney or to the state or the county providing services under s. ~~46.25~~ 73.25 or 49.19,  
20 who may enforce the order in its name.

21           **SECTION 7104d.** 767.27 (3) (b) of the statutes is amended to read:

22           767.27 (**3**) (b) The clerk of circuit court shall provide information from court  
23 records to the department of ~~health and social services~~ under s. 59.395 (7).

24           **SECTION 7104f.** 767.27 (4) of the statutes is amended to read:

1           767.27 (4) Failure by either party timely to file a complete disclosure statement  
2 as required by this section shall authorize the court to accept as accurate any  
3 information provided in the statement of the other party or obtained under s. ~~46.25~~  
4 73.25 (2m) by the department of ~~health and social services~~ or the county child and  
5 spousal support agency.

6           **SECTION 7104r.** 767.29 (1) of the statutes is amended to read:

7           767.29 (1) All orders or judgments providing for temporary or permanent  
8 maintenance, child support or family support payments shall direct the payment of  
9 all such sums to the clerk of the court for the use of the person for whom the same  
10 has been awarded. A party securing an order for temporary maintenance, child  
11 support or family support payments shall forthwith file the order, together with all  
12 pleadings in the action, with the clerk of the court. Except as provided in sub. (1m),  
13 the clerk shall disburse the money so received under the judgment or order within  
14 15 days and take receipts therefor, unless the clerk is unable to disburse the moneys  
15 because they were paid by check or other draft drawn upon an account containing  
16 insufficient funds. All moneys received or disbursed under this section shall be  
17 entered in a record kept by the clerk, which shall be open to inspection by the  
18 department of ~~health and social services~~ for the administration of the child and  
19 spousal support and establishment of paternity program under s. ~~46.25~~ 73.25, the  
20 parties to the action and their attorneys, and the family court commissioner. If the  
21 maintenance, child support or family support payments adjudged or ordered to be  
22 paid shall not be paid to the clerk at the time provided in the judgment or order, the  
23 clerk or the family court commissioner of the county shall take such proceedings as  
24 either of them deems advisable to secure the payment of the sum including  
25 enforcement by contempt proceedings under ch. 785 or by other means. Copies of any

**SECTION 7104r**

1 order issued to compel the payment shall be mailed to counsel who represented each  
2 party when the maintenance, child support or family support payments were  
3 awarded. In case any fees of officers in any of the proceedings, including the  
4 compensation of the family court commissioner at the rate of \$50 per day unless the  
5 commissioner is on a salaried basis, is not collected from the person proceeded  
6 against, the fees shall be paid out of the county treasury upon the order of the  
7 presiding judge and the certificate of the clerk of the court.

8 **SECTION 7104tm.** 767.29 (2) of the statutes is amended to read:

9 767.29 (2) If any party entitled to maintenance payments or support money,  
10 or both, is receiving public assistance under ch. 49, the party may assign the party's  
11 right thereto to the county department under s. 46.215, 46.22 or 46.23 granting such  
12 assistance. Such assignment shall be approved by order of the court granting the  
13 maintenance payments or support money, and may be terminated in like manner;  
14 except that it shall not be terminated in cases where there is any delinquency in the  
15 amount of maintenance payments and support money previously ordered or  
16 adjudged to be paid to the assignee without the written consent of the assignee or  
17 upon notice to the assignee and hearing. When an assignment of maintenance  
18 payments or support money, or both, has been approved by the order, the assignee  
19 shall be deemed a real party in interest within s. 803.01 but solely for the purpose  
20 of securing payment of unpaid maintenance payments or support money adjudged  
21 or ordered to be paid, by participating in proceedings to secure the payment thereof.  
22 Notwithstanding assignment under this subsection, and without further order of the  
23 court, the clerk of court, upon receiving notice that a party or a minor child of the  
24 parties is receiving aid under s. 49.19, shall forward all support assigned under s.  
25 49.19 (4) (h) 1. or 49.45 (19) to the department of industry, labor and human relations.

**SECTION 7105**

1           **SECTION 7105.** 767.295 (2) (a) (intro.) of the statutes is amended to read:

2           767.295 (2) (a) (intro.) In an action for modification of a child support order  
3 under s. 767.32, an action in which an order for child support is required under s.  
4 767.25 (1) or 767.51 (3) or a contempt of court proceeding to enforce a child support  
5 or family support order in a county that contracts under s. 46.253 (2), the court may  
6 order a parent ~~who lives in that county and~~ who is not a custodial parent to register  
7 for a work experience and job training program under s. 46.253, if all of the following  
8 conditions are met:

9           **SECTION 7106.** 767.295 (2) (a) (intro.) of the statutes, as affected by 1995  
10 Wisconsin Act .... (this act), is amended to read:

11           767.295 (2) (a) (intro.) In an action for modification of a child support order  
12 under s. 767.32, an action in which an order for child support is required under s.  
13 767.25 (1) or 767.51 (3) or a contempt of court proceeding to enforce a child support  
14 or family support order in a county that contracts under s. ~~46.253 (2)~~ 49.36 (2), the  
15 court may order a parent who is not a custodial parent to register for a work  
16 experience and job training program under s. ~~46.253~~ 49.36 if all of the following  
17 conditions are met:

18           **SECTION 7107.** 767.295 (2) (a) 1m. of the statutes is created to read:

19           767.295 (2) (a) 1m. If the parent resides in a county other than the county in  
20 which the court action or proceeding takes place, the parent resides in a county with  
21 a work experience and job training program under s. 46.253 and that county agrees  
22 to enroll the parent in the program.

23           **SECTION 7108.** 767.295 (2) (a) 1m. of the statutes, as created by 1995 Wisconsin  
24 Act .... (this act), is amended to read:

1           767.295 (2) (a) 1m. If the parent resides in a county other than the county in  
2 which the court action or proceeding takes place, the parent resides in a county with  
3 a work experience and job training program under s. ~~46.253~~ 49.36 and that county  
4 agrees to enroll the parent in the program.

5           **SECTION 7108c.** 767.295 (2) (a) 2. of the statutes is amended to read:

6           767.295 (2) (a) 2. The parent works, on average, less than 32 hours per week,  
7 and is not participating in an employment or training program which meets  
8 guidelines established by the department of ~~health and social services~~ industry,  
9 labor and human relations.

10          **SECTION 7109.** 767.295 (2) (c) of the statutes is amended to read:

11          767.295 (2) (c) If the court enters an order under par. (a), it shall order the  
12 parent to pay child support equal to the amount determined by applying the  
13 percentage standard established under s. ~~46.25~~ 73.25 (9) to the income a person  
14 would earn by working 40 hours per week for the federal minimum hourly wage  
15 under 29 USC 206 (a) (1) or equal to the amount of child support that the parent was  
16 ordered to pay in the most recent determination of support under this chapter. The  
17 child support obligation ordered under this paragraph continues until the parent  
18 makes timely payment in full for 3 consecutive months or until the person  
19 participates in the program under s. ~~46.253~~ 49.36 for 16 weeks, whichever comes  
20 first. The court shall provide in its order that the parent must make child support  
21 payments calculated under s. 767.25 (1j) or (1m) or 767.51 (4m) or (5) after the  
22 obligation to make payments ordered under this paragraph ceases.

23          **SECTION 7109f.** 767.32 (1) (a) of the statutes is amended to read:

24          767.32 (1) (a) After a judgment or order providing for child support under this  
25 chapter or s. 48.355 (2) (b) 4., 48.357 (5m), 48.363 (2) or 948.22 (7), maintenance

**SECTION 7109f**

1 payments under s. 767.26 or family support payments under this chapter, or for the  
2 appointment of trustees under s. 767.31, the court may, from time to time, on the  
3 petition, motion or order to show cause of either of the parties, or upon the petition,  
4 motion or order to show cause of the department of health and social services, a  
5 county department under s. 46.215, 46.22 or 46.23 or a child support program  
6 designee under s. 59.07 (97) if an assignment has been made under s. 49.19 (4) (h)  
7 or 49.45 (19) or if either party or their minor children receive aid under ch. 49, and  
8 upon notice to the family court commissioner, revise and alter such judgment or order  
9 respecting the amount of such maintenance or child support and the payment  
10 thereof, and also respecting the appropriation and payment of the principal and  
11 income of the property so held in trust, and may make any judgment or order  
12 respecting any of the matters that such court might have made in the original action,  
13 except that a judgment or order that waives maintenance payments for either party  
14 shall not thereafter be revised or altered in that respect nor shall the provisions of  
15 a judgment or order with respect to final division of property be subject to revision  
16 or modification. A revision, under this section, of a judgment or order with respect  
17 to an amount of child or family support may be made only upon a finding of a  
18 substantial change in circumstances. In any action under this section to revise a  
19 judgment or order with respect to maintenance payments, a substantial change in  
20 the cost of living by either party or as measured by the federal bureau of labor  
21 statistics may be sufficient to justify a revision of judgment or order with respect to  
22 the amount of maintenance, except that a change in an obligor's cost of living is not  
23 in itself sufficient if payments are expressed as a percentage of income.

24 **SECTION 7109h.** 767.32 (1) (b) 4. of the statutes is amended to read:

**SECTION 7109h**

1           767.32 (1) (b) 4. A difference between the amount of child support ordered by  
2 the court to be paid by the payer and the amount that the payer would have been  
3 required to pay based on the percentage standard established by the department of  
4 ~~health and social services~~ under s. ~~46.25~~ 73.25 (9) if the court did not use the  
5 percentage standard in determining the child support payments and did not provide  
6 the information required under s. 46.10 (14) (d), 767.25 (1n) or 767.51 (5d), whichever  
7 is appropriate.

8           **SECTION 7109j.** 767.32 (1) (c) 1. of the statutes is amended to read:

9           767.32 (1) (c) 1. Unless the amount of child support is expressed in the  
10 judgment or order as a percentage of parental income, a change in the payer's  
11 income, evidenced by information received by the department of ~~health and social~~  
12 ~~services~~, or the county child and spousal support agency, under s. ~~46.25~~ 73.25 (2m)  
13 or by other information, from the payer's income determined by the court in its most  
14 recent judgment or order for child support, including a revision of a child support  
15 order under this section.

16           **SECTION 7109m.** 767.32 (2) of the statutes is amended to read:

17           767.32 (2) Except as provided in sub. (2m) or (2r), if the court revises a  
18 judgment or order with respect to child support payments, it shall do so by using the  
19 percentage standard established by the department of ~~health and social services~~  
20 under s. ~~46.25~~ 73.25 (9).

21           **SECTION 7109p.** 767.32 (4) of the statutes is amended to read:

22           767.32 (4) In any case in which the state is a real party in interest under s.  
23 767.075, the department of ~~health and social services~~ shall review the support  
24 obligation periodically and whenever circumstances so warrant, petition the court  
25 for revision of the judgment or order with respect to the support obligation.





**SECTION 7112**

1 complete the attached waiver of first appearance statement and send it to the court  
2 at least 10 days prior to the date of your scheduled appearance in this summons.

3 Dated: ....., 19 ..

4 Signed:..... ..

5 G. H., Clerk of Circuit Court

6 or

7 Petitioner's Attorney

8 State Bar No.: ....

9 Address: ....

10 City, State Zip Code: ....

11 Phone No.: ....

12 **SECTION 7113b.** 767.455 (5g) (form) 2. of the statutes is amended to read:

13 767.455 (5g) (form) 2. You have the right to be represented by an attorney. If  
14 you are unable to afford an attorney, the court will appoint one for you subject to  
15 ~~certain limitations. One limitation is that representation by the appointed attorney~~  
16 ~~will end if during the proceedings all~~ only upon one or more of the blood tests show  
17 taken during the proceedings showing that you are not excluded as the father ~~or and~~  
18 that the statistical probability of your being the father is less than 99.0% ~~or higher~~.  
19 In order to determine whether you are entitled to have an attorney appointed for you,  
20 you may call the following telephone number .... .

21 **SECTION 7113c.** 767.455 (6) of the statutes is amended to read:

22 767.455 (6) DOCUMENT. The summons served on the respondent shall be  
23 accompanied by a document, provided without charge by the clerk of court, setting  
24 forth the percentage standard established by the department of ~~health and social~~

**SECTION 7113c**

1 services under s. ~~46.25~~ 73.25 (9) and listing the factors which a court may consider  
2 under s. 767.51 (5).

3 **SECTION 7114j.** 767.47 (6) (a) of the statutes is amended to read:

4 767.47 (6) (a) Whenever the state brings the action to determine paternity  
5 pursuant to an assignment under s. 49.19 (4) (h) 1. or 49.45 (19), the natural mother  
6 of the child may not be compelled to testify about the paternity of the child if it has  
7 been determined that the mother has good cause for refusing to cooperate in  
8 establishing paternity as provided in 42 USC 602 (a) (26) (B) and the federal  
9 regulations promulgated pursuant to this statute, as of July 1, 1981, and pursuant  
10 to any rules promulgated by the department of ~~health and social services~~ which  
11 define good cause in accordance with the federal regulations, as authorized by 42  
12 USC 602 (a) (26) (B) in effect on July 1, 1981.

13 **SECTION 7115.** 767.51 (3m) (a) of the statutes is amended to read:

14 767.51 (3m) (a) In this subsection, "health insurance" does not include medical  
15 assistance provided under subch. IV of ch. 49.

16 **SECTION 7115r.** 767.51 (3m) (d) 2. of the statutes is amended to read:

17 767.51 (3m) (d) 2. Provide family coverage of health care expenses for the child,  
18 if eligible for coverage, upon application by the parent, the child's other parent, the  
19 department of ~~health and social services~~ or the county designee under s. 59.07 (97).

20 **SECTION 7116.** 767.51 (3m) (e) 1. of the statutes is amended to read:

21 767.51 (3m) (e) 1. If a parent who has been ordered by a court to provide  
22 coverage of the health care expenses of a child who is eligible for medical assistance  
23 under ~~ss. 49.45 to 49.47~~ subch. IV of ch. 49 receives payment from a 3rd party for the  
24 cost of services provided to the child but does not pay the health care provider for the  
25 services or reimburse the department of health and social services or any other

**SECTION 7116**

1 person who paid for the services on behalf of the child, the department of health and  
2 social services may obtain a judgment against the parent for the amount of the 3rd  
3 party payment.

4 **SECTION 7116m.** 767.51 (4g) of the statutes is amended to read:

5 767.51 (4g) In determining child support payments, the court may consider all  
6 relevant financial information or other information relevant to the parent's earning  
7 capacity, including information reported to the department of ~~health and social~~  
8 ~~services~~, or the county child and spousal support agency, under s. ~~46.25~~ 73.25 (2m).

9 **SECTION 7116p.** 767.51 (4m) of the statutes is amended to read:

10 767.51 (4m) Except as provided in sub. (5), the court shall determine child  
11 support payments by using the percentage standard established by the department  
12 of ~~health and social services~~ under s. ~~46.25~~ 73.25 (9).

13 **SECTION 7118m.** 767.52 (1) of the statutes is amended to read:

14 767.52 (1) At the pretrial hearing, at the trial and in any further proceedings  
15 in any paternity action, any party may be represented by counsel. If the respondent  
16 is indigent and the state is the petitioner under s. 767.45 (1) (g), the petitioner is  
17 represented by a government attorney as provided in s. 767.45 (6) or the action is  
18 commenced on behalf of the child by an attorney appointed under s. 767.045 (1) (c),  
19 counsel shall be appointed for the respondent as provided in ch. 977, and subject to  
20 the limitations under sub. (2m), unless the respondent knowingly and voluntarily  
21 waives the appointment of counsel.

22 **SECTION 7119m.** 767.52 (2) of the statutes is amended to read:

23 767.52 (2) An attorney appointed under sub. (1) who is appearing on behalf of  
24 a party in a paternity action shall represent that party, subject to the limitations  
25 under sub. (2m), in all issues and proceedings relating to the paternity determination

**SECTION 7119m**

1 and the initial establishment of support. The appointed attorney may not represent  
2 the party in any proceeding relating to child support, legal custody, periods of  
3 physical placement or related issues.

4 **SECTION 7120m.** 767.52 (2m) of the statutes is amended to read:

5 767.52 (2m) Representation by an attorney appointed under sub. (1) shall be  
6 provided beginning at the pretrial hearing unless, as of the date of the hearing, only  
7 after the results of any blood tests that were ordered by the court have been  
8 completed and only if all of the results fail to show that the alleged father is excluded  
9 or and fail to give rise to the rebuttable presumption under s. 767.48 (1m) that the  
10 alleged father is the father of the child. Representation by an attorney appointed  
11 under sub. (1) shall terminate during the paternity proceeding if the results of all of  
12 the blood tests ordered by the court show that the alleged father is excluded or give  
13 rise to the rebuttable presumption under s. 767.48 (1m) that the alleged father is the  
14 father of the child.

15 **SECTION 7121d.** 767.52 (3) of the statutes is amended to read:

16 767.52 (3) This section does not prevent an attorney responsible for support  
17 enforcement under s. 59.458 (1) or any other attorney employed under s. ~~46.25~~ 73.25  
18 or 59.07 (97) from appearing in any paternity action as provided under s. 767.45 (6).

19 **SECTION 7121f.** 767.53 (2) of the statutes is amended to read:

20 767.53 (2) The clerk of circuit court shall provide information from court  
21 records to the department of ~~health and social services~~ under s. 59.395 (7).

22 **SECTION 7125p.** 769.201 (7) of the statutes is amended to read:

23 769.201 (7) The individual asserted parentage in a declaration of paternal  
24 interest filed with the department of ~~health and social services~~ revenue under s.

1 48.025 or in a statement acknowledging paternity filed with the state registrar under  
2 s. 69.15 (3) (b) 1. or 3.

3 **SECTION 7125r.** 769.31 (1) of the statutes is amended to read:

4 769.31 (1) The department of ~~health and social services~~ revenue is the state  
5 information agency under this chapter.

6 **SECTION 7126.** 769.316 (4) of the statutes is amended to read:

7 769.316 (4) Copies of bills for testing for parentage, or for prenatal and  
8 postnatal health care of the mother and child, or copies of reports of medical  
9 assistance payments under ~~ss. 49.45 to 49.47~~ subch. IV of ch. 49 for such testing or  
10 prenatal and postnatal health care, furnished to the adverse party at least 10 days  
11 before trial, are admissible in evidence to prove the amount of the charges billed or  
12 the amount of the medical assistance paid and that the charges or payments were  
13 reasonable, necessary and customary.

14 **SECTION 7128b.** 776.44 of the statutes is amended to read:

15 **776.44 Judgment, where filed.** Upon the rendition of a judgment dissolving  
16 a corporation or vacating or annulling of letters patent the attorney general shall file  
17 a certified copy of the judgment ~~in the office of the secretary of state~~ with the  
18 department of financial institutions.

19 **SECTION 7129b.** 779.87 (3) (b) of the statutes is amended to read:

20 779.87 (3) (b) *Amount; filed.* The principal sum of the bond shall be \$25,000  
21 at all times. A copy of the bond shall be filed with the ~~secretary of state~~ department  
22 of financial institutions.

23 **SECTION 7129e.** 779.93 (title) of the statutes is amended to read:

24 **779.93 (title) Duties of the department of justice agriculture, trade and**  
25 **consumer protection.**

**SECTION 7129m**

1           **SECTION 7129m.** 779.93 (1) of the statutes is amended to read:

2           779.93 (1) The department of justice agriculture, trade and consumer  
3 protection shall investigate violations of this subchapter and attempts to circumvent  
4 this subchapter. The department of justice agriculture, trade and consumer  
5 protection may subpoena persons and records to facilitate its investigations, and  
6 may enforce compliance with such subpoenas as provided in s. 885.12.

7           **SECTION 7129s.** 779.93 (2) (intro.) of the statutes is amended to read:

8           779.93 (2) (intro.) The department of justice agriculture, trade and consumer  
9 protection may in behalf of the state or in behalf of any person who holds a prepaid  
10 maintenance lien:

11           **SECTION 7130b.** 779.97 (2) (c) 1. of the statutes is amended to read:

12           779.97 (2) (c) 1. If the person against whose interest the lien applies is a  
13 partnership or a corporation, as defined in 26 USC 7701 (a) (2) and (3), whose  
14 principal executive office is in this state, ~~in the office of the secretary of state~~ with  
15 the department of financial institutions.

16           **SECTION 7131b.** 779.97 (2) (c) 2. of the statutes is amended to read:

17           779.97 (2) (c) 2. If the person against whose interest the lien applies is a trust  
18 not covered under subd. 1., ~~in the office of the secretary of state~~ with the department  
19 of financial institutions.

20           **SECTION 7132b.** 779.97 (2) (c) 3. of the statutes is amended to read:

21           779.97 (2) (c) 3. If the person against whose interest the lien applies is the  
22 estate of a decedent, ~~in the office of the secretary of state~~ with the department of  
23 financial institutions.

24           **SECTION 7133b.** 779.97 (4) (a) 1. of the statutes is amended to read:

**SECTION 7133b**

1           779.97 (4) (a) 1. ~~The secretary of state~~ With the department of financial  
2 institutions, the secretary of state filing officer shall cause the notice to be marked,  
3 held and indexed in accordance with s. 409.403 (4) as if the notice were a financing  
4 statement within the meaning of chs. 401 to 411; or

5           **SECTION 7134b.** 779.97 (4) (b) 1. of the statutes is amended to read:

6           779.97 (4) (b) 1. If a refiling of a notice of lien is presented to the secretary of  
7 state department of financial institutions for filing, the secretary filing officer shall  
8 cause the refiled notice of federal lien to be marked, held and indexed in accordance  
9 with s. 409.403 as if the refiling were a continuation statement within the meaning  
10 of chs. 401 to 411, except that the time period in par. (d) shall apply instead of the time  
11 period in s. 409.403 (2) and (3).

12           **SECTION 7135.** 779.97 (4) (b) 2. of the statutes is amended to read:

13           779.97 (4) (b) 2. If a certificate of release is presented to the secretary of state  
14 for filing, the secretary shall cause the certificate to be marked, held and indexed in  
15 accordance with s. 409.404 as if the certificate were a termination statement within  
16 the meaning of chs. 401 to 411, and the secretary may remove the notice of federal  
17 lien and any related refiling of a notice of lien, certificate of nonattachment,  
18 discharge or subordination from the files at any time after receipt of the certificate  
19 of release, but the secretary of state shall keep the certificate of release or a microfilm  
20 or other photographic record or optical disk or electronic record of the certificate of  
21 release in a file, separate from those containing currently effective notices of liens,  
22 for a period of 30 years after the date of filing of the certificate of release.

23           **SECTION 7136b.** 779.97 (4) (b) 2. of the statutes, as affected by 1995 Wisconsin  
24 Act .... (this act), is amended to read:

**SECTION 7136b**

1           779.97 (4) (b) 2. If a certificate of release is presented to the ~~secretary of state~~  
2 department of financial institutions for filing, the ~~secretary~~ filing officer shall cause  
3 the certificate to be marked, held and indexed in accordance with s. 409.404 as if the  
4 certificate were a termination statement within the meaning of chs. 401 to 411, and  
5 the ~~secretary~~ filing officer may remove the notice of federal lien and any related  
6 refiling of a notice of lien, certificate of nonattachment, discharge or subordination  
7 from the files at any time after receipt of the certificate of release, but the ~~secretary~~  
8 ~~of state~~ department of financial institutions shall keep the certificate of release or  
9 a microfilm or other photographic record or optical disk or electronic record of the  
10 certificate of release in a file, separate from those containing currently effective  
11 notices of liens, for a period of 30 years after the date of filing of the certificate of  
12 release.

13           **SECTION 7137b.** 779.97 (4) (b) 3. of the statutes is amended to read:

14           779.97 (4) (b) 3. If a certificate of discharge is presented to the ~~secretary of state~~  
15 department of financial institutions for filing, the ~~secretary~~ filing officer shall cause  
16 the certificate to be marked, held and indexed as if the certificate were a release of  
17 collateral within the meaning of chs. 401 to 411.

18           **SECTION 7138b.** 779.97 (4) (b) 4. of the statutes is amended to read:

19           779.97 (4) (b) 4. If a certificate of nonattachment or subordination of any lien  
20 is presented to the ~~secretary of state~~ department of financial institutions for filing,  
21 the ~~secretary~~ filing officer shall cause the certificate to be marked, held and indexed  
22 as if the certificate were an amendment within the meaning of chs. 401 to 411.”.

23           **SECTION 7139.** 779.97 (4) (c) 2. of the statutes is amended to read:

24           779.97 (4) (c) 2. If a certificate of release is presented for filing with any other  
25 filing officer specified in sub. (2), the officer shall enter the certificate with the date

**SECTION 7139**

1 of filing in any alphabetical federal lien index on the line where the original notice  
2 of lien is entered and may then remove the notice of federal lien and any related  
3 refiling of a notice of lien, certificate of nonattachment, discharge or subordination  
4 from the files, provided that the officer shall keep the certificate of release or a  
5 microfilm or other photographic record, or in the case of the secretary of state, or a  
6 register of deeds if authorized under s. 59.512, a microfilm or other photographic  
7 record or optical disk or electronic record, of the certificate of release in a file,  
8 separate from those containing currently effective notices of federal liens, for a  
9 period of 30 years after the date of filing of the certificate of release.

10 **SECTION 7140b.** 779.97 (4) (c) 2. of the statutes, as affected by 1995 Wisconsin  
11 Act .... (this act), is amended to read:

12 779.97 (4) (c) 2. If a certificate of release is presented for filing with any other  
13 filing officer specified in sub. (2), the officer shall enter the certificate with the date  
14 of filing in any alphabetical federal lien index on the line where the original notice  
15 of lien is entered and may then remove the notice of federal lien and any related  
16 refiling of a notice of lien, certificate of nonattachment, discharge or subordination  
17 from the files, provided that the officer shall keep the certificate of release or a  
18 microfilm or other photographic record, or in the case of the ~~secretary of state~~  
19 department of financial institutions, or a register of deeds if authorized under s.  
20 59.512, a microfilm or other photographic record or optical disk record, of the  
21 certificate of release in a file, separate from those containing currently effective  
22 notices of federal liens, for a period of 30 years after the date of filing of the certificate  
23 of release.

24 **SECTION 7140m.** 799.01 (1) (c) of the statutes is amended to read:

**SECTION 7140m**

1           799.01 (1) (c) *Replevins*. Actions for replevin under ss. 810.01 to 810.13 where  
2 the value of the property claimed does not exceed \$4,000 \$5,000.

3           **SECTION 7140p.** 799.01 (1) (d) (intro.) of the statutes is amended to read:

4           799.01 (1) (d) *Other civil actions*. (intro.) Other civil actions where the amount  
5 claimed is \$4,000 \$5,000 or less, if the actions or proceedings are:

6           **SECTION 7140r.** 799.01 (2) of the statutes is amended to read:

7           799.01 (2) PERMISSIVE USE OF SMALL CLAIMS PROCEDURE. A taxing authority may  
8 use the procedure in this chapter in an action to recover a tax from a person liable  
9 for that tax where the amount claimed, including interest and penalties, is \$4,000  
10 \$5,000 or less. This chapter is not the exclusive procedure for those actions.

11          **SECTION 7140x.** 800.01 (2) (a) of the statutes is amended to read:

12          800.01 (2) (a) Service under sub. (1) (a) shall be as provided in s. 801.11 or  
13 968.04 (3) (b) 2. or by personal service by a municipal employe.

14          **SECTION 7141d.** 800.095 (7m) of the statutes is created to read:

15          800.095 (7m) TRANSFER OF UNCLAIMED MONEY. In addition to the procedures  
16 under this section, a municipal court may order the transfer of any of the defendant's  
17 money that the municipality is holding and that is unclaimed by the defendant for  
18 more than one year to pay any forfeitures that the defendant failed to pay the  
19 municipality.

20          **SECTION 7141g.** 801.02 (7) of the statutes is created to read:

21          801.02 (7) No prisoner, as defined in s. 301.01 (2), may commence a civil action  
22 or special proceeding against an officer, employe or agent of the department of  
23 corrections in his or her official capacity or as an individual for acts or omissions  
24 committed while carrying out his or her duties as an officer, employe or agent or while  
25 acting within the scope of his or her office, employment or agency until the person

1 has exhausted any administrative remedies that the department of corrections has  
2 promulgated by rule.

3 **SECTION 7141r.** 802.04 (1) of the statutes is amended to read:

4 802.04 (1) CAPTION. Every pleading shall contain a caption setting forth the  
5 name of the court, the venue, the title of the action, the file number, and a designation  
6 as in s. 802.01 (1). If a pleading contains motions, or an answer or reply contains  
7 cross-claims or counterclaims, the designation in the caption shall state their  
8 existence. In the complaint the caption of the action shall include the standardized  
9 description of the case classification type and associated code number as approved  
10 by the director of state courts, and the title of the action shall include the names and  
11 addresses of all the parties, indicating the representative capacity, if any, in which  
12 they sue or are sued and, in actions by or against a corporation, the corporate  
13 existence and its domestic or foreign status shall be indicated. In pleadings other  
14 than the complaint, it is sufficient to state the name of the first party on each side  
15 with an appropriate indication of other parties. Every pleading commencing an  
16 action under s. 814.61 (1) (a) or 814.62 (1) or (2) and every complaint filed under s.  
17 814.61 (3) shall contain in the caption, if the action includes a claim for a money  
18 judgment, a statement of whether the amount claimed is greater than the amount  
19 under s. 799.01 (1) (d).

20 **SECTION 7142.** 803.03 (2) (a) of the statutes is amended to read:

21 803.03 (2) (a) *Joinder of related claims.* A party asserting a claim for  
22 affirmative relief shall join as parties to the action all persons who at the  
23 commencement of the action have claims based upon subrogation to the rights of the  
24 party asserting the principal claim, derivation from the principal claim, or  
25 assignment of part of the principal claim. For purposes of this section, a person's

1 right to recover for loss of consortium shall be deemed a derivative right. Any public  
2 assistance recipient or any estate of such a recipient asserting a claim against a 3rd  
3 party for which the public assistance provider has a right of subrogation or  
4 assignment under s. ~~49.65 (2) or (3)~~ 49.89 (2) or (3) shall join the provider as a party  
5 to the claim. Any party asserting a claim based upon subrogation to part of the claim  
6 of another, derivation from the rights or claim of another, or assignment of part of the  
7 rights or claim of another shall join as a party to the action the person to whose rights  
8 the party is subrogated, from whose claim the party derives his or her rights or claim,  
9 or by whose assignment the party acquired his or her rights or claim.

10 **SECTION 7142m.** 809.30 (1) (b) of the statutes is amended to read:

11 809.30 (1) (b) "Sentencing" means, in a felony or misdemeanor case, the  
12 imposition of a sentence, fine or probation or, in a misdemeanor case, imposition of  
13 community supervision. In a ch. 48, 51 or 55 case, other than a termination of  
14 parental rights case under s. 48.43, it means the entry of the trial court's final  
15 judgment or order.

16 **SECTION 7144.** 812.30 (9) of the statutes is amended to read:

17 812.30 (9) "Need-based public assistance" means aid to families with  
18 dependent children, general relief funded by a relief block grant under ch. 49, relief  
19 ~~to needy Indian persons provided by counties under s. 59.07 (154)~~, medical  
20 assistance, supplemental security income, food stamps, or benefits received by  
21 veterans under s. 45.351 (1) or under 38 USC 501 to 562.

22 **SECTION 7145.** 812.44 (4) of the statutes is amended to read:

23 812.44 (4) The notice of exemption served upon the garnishee under s. 812.35  
24 (4) shall be in substantially the following form:

25 STATE OF WISCONSIN



1 Your earnings are completely exempt from garnishment if:

2 1. Your household income is below the federal poverty level, or this  
3 garnishment would cause that to happen. See the enclosed schedules and worksheet  
4 to determine if you qualify for this exemption.

5 2. You receive aid to families with dependent children, general relief funded by  
6 a relief block grant under ch. 49, relief to needy Indian persons provided by counties  
7 under section 59.07 (154) of the Wisconsin Statutes, medical assistance,  
8 supplemental security income, food stamps, or veterans benefits based on need  
9 under USC 501 to 562 or section 45.351 (1) of the Wisconsin Statutes, or have  
10 received these benefits within the past 6 months.

11 3. At least 25% of your disposable earnings are assigned by court order for  
12 support.

13 If you qualify for a complete exemption, you must give or mail a copy of the  
14 enclosed debtor's answer form to the garnishee in order to receive that increased  
15 exemption.

16 If your circumstances change while the garnishment is in effect, you may file  
17 a new answer at any time.

18 If you do not qualify for a complete exemption, but you will not be able to acquire  
19 the necessities of life for yourself and your dependents if your earnings are reduced  
20 by this earnings garnishment, you may ask the court in which this earnings  
21 garnishment was filed to increase your exemption or grant you other relief.

22 IF YOU NEED ASSISTANCE

23 CONSULT AN ATTORNEY

24 If you have earnings that are being garnisheed that are exempt or subject to a  
25 defense, the sooner you file your answer or seek relief from the court, the sooner such

1 relief can be provided. This earnings garnishment affects your earnings in pay  
2 periods beginning within 13 weeks after it was served on the garnishee. You may  
3 agree in writing with the creditor to extend it for additional 13-week periods until  
4 the debt is paid.

5 **PENALTIES**

6 If you wrongly claim an exemption or defense in bad faith, or if the creditor  
7 wrongly objects to your claim in bad faith, the court may order the person who acted  
8 in bad faith to pay court costs, actual damages and reasonable attorney fees.

9 **SECTION 7146.** 812.44 (5) of the statutes is amended to read:

10 812.44 (5) The debtor’s answer form under s. 812.37 shall be in substantially  
11 the following form:

12 STATE OF WISCONSIN

13 CIRCUIT COURT:.... County

14 \_\_\_\_\_

15 A.B., Creditor

16 vs.

File or Reference Number....

17 C.D., Debtor

**EARNINGS GARNISHMENT**

18 and

**DEBTOR’S ANSWER**

19 E.F., Garnishee

20 \_\_\_\_\_

21 To the garnishee:

22 My earnings are **COMPLETELY EXEMPT** from earnings garnishment because:

23 ... 1. The judgment has been paid or is void.

24 ... 2. I receive, am eligible for, or have within 6 months received, aid to families with  
25 dependent children, ~~general relief~~ funded by a relief block grant under ch. 49, relief

**SECTION 7146**

1 to needy Indian persons provided by counties under section 59.07 (154) of the  
2 Wisconsin Statutes, medical assistance, supplemental security income, food stamps,  
3 or veterans benefits based on need under 38 USC 501 to 562 or section 45.351 (1) of  
4 the Wisconsin Statutes.

5 ... 3. At least 25% of my disposable earnings are assigned for support by court order.

6 ... 4. My household income is less than the poverty line, or this garnishment would  
7 cause that to happen.

8 ... 5. I have another defense to this earnings garnishment (explain briefly).

9 .....  
10 .....

11 I understand that if I claim a complete exemption or defense in bad faith, I may  
12 be held liable to the creditor for actual damages, costs and reasonable attorney fees.

13 DATE .... Signature of Debtor ....

14 Address ....

15 Telephone Number ....

16 Date Received by Garnishee ....

17 **SECTION 7147.** 813.16 (7) of the statutes is amended to read:

18 813.16 (7) If the person seeking the appointment of a receiver under sub. (1)  
19 is a corporation supervised by the ~~office of the commissioner~~ division of savings and  
20 loan, home loan bank board, U.S. office of thrift supervision, federal deposit  
21 insurance corporation or resolution trust corporation, the court, unless the opposing  
22 party objects, shall appoint an officer of such corporation as receiver to act without  
23 compensation and to give such bond as the court requires.

24 **SECTION 7147x.** 814.04 (intro.) of the statutes is amended to read:

1           **814.04 Items of costs.** (intro.) Except as provided in ss. 93.20, 101.22 (6) (i)  
2 and (6m) (a), 769.313, 814.025, 814.245, 895.035 (4), 895.75 (3), 895.77 (2), 895.80 (3),  
3 943.212 (2) (b), 943.245 (2) (d) and 943.51 (2) (b), when allowed costs shall be as  
4 follows:

5           **SECTION 7148c.** 814.04 (intro.) of the statutes, as affected by 1995 Wisconsin  
6 Act .... (this act), is amended to read:

7           **814.04 Items of costs.** (intro.) Except as provided in ss. 93.20, ~~101.22~~ 106.04  
8 (6) (i) and (6m) (a), 769.313, 814.025, 814.245, 895.035 (4), 895.75 (3), 895.77 (2),  
9 895.80 (3), 943.212 (2) (b), 943.245 (2) (d) and 943.51 (2) (b), when allowed costs shall  
10 be as follows:

11           **SECTION 7149.** 814.245 (2) (d) of the statutes is amended to read:

12           814.245 (2) (d) "State agency" does not include the ~~public intervenor or citizens~~  
13 utility board.

14           **SECTION 7150.** 814.29 (1) (d) 1. of the statutes is amended to read:

15           814.29 (1) (d) 1. That the person is a recipient of means-tested public  
16 assistance, including ~~without limitation~~ aid to families with dependent children,  
17 general relief funded by a relief block grant under ch. 49, relief to ~~needy Indian~~  
18 persons provided by counties under s. 59.07 (154), medical assistance, supplemental  
19 security income, food stamps or benefits received by veterans under s. 45.351 (1) or  
20 under 38 USC 501 to 562.

21           **SECTION 7151.** 814.61 (1) (a) 1. of the statutes is repealed.

22           **SECTION 7152.** 814.61 (1) (a) 2. of the statutes is renumbered 814.61 (1) (a) and  
23 amended to read:

24           814.61 (1) (a) Except as provided under pars. (c) and (d), ~~beginning with fees~~  
25 ~~imposed on September 1, 1989, and ending with fees imposed on December 31, 1995,~~

1 at the commencement of all civil actions and special proceedings not specified in ss.  
2 814.62 to 814.66, \$75. Of the fees received by the clerk under this subdivision  
3 paragraph, the county treasurer shall pay \$45 to the state treasurer for deposit in  
4 the general fund and shall retain the balance for the use of the county. The state  
5 treasurer shall credit \$15 of the \$45 to the appropriation under s. 20.680 (2) (j).

6 **SECTION 7153.** 814.61 (3) (a) of the statutes is repealed.

7 **SECTION 7154.** 814.61 (3) (b) of the statutes is renumbered 814.61 (3) and  
8 amended to read:

9 814.61 (3) THIRD-PARTY COMPLAINT. ~~Beginning with the fees imposed on~~  
10 ~~September 1, 1989, and ending with fees imposed on December 31, 1995, when~~ When  
11 any defendant files a 3rd-party complaint, the defendant shall pay a fee of \$45. The  
12 defendant shall pay only one such \$45 fee in an action. Of the fees received by the  
13 clerk under this ~~paragraph~~ subsection, the county treasurer shall pay \$25 to the  
14 state treasurer for deposit in the general fund and shall retain the balance for the  
15 use of the county. The state treasurer shall credit \$5 of the \$25 to the appropriation  
16 under s. 20.680 (2) (j).

17 **SECTION 7154r.** 814.61 (7) (a) of the statutes is amended to read:

18 814.61 (7) (a) Except as provided in par. (b), upon the filing of any petition  
19 under s. 767.32 (1) or any motion, by either party, for the revision of a judgment or  
20 order in an action affecting the family, \$30. No fee may be collected under this  
21 paragraph for any petition or motion by either party for the revision of a judgment  
22 or order involving child support, family support or maintenance if both parties have  
23 stipulated to the revision of the judgment or order. Of the fees received by the clerk  
24 under this paragraph, the county treasurer shall pay 50% to the state treasurer for  
25 deposit in the general fund and shall retain the balance for the use of the county.

**SECTION 7156**

1           **SECTION 7156.** 814.61 (8) (a) of the statutes is repealed.

2           **SECTION 7157.** 814.61 (8) (am) (intro.) of the statutes is amended to read:

3           814.61 (8) (am) (intro.) ~~Beginning with the fees imposed on September 1, 1989,~~  
4           ~~and ending with the fees imposed on December 31, 1995, on~~ On appeal from  
5           municipal court or on review of any administrative decision, including an appeal  
6           from a commission's award in a condemnation action under ch. 32:

7           **SECTION 7158.** 814.61 (8) (b) of the statutes is repealed.

8           **SECTION 7161.** 814.61 (10) of the statutes is renumbered 814.61 (10) (a) and  
9           amended to read:

10           814.61 (10) (a) ~~For~~ Except as provided in par. (b), for copies, certified or  
11           otherwise, of any document for which a specific fee is not established by this section,  
12           or for comparison and attestation of copies not provided by the clerk, \$1.25 per page.

13           **SECTION 7162.** 814.61 (10) (b) of the statutes is created to read:

14           814.61 (10) (b) For copies of any court document requested by the state public  
15           defender, other than a transcript, a fee equal to the actual, necessary and direct costs  
16           of copying.

17           **SECTION 7163.** 814.61 (13) of the statutes is amended to read:

18           814.61 (13) **SUPPORT OR MAINTENANCE PETITION.** ~~For the cost to the county of~~  
19           ~~administering s. 46.25 of court services,~~ whenever a person not receiving aid under  
20           s. 49.19, 49.46, 49.465, 49.468 or 49.47 files a petition requesting child support,  
21           maintenance or family support payments, \$10 in addition to any other fee required  
22           under this section. This subsection does not apply to a petition filed by the state or  
23           its delegate.

24           **SECTION 7164.** 814.62 (1) (a) of the statutes is repealed.

1           **SECTION 7165.** 814.62 (1) (b) of the statutes is renumbered 814.62 (1) and  
2 amended to read:

3           814.62 (1) GARNISHMENT ACTIONS. ~~Beginning with fees imposed on September~~  
4 ~~1, 1989, and ending with fees imposed on December 31, 1995, the~~ The fee for  
5 commencing a garnishment action under ch. 812, including actions under s. 799.01  
6 (1) (d) 2., is \$20. Of the fees received by the clerk under this ~~paragraph~~ subsection,  
7 the county treasurer shall pay \$12.50 to the state treasurer for deposit in the general  
8 fund and shall retain the balance for the use of the county. The state treasurer shall  
9 credit \$5 of the \$12.50 to the appropriation under s. 20.680 (2) (j).

10           **SECTION 7166.** 814.62 (3) (a) 1. of the statutes is repealed.

11           **SECTION 7167.** 814.62 (3) (a) 2. of the statutes is renumbered 814.62 (3) (a) and  
12 amended to read:

13           814.62 (3) (a) ~~Beginning with the fees imposed on September 1, 1989, and~~  
14 ~~ending with the fees imposed on December 31, 1995, in~~ In a small claims action under  
15 ch. 799, at the time of issuance of a summons or other process in a proceeding not  
16 commenced by a summons, the plaintiff shall pay to the clerk of court a fee of \$22.

17           **SECTION 7168.** 814.62 (3) (d) 1. of the statutes is repealed.

18           **SECTION 7169.** 814.62 (3) (d) 2. of the statutes is amended to read:

19           814.62 (3) (d) 2. ~~Beginning with the fees imposed on September 1, 1989, and~~  
20 ~~ending with the fees imposed on December 31, 1995, of~~ Of the fees received by the  
21 clerk under par. (a) 2., the county treasurer shall pay \$11.80 to the state treasurer  
22 for deposit in the general fund and shall retain the balance for the use of the county.  
23 The state treasurer shall credit the \$11.80 to the appropriation under s. 20.680 (2)  
24 (j).

25           **SECTION 7170.** 814.62 (3) (d) 3. of the statutes is amended to read:

**SECTION 7170**

1           814.62 (3) (d) 3. ~~Beginning with the fees imposed on September 1, 1989, and~~  
2           ~~ending with the fees imposed on December 31, 1995, of~~ Of the fees received by the  
3           clerk under par. (b), the county treasurer shall pay \$27.20 to the state treasurer for  
4           deposit in the general fund and shall retain the balance for the use of the county. The  
5           state treasurer shall credit \$10 of the \$27.20 to the appropriation under s. 20.680 (2)  
6           (j).

7           **SECTION 7171.** 814.63 (1) (a) of the statutes is repealed.

8           **SECTION 7172.** 814.63 (1) (b) of the statutes is amended to read:

9           814.63 (1) (b) ~~Beginning with the fees imposed on September 1, 1989, and~~  
10          ~~ending with the fees imposed on December 31, 1995, in~~ In all forfeiture actions in  
11          circuit court, the clerk of court shall collect a fee of \$20 to be paid by the defendant  
12          when judgment is entered against the defendant.

13          **SECTION 7172d.** 814.63 (1) (b) of the statutes, as affected by 1995 Wisconsin Act  
14          .... (this act), is amended to read:

15          “814.63 (1) (b) In all forfeiture actions in circuit court, the clerk of court shall  
16          collect a fee of ~~\$20~~ \$25 to be paid by the defendant when judgment is entered against  
17          the defendant.

18          **SECTION 7172f.** 814.63 (5) of the statutes, as affected by 1995 Wisconsin Act ....  
19          (this act), section 7174, is amended to read:

20          814.63 (5) Of the fees received by the clerk under sub. (1) (b), the county  
21          treasurer shall pay ~~\$12.50~~ \$17.50 to the state treasurer for deposit in the general  
22          fund and shall retain the balance for the use of the county. The state treasurer shall  
23          credit \$5 of the ~~\$12.50~~ \$17.50 to the appropriation under s. 20.680 (2) (j).

24          **SECTION 7173.** 814.63 (5) (a) of the statutes is repealed.

25          **SECTION 7174.** 814.63 (5) (b) of the statutes is renumbered 814.63 (5).

**SECTION 7175d**

1           **SECTION 7175d.** 814.634 (1) of the statutes is renumbered 814.634 (1) (a) and  
2 amended to read:

3           814.634 (1) (a) Except for an action for a safety belt use violation under s.  
4 347.48 (2m), the clerk of circuit court shall charge and collect a \$20 \$40 court support  
5 services fee from any person, including any governmental unit as defined in s. 108.02  
6 (17), paying a fee under s. 814.61 (1) (a), (3) or (8) (a) or (am), ~~814.62 (1), (2) or (3) (a)~~  
7 ~~or (b) or 814.63 (1). The court support services fee is in addition to the other fees listed~~  
8 ~~in this subsection.~~

9           **SECTION 7175f.** 814.634 (1) (b) of the statutes is created to read:

10          814.634 (1) (b) Notwithstanding par. (a), the clerk of circuit court shall charge  
11 and collect a \$100 court support services fee from any person, including any  
12 governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a) or  
13 (3) or 814.62 (1) or (2), if the party paying the fee seeks the recovery of money and  
14 the amount claimed exceeds the amount under s. 799.01 (1) (d).

15          **SECTION 7175h.** 814.634 (1) (c) of the statutes is created to read:

16          814.634 (1) (c) Notwithstanding par. (a), the clerk of circuit court shall charge  
17 and collect a \$30 court support services fee from any person, including any  
18 governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.62 (3) (a)  
19 or (b), or paying a fee under s. 814.61 (1) (a) or (3) or 814.62 (1) or (2) if the party  
20 paying the fee seeks the recovery of money and the amount claimed is equal to or less  
21 than the amount under s. 799.01 (1) (d).

22          **SECTION 7175k.** 814.634 (1) (d) of the statutes is created to read:

23          814.634 (1) (d) The court support services fee is in addition to the other fees  
24 listed in this subsection.

25          **SECTION 7176.** 814.635 (title) of the statutes is amended to read:

1           **814.635** (title) **Fee for automation Justice information system fee and**  
2 **special court clerks fee.**

3           **SECTION 7177.** 814.635 (1) of the statutes is amended to read:

4           814.635 (1) Except for an action for a safety belt use violation under s. 347.48  
5 (2m), the clerk of circuit court shall charge and collect a ~~\$3 court automation~~ \$5  
6 justice information system fee from any person, including any governmental unit as  
7 defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a), (3) or (8) ~~(a) or~~ (am),  
8 814.62 (1), (2) or (3) (a) or (b) or 814.63 (1). ~~The court automation~~ justice information  
9 system fee is in addition to the other fees listed in this ~~subsection~~ section.

10          **SECTION 7177d.** 814.635 (1m) of the statutes is created to read:

11          814.635 (1m) Beginning October 1, 1995, whenever the clerk of circuit court  
12 for Milwaukee County charges and collects a fee under sub. (1), he or she shall also  
13 charge and collect a \$2 special court clerks fee. The special court clerks fee is in  
14 addition to the other fees listed in sub. (1).

15          **SECTION 7178.** 814.66 (1) (h) of the statutes is renumbered 814.66 (1) (h) 1. and  
16 amended to read:

17          814.66 (1) (h) 1. ~~For~~ Except as provided in subd. 2., for copies, certified or  
18 otherwise, of records or other papers in the custody and charge of registers in  
19 probate, or for the comparison and attestation of copies not provided by the registers,  
20 \$1 per page.

21          **SECTION 7179.** 814.66 (1) (h) 2. of the statutes is created to read:

22          814.66 (1) (h) 2. For copies of any court document requested by the state public  
23 defender, other than a transcript, a fee equal to the actual, necessary and direct costs  
24 of copying.

25          **SECTION 7180.** 814.67 (1) (bg) of the statutes is created to read:

**SECTION 7180**

1           814.67 (1) (bg) For interpreters assisting the state public defender in  
2 representing an indigent in preparing for court proceedings, \$35 per one-half day.

3           **SECTION 7181.** 814.69 of the statutes is renumbered 814.69 (1) and 814.69 (1)  
4 (b), as renumbered, is amended to read:

5           814.69 (1) (b) For a transcript under s. 757.57 (5), a fee from the party  
6 requesting the transcript at the rate of \$1.75 per 25-line page for the original and  
7 60 cents per 25-line page for each copy. If the request is by the state or any political  
8 subdivision thereof, the fees of the reporter shall be at the rates provided in ~~sub. (1)~~  
9 par. (a).

10          **SECTION 7182.** 814.69 (2) of the statutes is created to read:

11          814.69 (2) Any fees collected by a court reporter whose court reporter  
12 equipment is purchased by the state under s. 758.19 (4m) shall be deposited in the  
13 state treasury and credited to the general fund.

14          **SECTION 7184.** 814.70 (6) of the statutes is renumbered 814.70 (6) (a) and  
15 amended to read:

16          814.70 (6) (a) COPIES. ~~Making~~ Except as provided in par. (b), making a copy of  
17 any bond, undertaking, summons, writ, complaint or other paper served or taken,  
18 when required by law or demanded by a party, and if not furnished by a party to the  
19 action or attorney, \$1 per page.

20          **SECTION 7185.** 814.70 (6) (b) of the statutes is created to read:

21          814.70 (6) (b) Making a copy of any bond, undertaking, summons, writ,  
22 complaint or other paper served or taken, when requested by the state public  
23 defender, a fee equal to the actual, necessary and direct costs of copying.

24          **SECTION 7186.** 815.18 (13) (a) of the statutes is amended to read:

25          815.18 (13) (a) Assistance benefits exempt under s. ~~49.41~~ 49.96.

1           **SECTION 7187.** 851.72 (2) of the statutes is amended to read:

2           851.72 (2) Keep a court record of every proceeding in the court under chs. 851  
3 to 880 under its proper title, a brief statement of the nature of the proceeding and  
4 of all papers filed therein, with the date of filing and a reference to where minute  
5 records can be found or to the microfilm or optical disk or electronic file where papers  
6 have been stored so that the court record is a complete index or brief history of each  
7 proceeding from beginning to final disposition.

8           **SECTION 7188.** 851.72 (5) of the statutes is amended to read:

9           851.72 (5) Keep an alphabetical index to the court record and the file containing  
10 the original documents or microfilm, ~~or~~ optical disk, or electronic copies thereof.

11           **SECTION 7189.** 853.09 (2) of the statutes is amended to read:

12           853.09 (2) DUTY OF REGISTER IN PROBATE. The register in probate shall issue a  
13 receipt for the deposit of the will and shall maintain a registry of all wills deposited.  
14 The original will, unless withdrawn under sub. (3) or opened in accordance with s.  
15 856.03 after death of the testator, shall be kept on file for the period provided in SCR  
16 chapter 72; thereafter the register may either retain the original will or open the  
17 envelope, copy or reproduce the will for confidential record storage purposes by  
18 microfilm, optical disk, electronic format or other method of comparable  
19 retrievability and destroy the original. If satisfactorily identified, the reproduction  
20 is admissible in court for probate or any other purpose the same as the original  
21 document. Wills deposited with the county judge under s. 238.15, 1967 stats., shall  
22 be transferred to the register in probate and become subject to this section.

23           **SECTION 7190.** 859.02 (2) (a) of the statutes is amended to read:

24           859.02 (2) (a) It is a claim based on tort, on a marital property agreement that  
25 is subject to the time limitations under s. 766.58 (13) (b) or (c), on Wisconsin income,

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1 franchise, sales, withholding, gift or death taxes, or on unemployment compensation  
2 contributions due or benefits overpaid, a claim for funeral or administrative  
3 expenses, a claim of this state under s. 49.496 or a claim of the United States; or

4 **SECTION 7190b.** 859.02 (2) (a) of the statutes, as affected by 1995 Wisconsin Act  
5 .... (this act), section 7190, is amended to read:

6 859.02 (2) (a) It is a claim based on tort, on a marital property agreement that  
7 is subject to the time limitations under s. 766.58 (13) (b) or (c), on Wisconsin income,  
8 franchise, sales, withholding, gift or death taxes, or on unemployment compensation  
9 contributions due or benefits overpaid, a claim for funeral or administrative  
10 expenses, a claim of this state under s. 49.482 or 49.496 or a claim of the United  
11 States; or

12 **SECTION 7190bm.** 859.02 (2) (a) of the statutes, as affected by 1995 Wisconsin  
13 Act .... (this act), sections 7190 and 7190b, is amended to read:

14 859.02 (2) (a) It is a claim based on tort, on a marital property agreement that  
15 is subject to the time limitations under s. 766.58 (13) (b) or (c), on Wisconsin income,  
16 franchise, sales, withholding, gift or death taxes, or on unemployment compensation  
17 contributions due or benefits overpaid, a claim for funeral or administrative  
18 expenses, a claim of this state under s. 46.27 (7g), 49.482 or 49.496 or a claim of the  
19 United States; or

20 **SECTION 7190c.** 859.02 (2) (a) of the statutes, as affected by 1995 Wisconsin Act  
21 .... (this act), sections 7190, 7190b and 7190bm, is amended to read:

22 859.02 (2) (a) It is a claim based on tort, on a marital property agreement that  
23 is subject to the time limitations under s. 766.58 (13) (b) or (c), on Wisconsin income,  
24 franchise, sales, withholding, gift or death taxes, or on unemployment compensation  
25 contributions due or benefits overpaid, a claim for funeral or administrative

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1 expenses, a claim of this state under s. 46.27 (7g), ~~49.482 or 49.496~~ or 49.682 or a  
2 claim of the United States; or

3 **SECTION 7191b.** 859.07 (2) of the statutes is amended to read:

4 859.07 (2) If the decedent was at the time of death or at any time prior thereto  
5 a patient or inmate of any state or county hospital or institution or any person  
6 responsible for any obligation owing to the state or county under s. 46.03 (18), 46.10  
7 or 48.36 or if the decedent or the spouse of the decedent ever received medical  
8 assistance under ss. 49.45 to 49.47 or aid under s. 49.48, 49.483 or 49.485, the  
9 personal representative shall send notice in writing of the date set under s. 859.01  
10 by registered or certified mail to the department of health and social services or the  
11 department of corrections, as applicable, and the county clerk of the applicable  
12 county not less than 30 days before the date set under s. 859.01, upon such blanks  
13 and containing such information as the applicable department or county clerk may  
14 provide. The applicable county is the county of residence, as defined in s. 49.01 (8g).

15 **SECTION 7191bm.** 859.07 (2) of the statutes, as affected by 1995 Wisconsin Act  
16 .... (this act), section 7191b, is amended to read:

17 859.07 (2) If the decedent was at the time of death or at any time prior thereto  
18 a patient or inmate of any state or county hospital or institution or any person  
19 responsible for any obligation owing to the state or county under s. 46.03 (18), 46.10  
20 or 48.36 or if the decedent or the spouse of the decedent ever received medical  
21 assistance under ss. 49.45 to 49.47, long-term community support services funded  
22 under s. 46.27 (7) or aid under s. 49.48, 49.483 or 49.485, the personal representative  
23 shall send notice in writing of the date set under s. 859.01 by registered or certified  
24 mail to the department of health and social services or the department of corrections,  
25 as applicable, and the county clerk of the applicable county not less than 30 days

1 before the date set under s. 859.01, upon such blanks and containing such  
2 information as the applicable department or county clerk may provide. The  
3 applicable county is the county of residence, as defined in s. 49.01 (8g).

4 **SECTION 7191c.** 859.07 (2) of the statutes, as affected by 1995 Wisconsin Act  
5 .... (this act), sections 7191b and 7191bm, is amended to read:

6 859.07 (2) If the decedent was at the time of death or at any time prior thereto  
7 a patient or inmate of any state or county hospital or institution or any person  
8 responsible for any obligation owing to the state or county under s. 46.03 (18), 46.10  
9 or 48.36 or if the decedent or the spouse of the decedent ever received medical  
10 assistance under ~~ss. 49.45 to 49.47~~ subch. IV of ch. 49, long-term community support  
11 services funded under s. 46.27 (7) or aid under s. ~~49.48, 49.483 or 49.485~~ 49.68, 49.683  
12 or 49.685, the personal representative shall send notice in writing of the date set  
13 under s. 859.01 by registered or certified mail to the department of health and social  
14 services or the department of corrections, as applicable, and the county clerk of the  
15 applicable county not less than 30 days before the date set under s. 859.01, upon such  
16 blanks and containing such information as the applicable department or county  
17 clerk may provide. The applicable county is the county of residence, as defined in s.  
18 ~~49.01 (8g)~~ 49.001 (6).

19 **SECTION 7193b.** 867.01 (3) (a) 4. of the statutes, as affected by 1993 Wisconsin  
20 Act 437, is amended to read:

21 867.01 (3) (a) 4. Whether the decedent or the decedent's spouse received  
22 medical assistance under ss. 49.45 to 49.47 or aid under s. 49.48, 49.483 or 49.485.

23 **SECTION 7193bm.** 867.01 (3) (a) 4. of the statutes, as affected by 1993  
24 Wisconsin Act 437 and 1995 Wisconsin Act .... (this act), section 7193b, is amended  
25 to read:

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7193bm**

1           867.01 (3) (a) 4. Whether the decedent or the decedent's spouse received  
2           medical assistance under ss. 49.45 to 49.47, long-term community support services  
3           funded under s. 46.27 (7) or aid under s. 49.48, 49.483 or 49.485.

4           **SECTION 7193c.** 867.01 (3) (a) 4. of the statutes, as affected by 1993 Wisconsin  
5           Act 437 and 1995 Wisconsin Act .... (this act), sections 7193b and 7193bm, is amended  
6           to read:

7           867.01 (3) (a) 4. Whether the decedent or the decedent's spouse received  
8           medical assistance under ss. ~~49.45 to 49.47~~ subch. IV of ch. 49, long-term community  
9           support services funded under s. 46.27 (7) or aid under s. ~~49.48, 49.483 or 49.485~~  
10          49.68, 49.683 or 49.685.

11          **SECTION 7194b.** 867.01 (3) (d) of the statutes, as affected by 1993 Wisconsin Act  
12          437, is amended to read:

13          867.01 (3) (d) *Notice.* The court may hear the matter without notice or order  
14          notice to be given under s. 879.03. If the decedent or the decedent's spouse received  
15          medical assistance under ss. 49.45 to 49.47 or aid under s. 49.48, 49.483 or 49.485,  
16          the petitioner shall give notice by certified mail to the department of health and  
17          social services as soon as practicable after filing the petition with the court.

18          **SECTION 7194bm.** 867.01 (3) (d) of the statutes, as affected by 1993 Wisconsin  
19          Act 437 and 1995 Wisconsin Act .... (this act), section 7194b, is amended to read:

20          867.01 (3) (d) *Notice.* The court may hear the matter without notice or order  
21          notice to be given under s. 879.03. If the decedent or the decedent's spouse received  
22          medical assistance under ss. 49.45 to 49.47, long-term community support services  
23          funded under s. 46.27 (7) or aid under s. 49.48, 49.483 or 49.485, the petitioner shall  
24          give notice by certified mail to the department of health and social services as soon  
25          as practicable after filing the petition with the court.

**SECTION 7194c**

1           **SECTION 7194c.** 867.01 (3) (d) of the statutes, as affected by 1993 Wisconsin Act  
2 437 and 1995 Wisconsin Act .... (this act), sections 7194b and 7194bm, is amended  
3 to read:

4           867.01 (3) (d) *Notice.* The court may hear the matter without notice or order  
5 notice to be given under s. 879.03. If the decedent or the decedent's spouse received  
6 medical assistance under ~~ss. 49.45 to 49.47~~ subch. IV of ch. 49, long-term community  
7 support services funded under s. 46.27 (7) or aid under s. 49.48, ~~49.483 or 49.485~~  
8 49.68, 49.683 or 49.685, the petitioner shall give notice by certified mail to the  
9 department of health and social services as soon as practicable after filing the  
10 petition with the court.

11           **SECTION 7195b.** 867.02 (2) (a) 6. of the statutes, as affected by 1993 Wisconsin  
12 Act 437, is amended to read:

13           867.02 (2) (a) 6. Whether the decedent or the decedent's spouse received  
14 medical assistance under ss. 49.45 to 49.47 or aid under s. 49.48, 49.483 or 49.485.

15           **SECTION 7195bm.** 867.02 (2) (a) 6. of the statutes, as affected by 1993  
16 Wisconsin Act 437 and 1995 Wisconsin Act .... (this act), section 7195b, is amended  
17 to read:

18           867.02 (2) (a) 6. Whether the decedent or the decedent's spouse received  
19 medical assistance under ss. 49.45 to 49.47, long-term community support services  
20 funded under s. 46.27 (7) or aid under s. 49.48, 49.483 or 49.485.

21           **SECTION 7195c.** 867.02 (2) (a) 6. of the statutes, as affected by 1993 Wisconsin  
22 Act 437 and 1995 Wisconsin Act .... (this act), sections 7195b and 7195bm, is amended  
23 to read:

24           867.02 (2) (a) 6. Whether the decedent or the decedent's spouse received  
25 medical assistance under ~~ss. 49.45 to 49.47~~ subch. IV of ch. 49, long-term community

**SECTION 7195c**

1 support services funded under s. 46.27 (7) or aid under s. ~~49.48, 49.483 or 49.485~~  
2 49.68, 49.683 or 49.685.

3 **SECTION 7196.** 867.02 (2) (g) of the statutes is amended to read:

4 867.02 (2) (g) *Order*. If the court is satisfied that the estate may be settled by  
5 this section, after filing of the petition and proof of the will and after 30 days have  
6 elapsed since publication under par. (d), it shall decide all claims and assign the  
7 property to the creditors and persons interested who are entitled to it. The  
8 assignment shall be subject to the unknown rights of creditors or persons interested  
9 in the estate as limited in sub. (4). The court shall order any person indebted to or  
10 holding money or other property of the decedent to pay the indebtedness or deliver  
11 the property to the persons found to be entitled to receive it. It shall order the  
12 transfer of interests in real estate, stocks or bonds registered in the name of the  
13 decedent, the title of a licensed motor vehicle or any other form of property. If the  
14 decedent immediately prior to death had an estate for life or an interest as a joint  
15 tenant in any property in regard to which a certificate of termination under s. 867.04  
16 has not been issued, the order shall set forth the termination of the life estate or the  
17 right of survivorship of any joint tenant. Every tract of real property in which an  
18 interest is assigned or terminated or which is security for a debt in which an interest  
19 is assigned or terminated shall be specifically described.

20 **SECTION 7197b.** 867.03 (1) (c) of the statutes, as affected by 1993 Wisconsin Act  
21 437, is amended to read:

22 867.03 (1) (c) Whether the decedent or the decedent's spouse ever received  
23 medical assistance under ss. 49.45 to 49.47 or aid under s. 49.48, 49.483 or 49.485.

24 **SECTION 7197bm.** 867.03 (1) (c) of the statutes, as affected by 1993 Wisconsin  
25 Act 437 and 1995 Wisconsin Act ... (this act), section 7197b, is amended to read:

1           867.03 (1) (c) Whether the decedent or the decedent's spouse ever received  
2           medical assistance under ss. 49.45 to 49.47, long-term community support services  
3           funded under s. 46.27 (7) or aid under s. 49.48, 49.483 or 49.485.

4           **SECTION 7197c.** 867.03 (1) (c) of the statutes, as affected by 1993 Wisconsin Act  
5           437 and 1995 Wisconsin Act .... (this act), sections 7197b and 7197bm, is amended  
6           to read:

7           867.03 (1) (c) Whether the decedent or the decedent's spouse ever received  
8           medical assistance under ss. ~~49.45 to 49.47~~ subch. IV of ch. 49, long-term community  
9           support services funded under s. 46.27 (7) or aid under s. ~~49.48, 49.483 or 49.485~~  
10          49.68, 49.683 or 49.685.

11          **SECTION 7198b.** 867.03 (1m) (a) of the statutes, as affected by 1993 Wisconsin  
12          Act 437, is amended to read:

13          867.03 (1m) (a) Whenever an heir intends to transfer a decedent's property by  
14          affidavit under sub. (1) and the decedent or the decedent's spouse ever received  
15          medical assistance under ss. 49.45 to 49.47 or aid under s. 49.48, 49.483 or 49.485,  
16          the heir shall give notice to the department of health and social services of his or her  
17          intent. The notice shall include the information in the affidavit under sub. (1) and  
18          the heir shall give the notice by certified mail, return receipt requested.

19          **SECTION 7198bm.** 867.03 (1m) (a) of the statutes, as affected by 1993 Wisconsin  
20          Act 437 and 1995 Wisconsin Act .... (this act), section 7198b, is amended to read:

21          867.03 (1m) (a) Whenever an heir intends to transfer a decedent's property by  
22          affidavit under sub. (1) and the decedent or the decedent's spouse ever received  
23          medical assistance under ss. 49.45 to 49.47, long-term community support services  
24          funded under s. 46.27 (7) or aid under s. 49.48, 49.483 or 49.485, the heir shall give  
25          notice to the department of health and social services of his or her intent. The notice

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7198bm**

1 shall include the information in the affidavit under sub. (1) and the heir shall give  
2 the notice by certified mail, return receipt requested.

3 **SECTION 7198c.** 867.03 (1m) (a) of the statutes, as affected by 1993 Wisconsin  
4 Act 437 and 1995 Wisconsin Act .... (this act), sections 7198b and 7198bm, is amended  
5 to read:

6 867.03 **(1m)** (a) Whenever an heir intends to transfer a decedent's property by  
7 affidavit under sub. (1) and the decedent or the decedent's spouse ever received  
8 medical assistance under ~~ss. 49.45 to 49.47~~ subch. IV of ch. 49, long-term community  
9 support services funded under s. 46.27 (7) or aid under s. ~~49.48, 49.483 or 49.485~~  
10 49.68, 49.683 or 49.685, the heir shall give notice to the department of health and  
11 social services of his or her intent. The notice shall include the information in the  
12 affidavit under sub. (1) and the heir shall give the notice by certified mail, return  
13 receipt requested.

14 **SECTION 7199b.** 867.03 (1m) (b) of the statutes, as affected by 1993 Wisconsin  
15 Act 437, is amended to read:

16 867.03 **(1m)** (b) An heir who files an affidavit under sub. (1) that states that  
17 the decedent or the decedent's spouse received medical assistance under ss. 49.45 to  
18 49.47 or aid under s. 49.48, 49.483 or 49.485 shall attach to the affidavit the proof  
19 of mail delivery of the notice required under par. (a) showing a delivery date that is  
20 not less than 10 days before the day on which the heir files the affidavit.

21 **SECTION 7199bm.** 867.03 (1m) (b) of the statutes, as affected by 1993 Wisconsin  
22 Act 437 and 1995 Wisconsin Act .... (this act), section 7199b, is amended to read:

23 867.03 **(1m)** (b) An heir who files an affidavit under sub. (1) that states that  
24 the decedent or the decedent's spouse received medical assistance under ss. 49.45 to  
25 49.47, long-term community support services funded under s. 46.27 (7) or aid under

1 s. 49.48, 49.483 or 49.485 shall attach to the affidavit the proof of mail delivery of the  
2 notice required under par. (a) showing a delivery date that is not less than 10 days  
3 before the day on which the heir files the affidavit.

4 **SECTION 7199c.** 867.03 (1m) (b) of the statutes, as affected by 1993 Wisconsin  
5 Act 437 and 1995 Wisconsin Act .... (this act), sections 7199b and 7199bm, is amended  
6 to read:

7 867.03 **(1m)** (b) An heir who files an affidavit under sub. (1) that states that  
8 the decedent or the decedent's spouse received medical assistance under ~~ss. 49.45 to~~  
9 ~~49.47~~ subch. IV of ch. 49, long-term community support services funded under s.  
10 46.27 (7) or aid under s. ~~49.48, 49.483 or 49.485~~ 49.68, 49.683 or 49.685 shall attach  
11 to the affidavit the proof of mail delivery of the notice required under par. (a) showing  
12 a delivery date that is not less than 10 days before the day on which the heir files the  
13 affidavit.

14 **SECTION 7199y.** 867.035 (title) of the statutes is amended to read:

15 **867.035 (title) Transfer by affidavit; recipients of medical assistance**  
16 **certain benefits.**

17 **SECTION 7200.** 867.035 (1) (intro.) of the statutes, as affected by 1993 Wisconsin  
18 Act 437, is amended to read:

19 867.035 **(1)** (intro.) The department of health and social services may collect  
20 from the funds property; except interests in or liens on real property; wearing  
21 apparel; jewelry; household furniture, furnishings and appliances; motor vehicles  
22 and recreational vehicles; of a decedent by affidavit under this section an amount  
23 equal to the medical assistance that is recoverable under s. 49.496 (3) (a) and that  
24 was paid on behalf of the decedent or the decedent's spouse, if all of the following  
25 conditions are satisfied:

**SECTION 7200b**

1           **SECTION 7200b.** 867.035 (1) (intro.) of the statutes, as affected by 1993  
2           Wisconsin Act 437 and 1995 Wisconsin Act .... (this act), section 7200, is amended to  
3           read:

4           867.035 (1) (intro.) The department of health and social services may collect  
5           from the property; except interests in or liens on real property; wearing apparel;  
6           jewelry; household furniture, furnishings and appliances; motor vehicles and  
7           recreational vehicles; of a decedent by affidavit under this section an amount equal  
8           to the medical assistance that is recoverable under s. 49.496 (3) (a) or the aid under  
9           s. 49.48, 49.483 or 49.485 that is recoverable under s. 49.482 (2) (a) and that was paid  
10          on behalf of the decedent or the decedent's spouse, if all of the following conditions  
11          are satisfied:

12          **SECTION 7200bm.** 867.035 (1) (intro.) of the statutes, as affected by 1993  
13          Wisconsin Act 437 and 1995 Wisconsin Act .... (this act), sections 7200 and 7200b, is  
14          amended to read:

15          867.035 (1) (intro.) The department of health and social services may collect  
16          from the property; except interests in or liens on real property; wearing apparel;  
17          jewelry; household furniture, furnishings and appliances; motor vehicles and  
18          recreational vehicles; of a decedent by affidavit under this section an amount equal  
19          to the medical assistance that is recoverable under s. 49.496 (3) (a), the long-term  
20          community support services under s. 46.27 that is recoverable under s. 46.27 (7g) (c)  
21          1. or the aid under s. 49.48, 49.483 or 49.485 that is recoverable under s. 49.482 (2)  
22          (a) and that was paid on behalf of the decedent or the decedent's spouse, if all of the  
23          following conditions are satisfied:

**SECTION 7200c**

1           **SECTION 7200c.** 867.035 (1) (intro.) of the statutes, as affected by 1993  
2 Wisconsin Act 437 and 1995 Wisconsin Act .... (this act), sections 7200, 7200b and  
3 7200bm, is amended to read:

4           867.035 (1) (intro.) The department of health and social services may collect  
5 from the property; except interests in or liens on real property; wearing apparel;  
6 jewelry; household furniture, furnishings and appliances; motor vehicles and  
7 recreational vehicles; of a decedent by affidavit under this section an amount equal  
8 to the medical assistance that is recoverable under s. 49.496 (3) (a), the long-term  
9 community support services under s. 46.27 that is recoverable under s. 46.27 (7g) (c)  
10 1. or the aid under s. 49.48, ~~49.483 or 49.485~~ 49.68, 49.683 or 49.685 that is  
11 recoverable under s. ~~49.482~~ 49.682 (2) (a) and that was paid on behalf of the decedent  
12 or the decedent's spouse, if all of the following conditions are satisfied:

13           **SECTION 7201.** 867.035 (1) (c) of the statutes is repealed.

14           **SECTION 7202.** 867.035 (1) (d) of the statutes is amended to read:

15           867.035 (1) (d) The value of the solely owned property in this state left by the  
16 decedent, after payment of burial costs, does not exceed \$10,000 the amount under  
17 s. 867.03 (1) (intro.).

18           **SECTION 7203.** 867.035 (2) of the statutes is amended to read:

19           867.035 (2) A person ~~possessing funds~~ who possesses property of a decedent  
20 shall ~~pay~~ transmit the ~~funds~~ property to the department of health and social services  
21 upon receipt of an affidavit by a person designated by the secretary of health and  
22 social services to administer this section showing that the conditions in sub. (1) are  
23 satisfied. Upon ~~payment~~ transmittal, the person is released from any obligation to  
24 other creditors or heirs of the decedent. ~~The department of health and social services~~  
25 ~~shall provide a copy of the affidavit to the department of revenue.~~

**SECTION 7204**

1           **SECTION 7204.** 867.035 (3) of the statutes is amended to read:

2           867.035 (3) If a person has a valid claim against the decedent's estate that  
3 would have a higher priority under s. 859.25 (1) if the estate were administered than  
4 the department of health and social services would have under s. 859.25 (1) (e) and  
5 the person demands payment in writing within one year of the date on which the  
6 ~~funds were collected by~~ property was transmitted to the department, the department  
7 shall pay to the person the ~~amount~~ value of the property collected under sub. (2) or  
8 the amount of the claim, whichever is less. The department of ~~health and social~~  
9 ~~services shall notify the department of revenue of a payment under this subsection~~  
10 may authorize any person who possesses property of the decedent to honor higher  
11 priority claims with the decedent's property before transmitting property to the  
12 department.

13           **SECTION 7205.** 867.035 (4) of the statutes is amended to read:

14           867.035 (4) From the appropriation under s. 20.435 (1) (im), the department  
15 of health and social services shall pay claims under sub. (3), shall pay to the federal  
16 government ~~the amount of the funds from the amount~~ recovered under this section  
17 and not paid out as claims under sub. (3) an amount equal to the amount of federal  
18 funds used to pay the benefits recovered under this section ~~that are not paid out as~~  
19 ~~claims under sub. (3)~~ and shall spend the remainder of the funds amount recovered  
20 under this section for medical assistance benefits administered under s. 49.45.

21           **SECTION 7206b.** 867.035 (4) of the statutes, as affected by 1995 Wisconsin Act  
22 .... (this act), section 7205, is amended to read:

23           867.035 (4) From the appropriation under s. 20.435 (1) (im), with respect to  
24 funds collected by the department under sub. (1) related to medical assistance paid  
25 on behalf of the decedent or the decedent's spouse, the department of health and

**SECTION 7206b**

1 social services shall pay claims under sub. (3), shall pay to the federal government  
2 from the amount recovered under this section and not paid out as claims under sub.  
3 (3) an amount equal to the amount of federal funds used to pay the benefits recovered  
4 under this section and shall spend the remainder of the amount recovered under this  
5 section for medical assistance benefits administered under s. 49.45.

6 **SECTION 7206c.** 867.035 (4) of the statutes, as affected by 1995 Wisconsin Act  
7 .... (this act), sections 7205 and 7206b, is amended to read:

8 867.035 (4) From the appropriation under s. 20.435 (1) (im), with respect to  
9 funds collected by the department under sub. (1) related to medical assistance paid  
10 on behalf of the decedent or the decedent's spouse, the department of health and  
11 social services shall pay claims under sub. (3), shall pay to the federal government  
12 from the amount recovered under this section and not paid out as claims under sub.  
13 (3) an amount equal to the amount of federal funds used to pay the benefits recovered  
14 under this section and shall spend the remainder of the amount recovered under this  
15 section for medical assistance benefits administered under ~~s. 49.45~~ subch. IV of ch.  
16 49.

17 **SECTION 7206g.** 867.035 (4m) of the statutes is created to read:

18 867.035 (4m) From the appropriation under s. 20.435 (7) (im), with respect to  
19 funds collected by the department under sub. (1) related to long-term community  
20 support services funded under s. 46.27 (7) paid on behalf of the decedent or the  
21 decedent's spouse, the department of health and social services shall pay claims  
22 under sub. (3) and shall spend the remainder of the funds recovered under this  
23 section for long-term community support services funded under s. 46.27 (7).

24 **SECTION 7206m.** 880.195 of the statutes is amended to read:

**SECTION 7206m**

1           **880.195 Transfer of Menominees guardianship funds to trust.** The  
2 circuit court which has appointed a guardian of the estate of any minor or  
3 incompetent who is a member of the Menominee Indian tribe as defined in s. ~~49.085~~  
4 49.385 or a lawful distributee thereof may direct the guardian to transfer the assets  
5 of the minor or incompetent in the guardian's possession to the trustees of the trust  
6 created by the secretary of interior or his or her delegate which receives property of  
7 the minors or incompetents transferred from the United States or any agency thereof  
8 as provided by P.L. 83-399, as amended, and the assets shall thereafter be held,  
9 administered and distributed in accordance with the terms and conditions of the  
10 trust.

11           **SECTION 7206n.** 880.331 (8) of the statutes is amended to read:

12           880.331 (8) COMPENSATION. On order of the court, the guardian ad litem  
13 appointed under this chapter shall be allowed reasonable compensation to be paid  
14 by the county of venue, unless the court otherwise directs. If the court orders a county  
15 to pay the compensation of the guardian ad litem, the amount ordered may not  
16 exceed the compensation paid to private attorneys under s. 977.08 (4m) (b).

17           **SECTION 7207.** 885.37 (4) (a) 1. of the statutes is amended to read:

18           885.37 (4) (a) 1. In the supreme court or the court of appeals, the state director  
19 of state courts shall pay the expense.

20           **SECTION 7208.** 885.37 (4) (a) 2. of the statutes is amended to read:

21           885.37 (4) (a) 2. In circuit court, the state director of state courts shall pay the  
22 expense.

23           **SECTION 7209.** 885.37 (4) (a) 2m. of the statutes is created to read:

1           885.37 (4) (a) 2m. To assist the state public defender in representing an  
2 indigent in preparing for court proceedings, the state public defender shall pay the  
3 expense.

4           **SECTION 7210.** 887.23 (1) of the statutes is amended to read:

5           887.23 (1) WHO MAY REQUIRE. The department of health and social services, the  
6 department of corrections, the ~~state superintendent~~ department of education or the  
7 board of regents of the university of Wisconsin system may order the deposition of  
8 any witness to be taken concerning any institution under his, her or its government  
9 or superintendence, or concerning the conduct of any officer or agent thereof, or  
10 concerning any matter relating to the interests thereof. Upon presentation of a  
11 certified copy of such order to any municipal judge, notary public or court  
12 commissioner, the officer shall take the desired deposition in the manner provided  
13 for taking depositions to be used in actions. When any officer or agent of any  
14 institution is concerned and will be affected by the testimony, 2 days' written notice  
15 of the time and place of taking the deposition shall be given him or her. Any party  
16 interested may appear in person or by counsel and examine the witness touching the  
17 matters mentioned in the order. The deposition, duly certified, shall be delivered to  
18 the authority which ordered it.

19           **SECTION 7211.** 889.29 (1) of the statutes is amended to read:

20           889.29 (1) If any business, institution or member of a profession or calling in  
21 the regular course of business or activity has kept or recorded any memorandum,  
22 writing, entry, print, representation or combination thereof, of any act, transaction,  
23 occurrence or event, and in the regular course of business has caused any or all of the  
24 same to be recorded, copied or reproduced by any photographic, photostatic,  
25 microfilm, microcard, miniature photographic, or other process which accurately

1 reproduces or forms a durable medium for so reproducing the original, or to be  
2 recorded on an optical disk or in electronic format, the original may be destroyed in  
3 the regular course of business, unless its preservation is required by law. Such  
4 reproduction or optical disk record, when reduced to comprehensible format and  
5 when satisfactorily identified, is as admissible in evidence as the original itself in any  
6 judicial or administrative proceeding whether the original is in existence or not and  
7 an enlargement or facsimile of such reproduction of a record or an enlarged copy of  
8 a record generated from an original record stored in optical disk or electronic format  
9 is likewise admissible in evidence if the original reproduction is in existence and  
10 available for inspection under direction of court. The introduction of a reproduced  
11 record, enlargement or facsimile, does not preclude admission of the original.

12 **SECTION 7212b.** 891.20 of the statutes is amended to read:

13 **891.20 Articles of incorporation, presumptions.** Any charter or patent of  
14 incorporation which shall have been issued by the governor ~~or~~, secretary of state or  
15 department of financial institutions, or ~~both~~ by any combination, to any corporation  
16 under any law of the state; any certificate of organization or association of any  
17 corporation or joint stock company; the articles of organization of a limited liability  
18 company; the articles of association or organization of any corporation, or a certified  
19 copy thereof, which shall have been filed or recorded in the office of the secretary of  
20 state or with the department of financial institutions, or recorded in the office of any  
21 register of deeds or filed or recorded in the office of any clerk of the circuit court under  
22 any law of the state; any certificate or resolution for the purpose of amendment, and  
23 every amendment in any form, of the charter, patent, certificate or articles of  
24 association or organization or of the name, corporate powers or purposes of any  
25 corporation or limited liability company, filed or recorded in either any of ~~said~~ the

1 departments or offices and a certified copy of any such document so filed or recorded  
2 shall be received as conclusive evidence of the existence of the corporation, limited  
3 liability company or joint stock company mentioned therein, or of the due  
4 amendment of the charter, patent, certificate or articles of association or  
5 organization thereof in all cases where such facts are only collaterally involved; and  
6 as presumptive evidence thereof and of the facts therein stated in all other cases.

7 **SECTION 7212m.** 891.39 (1) (b) of the statutes is amended to read:

8 891.39 (1) (b) In actions affecting the family, in which the question of paternity  
9 is raised, and in paternity proceedings, the court, upon being satisfied that the  
10 parties to the action are unable to adequately compensate any such guardian ad  
11 litem for the guardian ad litem's services and expenses, shall then make an order  
12 specifying the guardian's compensation and expenses, which compensation and  
13 expenses shall be paid as provided in s. 967.06. If the court orders a county to pay  
14 the compensation of the guardian ad litem, the amount ordered may not exceed the  
15 compensation paid to private attorneys under s. 977.08 (4m) (b).

16 **SECTION 7213b.** 893.19 (1) of the statutes is amended to read:

17 893.19 (1) If a person is out of this state when the cause of action accrues  
18 against the person an action may be commenced within the terms of this chapter  
19 respectively limited after the person returns or removes to this state. But the  
20 foregoing provision shall not apply to any case where, at the time the cause of action  
21 accrues, neither the party against nor the party in favor of whom the same accrues  
22 is a resident of this state; and if, after a cause of action accrues against any person,  
23 he or she departs from and resides out of this state the time of absence is not any part  
24 of the time limited for the commencement of an action; provided, that no foreign  
25 corporation which files with the ~~secretary of state~~ department of financial

**SECTION 7213b**

1 institutions, or any other state official or body, pursuant to the requirements of any  
2 applicable statute of this state, an instrument appointing a registered agent as  
3 provided in ch. 180, a resident or any state official or body of this state, its attorney  
4 or agent, on whom, pursuant to such instrument or any applicable statute, service  
5 of process may be made in connection with such cause of action, is deemed a person  
6 out of this state within the meaning of this section for the period during which such  
7 appointment is effective, excluding from such period the time of absence from this  
8 state of any registered agent, resident agent or attorney so appointed who departs  
9 from and resides outside of this state.

10 **SECTION 7214.** 893.925 (2) (a) of the statutes is amended to read:

11 893.925 (2) (a) An action to recover damages for mining-related injuries under  
12 s. 107.32 shall be brought within 3 years of the date on which the death or injury  
13 occurs unless the department of ~~industry, labor and human relations~~ development  
14 gives written notice within the time specified in this subsection that a claim has been  
15 filed with it under sub. (1), in which case an action based on the claim may be brought  
16 against the person to whom the notice is given within one year after the final  
17 resolution, including any appeal, of the claim or within the time specified in this  
18 subsection, whichever is longer.

19 **SECTION 7215.** 895.437 (1) (c) of the statutes is amended to read:

20 895.437 (1) (c) "Lodging establishment" has the meaning given in s. ~~101.22~~  
21 106.04 (1m) (n).

22 **SECTION 7215m.** 895.52 (6) (d) 3. of the statutes is amended to read:

23 895.52 (6) (d) 3. Property within 300 feet of a building or structure on land that  
24 is classified as ~~mereantile~~ commercial or manufacturing under s. 70.32 (2) ~~(b)~~ (a) 2.  
25 or 3.

1           **SECTION 7223.** 895.65 (1) (c) of the statutes is amended to read:

2           895.65 (1) (c) "Governmental unit" means any association, authority, board,  
3 commission, department, independent agency, institution, office, society or other  
4 body in state government created or authorized to be created by the constitution or  
5 any law, including the legislature, the office of the governor and the courts.  
6 "Governmental unit" does not mean the University of Wisconsin Hospitals and  
7 Clinics Authority or any political subdivision of the state or body within one or more  
8 political subdivisions which is created by law or by action of one or more political  
9 subdivisions.

10           **SECTION 7223m.** 895.80 of the statutes is created to read:

11           **895.80 Property damage or loss.** (1) Any person who suffers damage or loss  
12 by reason of conduct that occurs on or after November 1, 1995, and that is prohibited  
13 under s. 943.01, 943.20, 943.21, 943.24, 943.26, 943.34, 943.395, 943.41, 943.50 or  
14 943.61 has a cause of action against the person who caused the damage or loss.

15           (2) The burden of proof in a civil action under sub. (1) is with the person who  
16 suffers damage or loss to prove his or her case by a preponderance of the credible  
17 evidence.

18           (3) If the plaintiff prevails in a civil action under sub. (1), he or she may recover  
19 all of the following:

20           (a) Treble damages.

21           (b) All costs of investigation and litigation that were reasonably incurred.

22           (4) A person may bring a civil action under sub. (1) regardless of whether there  
23 has been a criminal action related to the loss or damage under sub. (1) and regardless  
24 of the outcome of any such criminal action.

1           (5) No person may bring a cause of action under both this section and s.  
2           943.212, 943.245 or 943.51 regarding the same incident or occurrence. If the plaintiff  
3           has a cause of action under both this section and s. 943.212, 943.245 or 943.51  
4           regarding the same incident or occurrence, the plaintiff may choose which action to  
5           bring.

6           **SECTION 7225.** 905.15 (1) of the statutes is amended to read:

7           905.15 (1) An employe of the department of health and social services, the  
8           department of industry, labor and human relations or a county department under s.  
9           46.215, 46.22 or 46.23 or a member of a governing body of a federally recognized  
10          American Indian tribe who is authorized by federal law to have access to or  
11          awareness of the federal tax return information of another in the performance of  
12          duties under s. 49.19 or 49.45 or 7 USC 2011 to 2049 may claim privilege to refuse  
13          to disclose the information and the source or method by which he or she received or  
14          otherwise became aware of the information.

15          **SECTION 7225m.** 939.615 of the statutes is created to read:

16          **939.615 Restriction on penalty for certain first offenders charged with**  
17          **misdemeanors.** (1) Regardless of whether a misdemeanor authorizes a penalty of  
18          imprisonment, the penalty for a misdemeanor is the fine and any penalties, other  
19          than imprisonment, authorized by law for that misdemeanor if, at the time of the  
20          alleged violation, the defendant had not previously been convicted of any state or  
21          federal crime.

22          (2) Subsection (1) does not apply to any of the following:

23          (a) Any misdemeanor violation under ch. 161, 940, 941 or 948.

24          (ag) Any violation of s. 813.12 (8) (a).

1 (ah) Any misdemeanor arising out of an arrest for a domestic abuse incident  
2 under s. 968.075.

3 (b) Any misdemeanor that requires the imposition of a minimum sentence of  
4 imprisonment.

5 (c) Any misdemeanor for which the only penalty is a sentence of imprisonment.

6 (d) Any case in which the prosecutor elects to proceed under s. 967.052 (2).

7 **(2m)** If a person is convicted of a misdemeanor to which sub. (1) applies, a court  
8 may not place the person on probation but may place the person on community  
9 supervision under s. 973.095.

10 **SECTION 7225x.** 940.20 (2m) (a) of the statutes is amended to read:

11 940.20 **(2m)** (a) In this subsection, “probation and parole agent” means any  
12 person authorized by the department of corrections to exercise control over a  
13 probationer or parolee or a person on community supervision.

14 **SECTION 7227.** 940.207 (title) of the statutes is amended to read:

15 **940.207** (title) **Battery or threat to department of development or**  
16 **department of industry, labor and human relations employe.**

17 **SECTION 7228.** 940.207 (2) (intro.) of the statutes is amended to read:

18 940.207 **(2)** (intro.) Whoever intentionally causes bodily harm or threatens to  
19 cause bodily harm to the person or family member of any department of development  
20 or department of industry, labor and human relations official, employe or agent  
21 under all of the following circumstances is guilty of a Class D felony:

22 **SECTION 7229.** 940.207 (2) (a) of the statutes is amended to read:

23 940.207 **(2)** (a) At the time of the act or threat, the actor knows or should have  
24 known that the victim is a department of development or department of industry,  
25 labor and human relations official, employe or agent or a member of his or her family.

**SECTION 7230**

1           **SECTION 7230.** 943.62 (2m) of the statutes is amended to read:

2           943.62 **(2m)** This section does not apply to a savings and loan association, credit  
3 union, bank, savings bank, or a mortgage banker, loan originator or loan solicitor  
4 registered under s. ~~440.72~~ 224.72.

5           **SECTION 7231m.** 945.095 (1) (d), (f), (g) and (h) of the statutes, as created by  
6 1995 Wisconsin Act 11, are amended to read:

7           945.095 **(1)** (d) The person provides the gaming ~~commission~~ board, prior to the  
8 importation of the gambling devices into the state, all records that account for the  
9 gambling devices, including the identification number affixed to each gambling  
10 device by the manufacturer, and that identify the location where the gambling  
11 devices will be stored prior to the installation of the gambling devices on the vessel.

12           (f) If the person removes used gambling devices from a vessel, the person shall  
13 provide the gaming ~~commission~~ board with an inventory of the used gambling  
14 devices prior to their removal from the vessel. The inventory shall include the  
15 identification number affixed to each gambling device by the manufacturer.

16           (g) The person submits documentation to the gaming ~~commission~~ board, no  
17 later than 30 days after the date of delivery, that the vessel equipped with gambling  
18 devices has been delivered to the customer who ordered the work performed on the  
19 vessel.

20           (h) The person does not sell a gambling device to any other person except to a  
21 customer who shall use or possess the gambling device outside of this state in a  
22 locality where the use or possession of the gambling device is lawful. If a person sells  
23 a gambling device to such a customer, the person shall submit documentation to the  
24 gaming ~~commission~~ board, no later than 30 days after the date of delivery, that the  
25 gambling device has been delivered to the customer.

1           **SECTION 7232.** 946.13 (10) of the statutes is amended to read:

2           946.13 (10) Subsection (1) (a) does not apply to a member of a private industry  
3 council or a ~~state job training coordinating council~~ appointed under the job training  
4 partnership act, 29 USC 1512, or to a member of the governor's council on workforce  
5 excellence appointed under s. 15.227 (24).

6           **SECTION 7233m.** 946.42 (1) (a) of the statutes, as affected by 1993 Wisconsin  
7 Acts 377 and 385, is amended to read:

8           946.42 (1) (a) "Custody" includes without limitation actual custody of an  
9 institution, including a secured juvenile correctional facility, a secure detention  
10 facility, as defined under s. 48.02 (16), or a juvenile portion of a county jail, or of a  
11 peace officer or institution guard and constructive custody of prisoners and juveniles  
12 subject to an order under s. 48.34 (4m), 48.357 (4) or (5) (e) or 48.366 temporarily  
13 outside the institution whether for the purpose of work, school, medical care, a leave  
14 granted under s. 303.068, a temporary leave or furlough granted to a juvenile or  
15 otherwise. Under s. 303.08 (6) it means, without limitation, that of the sheriff of the  
16 county to which the prisoner was transferred after conviction. "Custody" also  
17 includes the custody by the department of health and social services of a child who  
18 is placed in the community under corrective sanctions supervision under s. 48.533  
19 ~~and custody by the department of corrections of a person who is placed in the~~  
20 ~~community under youthful offender supervision under s. 48.537.~~ It does not include  
21 the custody of a probationer or parolee by the department of corrections or a  
22 probation or parole officer or the custody of a person who has been released to  
23 aftercare supervision under ch. 48 unless the person is in actual custody.

1           **SECTION 7233p.** 946.42 (1) (a) of the statutes, as affected by 1993 Wisconsin  
2 Acts 377 and 385 and 1995 Wisconsin Act .... (this act), is repealed and recreated to  
3 read:

4           946.42 (1) (a) "Custody" includes without limitation actual custody of an  
5 institution, including a secured juvenile correctional facility, a secured child caring  
6 institution, as defined in s. 48.02 (15g), a secure detention facility, as defined under  
7 s. 48.02 (16), or a juvenile portion of a county jail, or of a peace officer or institution  
8 guard and constructive custody of prisoners and juveniles subject to an order under  
9 s. 48.34 (4m), 48.357 (4) or (5) (e) or 48.366 temporarily outside the institution  
10 whether for the purpose of work, school, medical care, a leave granted under s.  
11 303.068, a temporary leave or furlough granted to a juvenile or otherwise. Under s.  
12 303.08 (6) it means, without limitation, that of the sheriff of the county to which the  
13 prisoner was transferred after conviction. "Custody" also includes the custody by the  
14 department of corrections of a child who is placed in the community under corrective  
15 sanctions supervision under s. 48.533 or serious juvenile offender supervision under  
16 s. 48.538. It does not include the custody of a probationer or parolee by the  
17 department of corrections or a probation or parole officer or the custody of a person  
18 who has been released to aftercare supervision under ch. 48 unless the person is in  
19 actual custody.

20           **SECTION 7234m.** 946.44 (1) (a) of the statutes, as affected by 1993 Wisconsin  
21 Acts 377 and 486, is amended to read:

22           946.44 (1) (a) Any officer or employe of an institution where prisoners are  
23 detained or any officer or employe providing corrective sanctions supervision under  
24 s. 48.533 ~~or youthful offender supervision under s. 48.537~~ who intentionally permits  
25 a prisoner in the officer's or employe's custody to escape; or

**SECTION 7234p**

1           **SECTION 7234p.** 946.44 (1) (a) of the statutes, as affected by 1993 Wisconsin  
2 Acts 377 and 486 and 1995 Wisconsin Act .... (this act), is repealed and recreated to  
3 read:

4           946.44 (1) (a) Any officer or employe of an institution where prisoners are  
5 detained or any officer or employe providing corrective sanctions supervision under  
6 s. 48.533 or serious juvenile offender supervision under s. 48.538 who intentionally  
7 permits a prisoner in the officer's or employe's custody to escape; or

8           **SECTION 7234r.** 946.44 (2) (c) of the statutes is amended to read:

9           946.44 (2) (c) "Institution" includes a secured juvenile correctional facility and  
10 a secured child caring institution.

11           **SECTION 7234t.** 946.44 (2) (d) of the statutes, as affected by 1993 Wisconsin  
12 Acts 377 and 491, is amended to read:

13           946.44 (2) (d) "Prisoner" includes a person who is ~~committed to the custody of~~  
14 ~~the department of corrections under s. 48.34 (4g) or~~ placed in a secured correctional  
15 facility under s. 48.34 (4m) or 48.357 (4) or (5) (e) or who is subject to an order under  
16 s. 48.366.

17           **SECTION 7234v.** 946.44 (2) (d) of the statutes, as affected by 1993 Wisconsin  
18 Acts 377 and 491 and 1995 Wisconsin Act .... (this act), is repealed and recreated to  
19 read:

20           946.44 (2) (d) "Prisoner" includes a person who is under the supervision of the  
21 department of corrections under s. 48.34 (4h) or placed in a secured correctional  
22 facility or secured child caring institution under s. 48.34 (4m) or 48.357 (4) or (5) (e)  
23 or who is subject to an order under s. 48.366.

24           **SECTION 7235m.** 946.45 (1) of the statutes, as affected by 1993 Wisconsin Act  
25 377, is amended to read:

**SECTION 7235m**

1           946.45 (1) Any officer or employe of an institution where prisoners are detained  
2 or any officer or employe providing corrective sanctions supervision under s. 48.533  
3 ~~or youthful offender supervision under s. 48.537~~ who, through his or her neglect of  
4 duty, allows a prisoner in his or her custody to escape is guilty of a Class B  
5 misdemeanor.

6           **SECTION 7235p.** 946.45 (1) of the statutes, as affected by 1993 Wisconsin Act  
7 377 and 1995 Wisconsin Act .... (this act), is repealed and recreated to read:

8           946.45 (1) Any officer or employe of an institution where prisoners are detained  
9 or any officer or employe providing corrective sanctions supervision under s. 48.533  
10 or serious juvenile offender supervision under s. 48.538 who, through his or her  
11 neglect of duty, allows a prisoner in his or her custody to escape is guilty of a Class  
12 B misdemeanor.

13           **SECTION 7235r.** 946.45 (2) (c) of the statutes is amended to read:

14           946.45 (2) (c) "Institution" includes a secured juvenile correctional facility and  
15 a secured child caring institution.

16           **SECTION 7235t.** 946.45 (2) (d) of the statutes, as affected by 1993 Wisconsin  
17 Acts 377 and 491, is amended to read:

18           946.45 (2) (d) "Prisoner" includes a person who is ~~committed to the custody of~~  
19 ~~the department of corrections under s. 48.34 (4g) or~~ placed in a secured correctional  
20 facility under s. 48.34 (4m) or 48.357 (4) or (5) (e) or who is subject to an order under  
21 s. 48.366.

22           **SECTION 7235v.** 946.45 (2) (d) of the statutes, as affected by 1993 Wisconsin  
23 Acts 377 and 491 and 1995 Wisconsin Act .... (this act), is repealed and recreated to  
24 read:

**SECTION 7235v**

1           946.45 (2) (d) "Prisoner" includes a person who is under the supervision of the  
2 department of corrections under s. 48.34 (4h) or placed in a secured correctional  
3 facility or secured child caring institution under s. 48.34 (4m) or 48.357 (4) or (5) (e)  
4 or who is subject to an order under s. 48.366.

5           **SECTION 7235x.** 946.46 of the statutes, as affected by 1993 Wisconsin Act 385,  
6 is amended to read:

7           **946.46 Encouraging violation of probation or parole.** Whoever  
8 intentionally aids or encourages a parolee or probationer or any person committed  
9 to the custody or supervision of the department of corrections, ~~the department of~~  
10 ~~health and social services~~ or a county department under s. 46.215, 46.22 or 46.23 by  
11 reason of crime or delinquency to abscond or violate a term or condition of parole or  
12 probation is guilty of a Class A misdemeanor.

13           **SECTION 7236.** 948.01 (1) of the statutes is amended to read:

14           948.01 (1) "Child" means a person who has not attained the age of 18 years,  
15 except that for purposes of prosecuting a person who is alleged to have violated a  
16 state or federal criminal law, "child" does not include a person who has attained the  
17 age of 17 years.

18           **SECTION 7236c.** 948.01 (1g) of the statutes is amended to read:

19           948.01 (1g) "Joint legal custody" has the meaning given in s. 767.001 (1) (1m).

20           **SECTION 7237.** 948.31 (1) (a) 2. of the statutes is amended to read:

21           948.31 (1) (a) 2. The department of health and social services or the department  
22 of corrections or any person, county department under s. 46.215, 46.22 or 46.23 or  
23 licensed child welfare agency, if custody of the child has been transferred under ch.  
24 48 to that department, person or agency.

25           **SECTION 7238.** 948.35 (1) (a) of the statutes is amended to read:

**SECTION 7238**

1           948.35 (1) (a) Except as provided in pars. (b) to (d) or s. 161.455, any person who  
2           has attained the age of ~~18~~ 17 years and who, with the intent that a felony be  
3           committed and under circumstances that indicate unequivocally that he or she has  
4           the intent, knowingly solicits, advises, hires, directs or counsels a ~~child~~ person 17  
5           years of age or under to commit that felony may be fined or imprisoned or both, not  
6           to exceed the maximum penalty for the felony.

7           **SECTION 7239.** 948.36 (1) of the statutes is amended to read:

8           948.36 (1) Any person who has attained the age of ~~18~~ 17 years and who, with  
9           the intent that a Class A felony be committed and under circumstances that indicate  
10          unequivocally that he or she has that intent, knowingly solicits, advises, hires,  
11          directs, counsels, employs, uses or otherwise procures a ~~child~~ person 17 years of age  
12          or under to commit that Class A felony may, if the Class A felony is committed by the  
13          child, be imprisoned for not more than 5 years in excess of the maximum period of  
14          imprisonment provided by law for that Class A felony.

15          **SECTION 7240.** 948.45 (1) of the statutes is amended to read:

16          948.45 (1) Except as provided in sub. (2), any person ~~18~~ 17 years of age or older  
17          who, by any act or omission, knowingly encourages or contributes to the truancy, as  
18          defined under s. 118.16 (1) (c), of a ~~child~~ person 17 years of age or under is guilty of  
19          a Class C misdemeanor.

20          **SECTION 7241.** 948.45 (2) of the statutes is amended to read:

21          948.45 (2) Subsection (1) does not apply to a person who has under his or her  
22          control a child who has been sanctioned under s. ~~49.50 (7) (h)~~ 49.26 (1) (h).

23          **SECTION 7242.** 948.60 (title), (2) and (3) of the statutes are amended to read:

24          **948.60** (title) **Possession of a dangerous weapon by a ~~child~~ person**  
25          under 18.

1           (2) (a) Any ~~child~~ person under 18 years of age who possesses or goes armed with  
2 a dangerous weapon is guilty of a Class A misdemeanor.

3           (b) Except as provided in par. (c), any person who intentionally sells, loans or  
4 gives a dangerous weapon to a ~~child~~ person under 18 years of age is guilty of a Class  
5 E felony.

6           (c) Whoever violates par. (b) is guilty of a Class D felony if the ~~child~~ person  
7 under 18 years of age under par. (b) discharges the firearm and the discharge causes  
8 death to himself, herself or another.

9           (d) A ~~child~~ person under 17 years of age who has violated this subsection is  
10 subject to the provisions of ch. 48 unless jurisdiction is waived under s. 48.18

11           (3) (a) This section does not apply to a ~~child~~ person under 18 years of age who  
12 possesses or is armed with a dangerous weapon when the dangerous weapon is being  
13 used in target practice under the supervision of an adult or in a course of instruction  
14 in the traditional and proper use of the dangerous weapon under the supervision of  
15 an adult. This section does not apply to an adult who transfers a dangerous weapon  
16 to a ~~child~~ person under 18 years of age for use only in target practice under the adult's  
17 supervision or in a course of instruction in the traditional and proper use of the  
18 dangerous weapon under the adult's supervision.

19           (b) This section does not apply to a ~~child~~ person under 18 years of age who is  
20 a member of the armed forces or national guard and who possesses or is armed with  
21 a dangerous weapon in the line of duty. This section does not apply to an adult who  
22 is a member of the armed forces or national guard and who transfers a dangerous  
23 weapon to a ~~child~~ person under 18 years of age in the line of duty.

24           (c) This section does not apply to a ~~child~~ person under 18 years of age who  
25 possesses or is armed with a firearm having a barrel 12 inches in length or longer and

1 who is in compliance with ss. 29.226 and 29.227. This section does not apply to an  
2 adult who transfers a firearm having a barrel 12 inches in length or longer to a child  
3 person under 18 years of age who is in compliance with ss. 29.226 and 29.227.

4 **SECTION 7243.** 948.61 (4) of the statutes is amended to read:

5 948.61 (4) A child person under 17 years of age who has violated this section  
6 is subject to the provisions of ch. 48, unless jurisdiction is waived under s. 48.18.

7 **SECTION 7243m.** 949.08 (2) (g) of the statutes is amended to read:

8 949.08 (2) (g) Has been certified to the department under s. ~~46.255~~ 73.255 (7)  
9 as being delinquent in child support or maintenance payments.

10 **SECTION 7245.** 967.02 (2) of the statutes is amended to read:

11 967.02 (2) "Department" means the department of corrections, except as  
12 provided in s. ss. 973.135 (1) (a) and 975.001.

13 **SECTION 7245m.** 967.052 of the statutes is created to read:

14 **967.052 Prosecution of certain misdemeanor offenses; restriction on**  
15 **penalty.** (1) (a) Except as provided in sub. (2), if a prosecutor decides to charge a  
16 person with a misdemeanor offense that is punishable by imprisonment and s.  
17 939.615 (1) applies to the offense and to the person to be charged with the offense,  
18 the complaint shall specify that the penalty for the offense is the fine and any  
19 penalties, other than imprisonment, authorized by law for the offense.

20 (b) If a prosecutor decides to charge a person with a misdemeanor offense that  
21 is punishable by imprisonment and s. 939.615 (1) does not apply to the person to be  
22 charged with the offense because he or she has previously been convicted of any state  
23 or federal crime, the complaint shall include all of the following:

24 1. A statement specifying the penalties, including imprisonment, authorized  
25 by law for the offense.

**SECTION 7245m**

1           2. An allegation that s. 939.615 (1) does not apply to the defendant because he  
2 or she has previously been convicted of a state or federal crime.

3           **(2)** Notwithstanding s. 939.615 (1), a prosecutor may seek imprisonment  
4 authorized by law in a case in which s. 939.615 (1) applies to the offense and to the  
5 person to be charged if the prosecutor specifies in the complaint the penalties,  
6 including imprisonment, authorized by law for the offense.

7           **(3)** If, after filing a complaint under sub. (1) (a), a prosecutor decides to seek  
8 imprisonment authorized by law for the offense charged, he or she may move to  
9 dismiss the complaint filed under sub. (1) (a). The court shall grant a motion to  
10 dismiss under this subsection if jeopardy has not attached in the case. If a motion  
11 to dismiss under this subsection is granted, the prosecutor may file a new complaint  
12 under sub. (2). A prosecutor may not seek imprisonment for an offense charged in  
13 a complaint filed under sub. (1) (a) by amending the complaint.

14           **Section 7245mm.** 967.055 (2) (a) of the statutes is amended to read:

15           967.055 **(2)** (a) Notwithstanding s. 971.29, if the prosecutor seeks to dismiss  
16 or amend a charge under s. 346.63 (1) or (5) or a local ordinance in conformity  
17 therewith, or s. 346.63 (2) or (6) or 940.25, or s. 940.09 where the offense involved the  
18 use of a vehicle or an improper refusal under s. 343.305, the prosecutor shall apply  
19 to the court. The application shall state the reasons for the proposed amendment or  
20 dismissal. The court may approve the application only if the court finds that the  
21 proposed amendment or dismissal is consistent with the public's interest in deterring  
22 the operation of motor vehicles by persons who are under the influence of an  
23 intoxicant, a controlled substance or both, under the influence of any other drug to  
24 a degree which renders him or her incapable of safely driving, or under the combined  
25 influence of an intoxicant and any other drug to a degree which renders him or her

1 incapable of safely driving, or in deterring the operation of commercial motor  
2 vehicles by persons with an alcohol concentration of 0.04 or more. The court may not  
3 approve an application to amend the vehicle classification from a commercial motor  
4 vehicle to a noncommercial motor vehicle unless there is evidence in the record that  
5 the motor vehicle being operated by the defendant at the time of his or her arrest was  
6 not a commercial motor vehicle.

7 **SECTION 7246.** 967.08 (2) (intro.) of the statutes is amended to read:

8 967.08 (2) (intro.) The court may permit the following proceedings to be  
9 conducted under sub. (1) ~~with the consent of the defendant~~ on the request of either  
10 party. ~~The defendant's consent and any request and the opposing party's showing~~  
11 of good cause for not conducting the proceeding under sub. (1) may be made by  
12 telephone.

13 **SECTION 7246r.** 969.01 (2) (a) of the statutes is amended to read:

14 969.01 (2) (a) Release pursuant to s. 969.02 or 969.03 may be allowed in the  
15 discretion of the trial court after conviction and prior to sentencing or the granting  
16 of probation or community supervision.

17 **SECTION 7246s.** 969.01 (4) of the statutes is amended to read:

18 969.01 (4) CONSIDERATIONS IN SETTING CONDITIONS OF RELEASE. If bail is imposed,  
19 it shall be only in the amount found necessary to assure the appearance of the  
20 defendant. Conditions of release, other than monetary conditions, may be imposed  
21 for the purpose of protecting members of the community from serious bodily harm  
22 or preventing intimidation of witnesses. Proper considerations in determining  
23 whether to release the defendant without bail, fixing a reasonable amount of bail or  
24 imposing other reasonable conditions of release are: the ability of the arrested person  
25 to give bail, the nature, number and gravity of the offenses and the potential penalty

1 the defendant faces, whether the alleged acts were violent in nature, the defendant's  
2 prior criminal record, if any, the character, health, residence and reputation of the  
3 defendant, the character and strength of the evidence which has been presented to  
4 the judge, whether the defendant is currently on probation, community supervision  
5 or parole, whether the defendant is already on bail or subject to other release  
6 conditions in other pending cases, whether the defendant has been bound over for  
7 trial after a preliminary examination, whether the defendant has in the past  
8 forfeited bail or violated a condition of release or was a fugitive from justice at the  
9 time of arrest, and the policy against unnecessary detention of the defendant's  
10 pending trial.

11 **SECTION 7246t.** 969.03 (3) of the statutes is amended to read:

12 969.03 (3) Once bail has been given and a charge is pending or is thereafter filed  
13 or transferred to another court, the latter court shall continue the original bail in that  
14 court subject to s. 969.08. A single bond form shall be utilized for all stages of the  
15 proceedings through conviction and sentencing or the granting of probation or  
16 community supervision.

17 **SECTION 7247.** 970.01 (1) of the statutes is amended to read:

18 970.01 (1) Any person who is arrested shall be taken within a reasonable time  
19 before a judge in the county in which the offense was alleged to have been committed.  
20 The person may waive physical appearance and request that the initial appearance  
21 may be conducted on the record by telephone or live audiovisual means under s.  
22 967.08. If the initial appearance is conducted by telephone or live audiovisual  
23 means, the person may waive physical appearance. Waiver of physical appearance  
24 shall be placed on the record of the initial appearance and does not waive other  
25 grounds for challenging the court's personal jurisdiction. If the person does not waive

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1 physical appearance, conducting the initial appearance by telephone or live  
2 audiovisual means under s. 967.08 does not waive any grounds that the person has  
3 for challenging the court's personal jurisdiction.

4 **SECTION 7247m.** 970.02 (1) (a) of the statutes is amended to read:

5 970.02 (1) (a) Of the charge against the defendant and shall furnish the  
6 defendant with a copy of the complaint which, subject to s. 967.052 (1) and (2), shall  
7 contain the possible penalties for the offenses set forth therein in the complaint. In  
8 the case of a felony, the judge shall also inform the defendant of the penalties for the  
9 felony with which the defendant is charged.

10 **SECTION 7247t.** 971.165 (2) of the statutes is amended to read:

11 971.165 (2) If the plea of not guilty by reason of mental disease or defect is tried  
12 to a jury, the court shall inform the jury that the effect of a verdict of not guilty by  
13 reason of mental disease or defect is that, in lieu of criminal sentence ~~or~~, probation  
14 or community supervision, the defendant will be committed to the custody of the  
15 department of health and social services and will be placed in an appropriate  
16 institution unless the court determines that the defendant would not pose a danger  
17 to himself or herself or to others if released under conditions ordered by the court.  
18 No verdict on the plea of not guilty by reason of mental disease or defect may be valid  
19 or received unless agreed to by at least five-sixths of the jurors.

20 **SECTION 7249.** 971.23 (10) of the statutes is created to read:

21 971.23 (10) PAYMENT OF PHOTOCOPY COSTS IN CASES INVOLVING INDIGENT  
22 DEFENDANTS. When the state public defender or a private attorney appointed under  
23 s. 977.08 requests photocopies of any item that is discoverable under this section, the  
24 state public defender shall pay any fee charged for the photocopies from the  
25 appropriation under s. 20.550 (1) (a). If the person providing photocopies under this

1 section charges the state public defender a fee for the photocopies, the fee may not  
2 exceed the actual, necessary and direct cost of photocopying.

3 **SECTION 7249m.** 971.29 (2m) of the statutes is created to read:

4 971.29 (2m) Amendment of a complaint filed under s. 967.052 (1) (a) is subject  
5 to the restriction provided in s. 967.052 (3).

6 **SECTION 7249s.** 972.13 (7) of the statutes is amended to read:

7 972.13 (7) The department shall prescribe and furnish forms to the clerk of each  
8 county for use as judgments in cases where a defendant is placed on probation or  
9 community supervision or committed to the custody of the department pursuant to  
10 chs. 967 to 979.

11 **SECTION 7249t.** 972.15 (5) (intro.) of the statutes is amended to read:

12 972.15 (5) (intro.) The department may use the presentence investigation  
13 report for correctional programming, parole consideration or care and treatment of  
14 any person sentenced to imprisonment or the intensive sanctions program, placed  
15 on probation or community supervision, released on parole or committed to the  
16 department under ch. 51 or 971 or any other person in the custody of the department  
17 or for research purposes. The department may make the report available to other  
18 agencies or persons to use for purposes related to correctional programming, parole  
19 consideration, care and treatment, or research. Any use of the report under this  
20 subsection is subject to the following conditions:

21 **SECTION 7250.** 973.01 of the statutes is repealed.

22 **SECTION 7251.** 973.011 of the statutes is repealed.

23 **SECTION 7252.** 973.012 of the statutes is repealed.

24 **SECTION 7253.** 973.013 (3m) of the statutes is amended to read:

1           973.013 (3m) If a person who has not attained the age of 16 years is sentenced  
2 to the Wisconsin state prisons, the department of corrections shall place the person  
3 at a secured juvenile correctional facility or a secured child caring institution, unless  
4 the department of ~~health and social services~~, ~~after consultation with the department~~  
5 of corrections, determines that placement in an institution under s. 302.01 is  
6 appropriate based on the person's prior record of adjustment in a correctional setting,  
7 if any; the person's present and potential vocational and educational needs, interests  
8 and abilities; the adequacy and suitability of available facilities; the services and  
9 procedures available for treatment of the person within the various institutions; the  
10 protection of the public; and any other considerations promulgated by the  
11 department of ~~health and social services~~ corrections by rule. This subsection does  
12 not preclude the department of corrections from designating an adult correctional  
13 institution as a reception center for the person and subsequently transferring the  
14 person to a secured juvenile correctional facility or a secured child caring institution.  
15 Section 302.11 and ch. 304 apply to all persons placed in a secured juvenile  
16 correctional facility or a secured child caring institution under this subsection.

17           **SECTION 7253m.** 973.015 (2) of the statutes is amended to read:

18           973.015 (2) A person has successfully completed the sentence if the person has  
19 not been convicted of a subsequent offense and, if on probation, the probation has not  
20 been revoked and the probationer has satisfied the conditions of probation. If the  
21 person is on community supervision, the person has successfully completed the  
22 sentence if he or she has satisfied the conditions of community supervision. Upon  
23 successful completion of the sentence the detaining or probationary or supervising  
24 authority shall issue a certificate of discharge which shall be forwarded to the court  
25 of record and which shall have the effect of expunging the record.

1           **SECTION 7255.** 973.032 (2) (a) of the statutes is amended to read:

2           973.032 (2) (a) A court may sentence a person under sub. (1) if the department  
3 provides a presentence investigation report recommending that the person be  
4 sentenced to the program. If the department does not make the recommendation,  
5 a court may order the department to assess and evaluate the person. After that  
6 assessment and evaluation, the court may sentence the person to the program unless  
7 the department objects on the ground that ~~the presumptively appropriate sentence~~  
8 ~~under the sentencing guideline matrices is~~ it recommends that the person be placed  
9 on probation.

10           **SECTION 7255am.** 973.045 (1) (intro.) of the statutes is amended to read:

11           973.045 (1) (intro.) On or after October 1, 1983, if a court imposes a sentence  
12 or places a person on probation or community supervision, the court shall impose a  
13 crime victim and witness assistance surcharge calculated as follows:

14           **SECTION 7255jm.** 973.046 (1) (intro.) of the statutes is amended to read:

15           973.046 (1) (intro.) Beginning on August 12, 1993, if a court imposes a sentence  
16 or places a person on probation or community supervision under any of the following  
17 circumstances, the court shall impose a deoxyribonucleic acid analysis surcharge of  
18 \$250:

19           **SECTION 7255sm.** 973.047 (1) (b) of the statutes is amended to read:

20           973.047 (1) (b) Except as provided in par. (a), if a court imposes a sentence or  
21 places a person on probation or community supervision for any violation under chs.  
22 940, 944 or 948 or ss. 943.01 to 943.15, the court may require the person to provide  
23 a biological specimen to the state crime laboratories for deoxyribonucleic acid  
24 analysis. The court may require the person to comply with the reporting  
25 requirements under s. 175.45 if the court determines that the underlying conduct

1 was seriously sexually assaultive in nature and that it would be in the interest of  
2 public protection to have the person report under s. 175.45.

3 **SECTION 7255tg.** 973.05 (2) of the statutes is amended to read:

4 973.05 (2) When a defendant is sentenced to pay a fine and is also placed on  
5 probation or community supervision, the court may make the payment of the fine,  
6 the penalty assessment, the jail assessment, the crime victim and witness assistance  
7 surcharge, any applicable deoxyribonucleic acid analysis surcharge, any applicable  
8 drug abuse program improvement surcharge, any applicable domestic abuse  
9 assessment, any applicable uninsured employer assessment, any applicable driver  
10 improvement surcharge, any applicable weapons assessment, any applicable  
11 environmental assessment, any applicable wild animal protection assessment, any  
12 applicable natural resources assessment and any applicable natural resources  
13 restitution payments a condition of probation or community supervision. When the  
14 payments are made a condition of probation or community supervision by the court,  
15 payments thereon shall be applied first to payment of the penalty assessment until  
16 paid in full, shall then be applied to the payment of the jail assessment until paid in  
17 full, shall then be applied to the payment of part A of the crime victim and witness  
18 assistance surcharge until paid in full, shall then be applied to part B of the crime  
19 victim and witness assistance surcharge until paid in full, shall then be applied to  
20 the deoxyribonucleic acid analysis surcharge until paid in full, shall then be applied  
21 to the drug abuse improvement surcharge until paid in full, shall then be applied to  
22 payment of the driver improvement surcharge until paid in full, shall then be applied  
23 to payment of the domestic abuse assessment until paid in full, shall then be applied  
24 to payment of the natural resources assessment if applicable until paid in full, shall  
25 then be applied to payment of the natural resources restitution payment until paid

1 in full, shall then be applied to the payment of the environmental assessment if  
2 applicable until paid in full, shall then be applied to the payment of the wild animal  
3 protection assessment if applicable until paid in full, shall then be applied to  
4 payment of the weapons assessment until paid in full, shall then be applied to  
5 payment of the uninsured employer assessment until paid in full and shall then be  
6 applied to payment of the fine.

7 **SECTION 7255tm.** 973.055 (1) (intro.) of the statutes is amended to read:

8 973.055 (1) (intro.) If a court imposes a sentence on an adult person or places  
9 an adult person on probation or community supervision, regardless of whether any  
10 fine is imposed, the court shall impose a domestic abuse assessment of \$50 for each  
11 offense if:

12 **SECTION 7256.** 973.055 (3) of the statutes is amended to read:

13 973.055 (3) All moneys collected from domestic abuse assessments shall be  
14 deposited by the state treasurer in s. 20.435 ~~(7)~~ (1) (hh) and utilized in accordance  
15 with s. 46.95.

16 **SECTION 7257.** 973.06 (1) (e) of the statutes is amended to read:

17 973.06 (1) (e) Attorney fees payable to the defense attorney by the county or  
18 the state. If the court determines at the time of sentencing that the defendant's  
19 financial circumstances are changed, the court may adjust the amount in accordance  
20 with s. 977.07 (1) (a) and (2) ~~(a)~~.

21 **SECTION 7257j.** 973.09 (1) (a) of the statutes is amended to read:

22 973.09 (1) (a) Except as provided in par. (c) or s. 939.615 (2m) or if probation  
23 is prohibited for a particular offense by statute, if a person is convicted of a crime,  
24 the court, by order, may withhold sentence or impose sentence under s. 973.15 and  
25 stay its execution, and in either case place the person on probation to the department

1 for a stated period, stating in the order the reasons therefor. The court may impose  
2 any conditions which appear to be reasonable and appropriate. The period of  
3 probation may be made consecutive to a sentence on a different charge, whether  
4 imposed at the same time or previously. If the court imposes an increased term of  
5 probation, as authorized under sub. (2) (a) 2. or (b) 2., it shall place its reasons for  
6 doing so on the record.

7 **SECTION 7257k.** 973.095 of the statutes is created to read:

8 **973.095 Community supervision.** (1) If a person is convicted of a  
9 misdemeanor to which s. 939.615 (1) applies, a court may impose sentence, impose  
10 sentence and stay its execution or withhold sentence and, in any case, may place the  
11 person on community supervision to the department for a stated period not  
12 exceeding one year. A person placed on community supervision under this  
13 subsection shall be monitored by a probation and parole agent of the department.

14 (2) A court may impose one or more of the following conditions when placing  
15 a person on community supervision under sub. (1):

16 (a) Payment of any fine and any assessments, surcharges, costs or fees imposed.

17 (b) Community service, as provided under sub. (3).

18 (c) Restitution, as provided under sub. (5).

19 (d) Alcohol and other drug abuse counseling, as provided under sub. (6).

20 (3) (a) The court may require as a condition of community supervision that the  
21 person placed on community supervision perform community service work for a  
22 public agency or a nonprofit charitable organization. The number of hours of work  
23 required may not exceed what would be reasonable considering the seriousness of the  
24 offense. An order may only apply if agreed to by the person placed on community  
25 supervision and the organization or agency. The court shall ensure that the person

1 placed on community supervision is provided a written statement of the terms of the  
2 community service order and that the community service order is monitored by the  
3 department.

4 (b) Any organization or agency acting in good faith to which a person placed on  
5 community supervision is assigned under an order under this subsection has  
6 immunity from any civil liability in excess of \$25,000 for acts or omissions by or  
7 impacting on the person placed on community supervision.

8 (4) (a) If the court does not order community supervision under sub. (3), the  
9 department may order that a person placed on community supervision perform  
10 community service work for a public agency or a nonprofit charitable organization.  
11 An order may apply only if agreed to by the person placed on community supervision  
12 and the organization or agency. The department shall ensure that the person placed  
13 on community supervision is provided a written statement of the terms of the  
14 community service order and shall monitor the person's compliance with the  
15 community service order.

16 (b) Any organization or agency acting in good faith to which a person placed on  
17 community supervision is assigned under an order under this subsection has  
18 immunity from any civil liability in excess of \$25,000 for acts or omissions by or  
19 impacting on the person placed on community supervision. The department has  
20 immunity from any civil liability for acts or omissions by or impacting on the person  
21 placed on community supervision regarding the assignment under this subsection.

22 (5) (a) If the court places the person on community supervision, the court shall  
23 order the person to pay restitution under s. 973.20 unless the court finds there is  
24 substantial reason not to order restitution as a condition of community supervision.  
25 If the court does not require restitution to be paid to a victim, the court shall state

1 its reason on the record. If the court does require restitution, it shall notify the  
2 department of justice of its decision if the victim may be eligible for compensation  
3 under ch. 949.

4 (b) The department shall notify the sentencing court, any person to whom  
5 unpaid restitution is owed and the district attorney of the status of the ordered  
6 payments unpaid at least 90 days before the community supervision expiration date.  
7 If payment as ordered has not been made, the court shall issue a judgment for the  
8 unpaid restitution and direct the clerk to file and docket a transcript of the judgment,  
9 without fee, unless it finds that the victim has already recovered a judgment against  
10 the person placed on community supervision for the damages covered by the  
11 restitution order. If the court issues a judgment for the unpaid restitution, the court  
12 shall send to the person placed on community supervision and the victim at his or  
13 her last-known address written notification that a civil judgment has been issued  
14 for the unpaid restitution. The judgment has the same force and effect as judgments  
15 docketed under s. 806.10.

16 (6) The court may order a person placed on community supervision to submit  
17 to and comply with an assessment by a treatment facility approved by the court for  
18 examination of the person's use of alcohol or other drugs and, if necessary,  
19 development of an alcohol or other drug abuse treatment plan for the person. The  
20 court may require the person placed on community supervision to pay the reasonable  
21 costs of an assessment and treatment ordered under this subsection.

22 (7) If the court has not ordered an assessment and treatment under sub. (6),  
23 the department may order a person placed on community supervision to submit to  
24 and comply with an assessment by a treatment facility approved by the department  
25 for examination of the person's use of alcohol or other drugs and, if necessary,

1 development of an alcohol or other drug abuse treatment plan for the person. The  
2 department may require the person placed on community supervision to pay the  
3 reasonable costs of an assessment and treatment ordered under this subsection.

4 (8) When the person placed on community supervision has satisfied the  
5 conditions of his or her community supervision, the person placed on community  
6 supervision shall be discharged and the department shall issue the person a  
7 certificate of final discharge, a copy of which shall be filed with the clerk.

8 (9) A person who violates or fails to comply with community supervision  
9 ordered under sub. (1) may be proceeded against for contempt of court under ch. 785,  
10 except that a court may impose only the remedial sanctions specified in s. 785.04 (1)  
11 against that person.

12 SECTION 7258. 973.135 (title) of the statutes is amended to read:

13 **973.135 (title) Courts to report convictions to the ~~state superintendent~~**  
14 **department of public instruction education.**

15 SECTION 7259. 973.135 (1) (a) of the statutes is renumbered 973.135 (1) (am).

16 SECTION 7260. 973.135 (1) (a) of the statutes is created to read:

17 973.135 (1) (a) "Department" means the department of education.

18 SECTION 7261. 973.135 (1) (b) of the statutes is repealed.

19 SECTION 7262. 973.135 (2) of the statutes is amended to read:

20 973.135 (2) If a court determines that a person convicted of a crime specified  
21 in ch. 948, including a crime specified in s. 948.015, a felony for which the maximum  
22 term of imprisonment is at least 5 years, 4th degree sexual assault under s. 940.225  
23 (3m) or a crime in which the victim was a child, is employed by an educational agency,  
24 the clerk of the court in which such conviction occurred shall promptly forward to the  
25 ~~state superintendent~~ department the record of conviction.

1           **SECTION 7263.** 973.135 (3) of the statutes is amended to read:

2           973.135 (3) If a conviction under sub. (2) is reversed, set aside or vacated, the  
3 clerk of the court shall promptly forward to the ~~state superintendent~~ department a  
4 certificate stating that the conviction has been reversed, set aside or vacated.

5           **SECTION 7263bd.** 973.20 (1) of the statutes is amended to read:

6           973.20 (1) When imposing sentence or ordering probation or community  
7 supervision for any crime, the court, in addition to any other penalty authorized by  
8 law, shall order the defendant to make full or partial restitution under this section  
9 to any victim of the crime or, if the victim is deceased, to his or her estate, unless the  
10 court finds substantial reason not to do so and states the reason on the record.  
11 Restitution ordered under this section is a condition of probation, community  
12 supervision or parole served by the defendant for the crime. After the termination  
13 of probation, community supervision or parole, or if the defendant is not placed on  
14 probation, community supervision or parole, restitution ordered under this section  
15 is enforceable in the same manner as a judgment in a civil action by the victim named  
16 in the order to receive restitution or enforced under ch. 785.

17           **SECTION 7263be.** 973.20 (10) of the statutes is amended to read:

18           973.20 (10) The court may require that restitution be paid immediately, within  
19 a specified period or in specified instalments. If the defendant is placed on probation  
20 or community supervision or sentenced to imprisonment, the end of a specified  
21 period shall not be later than the end of any period of probation, community  
22 supervision or parole. If the defendant is sentenced to the intensive sanctions  
23 program, the end of a specified period shall not be later than the end of the sentence  
24 under s. 973.032 (3) (a).

25           **SECTION 7263bf.** 973.20 (11) (a) of the statutes is amended to read:

1           973.20 (11) (a) Except as otherwise provided in this paragraph, the restitution  
2 order shall require the defendant to deliver the amount of money or property due as  
3 restitution to the department for transfer to the victim or other person to be  
4 compensated by a restitution order under this section. If the defendant is not placed  
5 on probation or community supervision or sentenced to prison, the court may order  
6 that restitution be paid to the clerk of court for transfer to the appropriate person.  
7 The court shall require the defendant to pay a surcharge equal to 5% of the total  
8 amount of any restitution, costs and attorney fees and any fines and related  
9 payments ordered under s. 973.05 (1) to the department or clerk of court for  
10 administrative expenses under this section.

11           **SECTION 7263bg.** 973.20 (13) (c) (intro.) of the statutes is amended to read:

12           973.20 (13) (c) (intro.) The court, before imposing sentence or ordering  
13 probation or community supervision, shall inquire of the district attorney regarding  
14 the amount of restitution, if any, that the victim claims. The court shall give the  
15 defendant the opportunity to stipulate to the restitution claimed by the victim and  
16 to present evidence and arguments on the factors specified in par. (a). If the  
17 defendant stipulates to the restitution claimed by the victim or if any restitution  
18 dispute can be fairly heard at the sentencing proceeding, the court shall determine  
19 the amount of restitution before imposing sentence or ordering probation or  
20 community supervision. In other cases, the court may do any of the following:

21           **SECTION 7263bh.** 973.20 (13) (c) 1. of the statutes is amended to read:

22           973.20 (13) (c) 1. Order restitution of amounts not in dispute as part of the  
23 sentence or probation or community supervision order imposed and direct the  
24 appropriate agency to file a proposed restitution order with the court within 90 days

**SECTION 7263bh**

1 thereafter, and mail or deliver copies of the proposed order to the victim, district  
2 attorney, defendant and defense counsel.

3 **SECTION 7263bi.** 973.20 (13) (c) 3. of the statutes is amended to read:

4 973.20 (13) (c) 3. With the consent of the defendant, refer the disputed  
5 restitution issues to an arbitrator acceptable to all parties, whose determination of  
6 the amount of restitution shall be filed with the court within 60 days after the date  
7 of referral and incorporated into the court's sentence or probation or community  
8 supervision order.

9 **SECTION 7263bj.** 973.20 (13) (c) 4. of the statutes is amended to read:

10 973.20 (13) (c) 4. Refer the disputed restitution issues to a court commissioner  
11 or other appropriate referee, who shall conduct a hearing on the matter and submit  
12 the record thereof, together with proposed findings of fact and conclusions of law, to  
13 the court within 60 days of the date of referral. Within 30 days after the referee's  
14 report is filed, the court shall determine the amount of restitution on the basis of the  
15 record submitted by the referee and incorporate it into the sentence or probation or  
16 community supervision order imposed. The judge may direct that hearings under  
17 this subdivision be recorded either by audio recorder or by a court reporter. A  
18 transcript is not required unless ordered by the judge.

19 **SECTION 7263bk.** 974.05 (1) (c) of the statutes is amended to read:

20 974.05 (1) (c) Judgment and sentence or order of probation or community  
21 supervision not authorized by law.

22 **SECTION 7263bL.** 974.06 (1) of the statutes is amended to read:

23 974.06 (1) After the time for appeal or postconviction remedy provided in s.  
24 974.02 has expired, a prisoner in custody under sentence of a court or a person  
25 convicted and placed on community supervision under s. 973.095 or placed with a

**SECTION 7263bL**

1 volunteers in probation program under s. 973.11 claiming the right to be released  
2 upon the ground that the sentence was imposed in violation of the U.S. constitution  
3 or the constitution or laws of this state, that the court was without jurisdiction to  
4 impose such sentence, or that the sentence was in excess of the maximum authorized  
5 by law or is otherwise subject to collateral attack, may move the court which imposed  
6 the sentence to vacate, set aside or correct the sentence.

7 **SECTION 7263e.** 977.02 (4m) of the statutes is created to read:

8 977.02 (4m) Promulgate rules for payments to the state public defender under  
9 s. 977.075.

10 **SECTION 7263f.** 977.02 (4r) of the statutes is created to read:

11 977.02 (4r) Promulgate rules that establish procedures to provide the  
12 department of administration with any information concerning the collection of  
13 payment ordered under s. 48.275 (2), 757.66, 973.06 (1) (e) or 977.076 (1).

14 **SECTION 7263g.** 977.02 (7r) (a) (intro.) of the statutes is amended to read:

15 977.02 (7r) (a) (intro.) Promulgate rules to allow the reduction of payment rates  
16 for cases assigned by the state public defender under s. 977.08 (4m) for any of the  
17 following:

18 **SECTION 7263i.** 977.02 (7r) (am) of the statutes is created to read:

19 977.02 (7r) (am) For any rule to be promulgated by the board regarding a  
20 reduction under par. (a) that is submitted to the legislative council staff under s.  
21 227.15 on or after the effective date of this paragraph ... [revisor inserts date], the  
22 board shall submit the rule to the joint committee on finance for review under the  
23 procedures specified in s. 13.10 and shall obtain approval from the joint committee  
24 on finance for the rule.

25 **SECTION 7263k.** 977.03 (2m) of the statutes is created to read:

1           977.03 (2m) The board may promulgate rules that establish procedures to  
2 collect payment ordered under s. 48.275 (2), 757.66, 973.06 (1) (e) or 977.076 (1) from  
3 a prisoner's prison financial account.

4           **SECTION 7263m.** 977.03 (3) of the statutes is created to read:

5           977.03 (3) The state public defender may establish procedures by rule under  
6 which the state public defender may appoint attorneys without regard to s. 977.08  
7 (3) (c) and (d) based on the state public defender's evaluation of the attorneys'  
8 performance.

9           **SECTION 7263p.** 977.05 (4) (i) 3. of the statutes is amended to read:

10          977.05 (4) (i) 3. Cases involving persons charged with a misdemeanor that is  
11 punishable by imprisonment ~~but is not specified under subd. 1 and to which s.~~  
12 939.615 (1) does not apply.

13          **SECTION 7264m.** 977.05 (4) (i) 7. of the statutes is amended to read:

14          977.05 (4) (i) 7. Cases involving paternity determinations, as specified under  
15 ~~ch. 767 s. 767.52,~~ in which the state is the petitioner under s. 767.45 (1) (g) or in which  
16 the action is commenced on behalf of the child by an attorney appointed under s.  
17 767.045 (1) (c).

18          **SECTION 7265.** 977.05 (4) (j) of the statutes is amended to read:

19          977.05 (4) (j) ~~At~~ Subject to sub. (6) (e) and (f), at the request of any person  
20 determined by the state public defender to be indigent or upon referral of any court,  
21 prosecute a writ of error, appeal, action or proceeding for habeas corpus or other  
22 postconviction or post-commitment remedy ~~or attack the conditions of confinement~~  
23 on behalf of the person before any court, if the state public defender determines the  
24 case should be pursued. The state public defender must pursue the case of any  
25 indigent person entitled to counsel under s. 971.17 (7) (b) 1. or 980.03 (2) (a).

1           **SECTION 7266.** 977.05 (6) (title) of the statutes is amended to read:

2           977.05 (6) (title) ~~RESTRICTION~~ RESTRICTIONS.

3           **SECTION 7267.** 977.05 (6) of the statutes is renumbered 977.05 (6) (a) and  
4 amended to read:

5           977.05 (6) (a) The state public defender ~~shall~~ may not provide legal services or  
6 assign counsel for cases involving a person subject to contempt of court proceedings  
7 involving the alleged failure of the person to pay a forfeiture to a county or  
8 municipality.

9           **SECTION 7268.** 977.05 (6) (b) of the statutes is created to read:

10          977.05 (6) (b) The state public defender may not provide legal services or assign  
11 counsel for a person subject to contempt of court proceedings under s. 767.30 or  
12 767.305 for failure to pay child or family support, if any of the following applies:

13           1. The action is not brought by the state, its delegate under s. 59.458 (1) or an  
14 attorney appointed under s. 767.045 (1) (c).

15           2. The judge or family court commissioner before whom the proceedings shall  
16 be held certifies to the state public defender that the person will not be incarcerated  
17 if he or she is found in contempt of court.

18          **SECTION 7268b.** 977.05 (6) (c) of the statutes is created to read:

19          977.05 (6) (c) The state public defender may not provide legal services or assign  
20 counsel for any of the following persons:

21           1. An adult who has not yet been charged with a crime.

22           2. A child who is not yet subject to a proceeding under ch. 48 for which counsel  
23 is required under s. 48.23 or for which counsel may be appointed under s. 48.23.

24          **SECTION 7268k.** 977.05 (6) (e) of the statutes is created to read:

1           977.05 (6) (e) The state public defender may not provide legal services or assign  
2 counsel for a person who files a motion to modify sentence under s. 973.19 (1) (a), or  
3 for a person who appeals, under s. 973.19 (4), the denial of a motion to modify  
4 sentence filed under s. 973.19 (1) (a), unless the person does one of the following:

5           1. Files the notice of intent to pursue postconviction relief within the time limit  
6 specified in s. 809.30 (2) (b).

7           2. Files the motion to modify sentence under s. 973.19 (1) (a) within 20 days  
8 after the sentence or order is entered.

9           **SECTION 7268p.** 977.05 (6) (f) of the statutes is created to read:

10           977.05 (6) (f) The state public defender may not provide legal services or assign  
11 counsel in cases involving an appeal or postconviction motion under s. 809.30 (2) if  
12 the notice of intent to pursue postconviction relief is not filed within the time limit  
13 specified in s. 809.30 (2) (b).

14           **SECTION 7268s.** 977.05 (6) (g) of the statutes is created to read:

15           977.05 (6) (g) The state public defender may not provide legal services or assign  
16 counsel in cases involving modification of the conditions of probation under s. 973.09  
17 (3) unless all of the following apply:

18           1. The probationer is contesting the modification of the conditions of probation.

19           2. The state or the court seeks to modify the conditions of probation to include  
20 a period of confinement under s. 973.09 (4).

21           **SECTION 7268w.** 977.05 (6) (h) of the statutes is created to read:

22           977.05 (6) (h) The state public defender may not provide legal services or assign  
23 counsel in parole revocation proceedings unless all of the following apply:

24           1. The parolee is contesting the revocation of parole.

1           2. The department of corrections seeks to have the parolee imprisoned upon the  
2 revocation of parole.

3           **SECTION 7268y.** 977.05 (6) (i) of the statutes is created to read:

4           977.05 (6) (i) The state public defender may not provide legal services or assign  
5 counsel in probation revocation proceedings unless all of the following apply:

6           1. The probationer is contesting the revocation of probation.

7           2. The department of corrections seeks to have the probationer imprisoned  
8 upon the revocation of probation or a stayed sentence of imprisonment will be  
9 imposed on the probationer upon the revocation of probation.

10          **SECTION 7269.** 977.06 (title) and (1) of the statutes are created to read:

11          **977.06** (title)     **Indigency determinations; redeterminations;**  
12 **verification; collection.** (1) DUTIES. The state public defender shall determine  
13 whether persons are indigent and shall establish a system to do all of the following:

14           (a) Verify the information necessary to determine indigency under s. 977.07 (2).  
15 The information provided by a person seeking assigned counsel that is subject to  
16 verification shall include the social security numbers required on an application  
17 under sub. (1m), income records, value of assets, eligibility for public assistance, as  
18 defined in s. 16.20 (1) (fm), and claims of expenses.

19           (b) Redetermine indigency during the course of representation of persons  
20 receiving representation.

21           (c) Record the amount of time spent on each case by the attorney appointed  
22 under s. 977.08.

23           (d) Collect for the cost of representation from persons who are indigent in part  
24 or who have been otherwise determined to be able to reimburse the state public  
25 defender for the cost of providing counsel.

**SECTION 7269m**

1           **SECTION 7269m.** 977.06 (1) (a) of the statutes, as created by 1995 Wisconsin  
2 Act .... (this act), is amended to read:

3           977.06 (1) (a) Verify the information necessary to determine indigency under  
4 s. 977.07 (2). The information provided by a person seeking assigned counsel that  
5 is subject to verification shall include the social security numbers required on an  
6 application under sub. (1m), income records, value of assets, eligibility for public  
7 assistance, as defined in s. ~~16.20~~ 106.215 (1) (fm), and claims of expenses.

8           **SECTION 7269p.** 977.06 (1m) of the statutes is created to read:

9           977.06 (1m) APPLICATION FOR REPRESENTATION. A person seeking to have counsel  
10 assigned for him or her under s. 977.08, other than a child who is entitled to be  
11 represented by counsel under s. 48.23, shall provide the state public defender with  
12 his or her social security number and the social security numbers of his or her spouse  
13 and dependent children, if any.

14           **SECTION 7270.** 977.06 (2) (title) of the statutes is created to read:

15           977.06 (2) (title) VERIFICATIONS.

16           **SECTION 7270m.** 977.06 (2) (am) of the statutes is created to read:

17           977.06 (2) (am) A person seeking to have counsel assigned for him or her under  
18 s. 977.08, other than a child who is entitled to be represented by counsel under s.  
19 48.23, shall sign a statement declaring that the information that he or she has given  
20 to determine eligibility for assignment of counsel he or she believes to be true and  
21 that he or she is informed that he or she is subject to the penalty under par. (b).

22           **SECTION 7271.** 977.06 (3) (title) of the statutes is created to read:

23           977.06 (3) (title) REDETERMINATIONS.

24           **SECTION 7271g.** 977.06 (3) (b) of the statutes is created to read:

1           977.06 (3) (b) The state public defender may petition a court that ordered  
2 payment under s. 757.66, 973.06 (1) (e) or 977.076 (1) to modify an order or judgment  
3 to adjust the amount of payment or the scheduled amounts at any time.

4           **SECTION 7271m.** 977.06 (3) (c) of the statutes is created to read:

5           977.06 (3) (c) Except as provided in s. 48.275 (2) (b), an adjustment under this  
6 subsection shall be based on the person's ability to pay and on the fee schedule  
7 established by the board under s. 977.075 (3).

8           **SECTION 7272.** 977.06 (4) (title) of the statutes is created to read:

9           977.06 (4) (title) OVERSIGHT.

10          **SECTION 7272m.** 977.07 (1) (a) of the statutes is amended to read:

11          977.07 (1) (a) Determination of indigency for persons entitled to counsel shall  
12 be made as soon as possible and shall be in accordance with the rules promulgated  
13 by the board under s. 977.02 (3) and the system established under s. 977.06. No  
14 determination of indigency is required for a child who is entitled to be represented  
15 by counsel under s. 48.23.

16          **SECTION 7273.** 977.07 (2) (a) of the statutes is renumbered 977.07 (2) and  
17 amended to read:

18          977.07 (2) The representative of the state public defender or the authority for  
19 indigency determinations specified under sub. (1) making a determination of  
20 indigency shall ascertain the assets of the person which exceed the amount needed  
21 for the payment of reasonable and necessary expenses incurred, or which must be  
22 incurred to support the person and the person's immediate family. The assets shall  
23 include disposable income, cash in hand, stocks and bonds, bank accounts and other  
24 property which can be converted to cash within a reasonable period of time and is not  
25 needed to hold a job, or to shelter, clothe and care for the person and the person's

1 immediate family. Assets which cannot be converted to cash within a reasonable  
2 period of time, such as a person's home, car, household furnishings, clothing and  
3 other property which has been declared exempt from attachment or execution by law,  
4 shall be calculated to be assets equivalent in dollars to the amount of the loan which  
5 could be, in fact, raised by using these assets as collateral. Assets also include any  
6 money expended by the person to post bond to obtain release regarding the current  
7 alleged offense. If the person's assets, less reasonable and necessary living expenses,  
8 are not sufficient to cover the anticipated cost of effective representation when the  
9 length and complexity of the anticipated proceedings are taken fully into account, the  
10 person shall be determined to be indigent in full or in part. The determination of the  
11 ability of the person to contribute to the cost of legal services shall be based upon  
12 specific written standards relating to income, assets and the anticipated cost of  
13 representation. ~~If found to be indigent in full or in part, the person shall be promptly  
14 informed of the state's right to payment or recoupment under s. 48.275 (2), 757.66  
15 or 973.06 (1) (e), and the possibility that the payment of attorney fees may be made  
16 a condition of probation, should the person be placed on probation. Furthermore, if  
17 found to be indigent in part, the person shall be promptly informed of the extent to  
18 which he or she will be expected to pay for counsel, and whether the payment shall  
19 be in the form of a lump sum payment or periodic payments. The person shall be  
20 informed that the payment amount may be adjusted if his or her financial  
21 circumstances change by the time of sentencing. The payment and payment  
22 schedule shall be set forth in writing. Payments for services of the state public  
23 defender or other counsel provided under this chapter made pursuant to this  
24 subsection shall be paid to the state public defender for deposit in the state treasury  
25 and credited to the appropriation under s. 20.550 (1) (ja). Under this subsection,~~

1 reasonable and necessary living expenses equal the applicable payment amount  
2 under s. 49.19 (11) (a) 1. plus other specified, emergency or essential costs. The  
3 representative or authority making the determination of indigency shall consider  
4 any assets of the spouse of the person claiming to be indigent as if they were assets  
5 of the person, unless the spouse was the victim of a crime allegedly committed by the  
6 person.

7 **SECTION 7274m.** 977.07 (2) (b) of the statutes is renumbered 977.06 (3) (a) and  
8 amended to read:

9 977.06 (3) (a) Unless the court has made an adjustment under s. 973.06 (1) (e),  
10 upon determination at the conclusion of a case that a person's financial  
11 circumstances are changed, the state public defender may adjust the amount of  
12 payment for counsel under ~~par. (a) in accordance with par. (a) and sub. (1) (a).~~

13 **SECTION 7275.** 977.07 (2) (c) of the statutes is renumbered 977.06 (2) (a) and  
14 amended to read:

15 977.06 (2) (a) A person seeking to have counsel assigned for him or her under  
16 s. 977.08, other than a child who is entitled to be represented by counsel under s.  
17 48.23, shall sign a statement declaring that he or she has not disposed of any assets  
18 for the purpose of qualifying for that assignment of counsel. If the representative  
19 or authority making the indigency determination finds that any asset was disposed  
20 of for less than its fair market value for the purpose of obtaining that assignment of  
21 counsel, the asset shall be counted under ~~par. (a)~~ s. 977.07 (2) at its fair market value  
22 at the time it was disposed of, minus the amount of compensation received for the  
23 asset.

24 **SECTION 7276.** 977.07 (2) (d) of the statutes is renumbered 977.06 (2) (b).

25 **SECTION 7276m.** 977.07 (2m) of the statutes is created to read:

**SECTION 7276m**

1           977.07 **(2m)** If the person is found to be indigent in full or in part, the person  
2 shall be promptly informed of the state's right to payment or recoupment under s.  
3 48.275 (2), 757.66, 973.06 (1) (e) or 977.076 (1), and the possibility that the payment  
4 of attorney fees may be made a condition of probation, should the person be placed  
5 on probation. Furthermore, if found to be indigent in part, the person shall be  
6 promptly informed of the extent to which he or she will be expected to pay for counsel,  
7 and whether the payment shall be in the form of a lump sum payment or periodic  
8 payments. The person shall be informed that the payment amount may be adjusted  
9 if his or her financial circumstances change by the time of sentencing. The payment  
10 and payment schedule shall be set forth in writing. This subsection does not apply  
11 to persons who have paid under s. 977.075 (1).

12           **SECTION 7277.** 977.07 (3) of the statutes is renumbered 977.06 (4) (a).

13           **SECTION 7278.** 977.07 (3m) (a) (intro.) of the statutes is renumbered 977.06 (4)  
14 (b) (intro.) and amended to read:

15           977.06 **(4)** (b) (intro.) The state public defender shall promptly release a copy  
16 of any statement, affidavit or other information provided by a person regarding  
17 financial eligibility under this section s. 977.07 only if the state public defender or  
18 a circuit court finds all of the following:

19           **SECTION 7279.** 977.07 (3m) (a) 1. of the statutes is renumbered 977.06 (4) (b)  
20 1.

21           **SECTION 7280.** 977.07 (3m) (a) 2. of the statutes is renumbered 977.06 (4) (b)  
22 2.

23           **SECTION 7281.** 977.07 (3m) (b) of the statutes is renumbered 977.06 (4) (c) and  
24 amended to read:

1           977.06 (4) (c) Paragraph ~~(a)~~ (b) does not limit the authority of the state public  
2 defender to release a copy of the statement, affidavit or other information under  
3 other circumstances.

4           **SECTION 7281m.** 977.075 of the statutes is created to read:

5           **977.075 Payment for legal representation. (1)** The board shall establish  
6 by rule fixed amounts as flat payments for the cost of representation that persons  
7 found indigent in full or in part may elect to pay. The rule shall require all of the  
8 following:

9           (a) If a person elects to pay the applicable fixed amount, the person cannot be  
10 held liable for any additional payment for counsel.

11           (b) The person may pay the fixed amount only at the beginning of the  
12 representation.

13           **(2)** The board shall establish by rule a procedure for collecting a nonrefundable  
14 partial payment for services from persons who are responsible for payment for legal  
15 representation and who are not indigent in full. The rule shall require that the  
16 payment be due within 60 days after the commencement of representation. This  
17 subsection does not apply to a parent who is subject to s. 48.275 (2) (b).

18           **(3)** The board shall establish by rule a fee schedule that sets the amount that  
19 a person, other than a parent under s. 48.275 (2) (b), who is responsible for payment  
20 for legal representation shall pay for the cost of the legal representation. The  
21 schedule shall establish a fee for a given type of case, and the fee for a given type of  
22 case shall be based on the average cost, as determined by the board, for  
23 representation for that type of case.

24           **SECTION 7281q.** 977.076 of the statutes is created to read:

**SECTION 7281q**

1           **977.076 Collections.** (1) If the state public defender notifies the court in  
2           which the underlying action was filed that a person who is required to reimburse the  
3           state public defender for legal representation has failed to make the required  
4           payment or to timely make periodic payments, the court may issue a judgment on  
5           behalf of the state for the unpaid balance and direct the clerk of circuit court to file  
6           and docket a transcript of the judgment, without fee. If the court issues a judgment  
7           for the unpaid balance, the court shall send a notice to the person at his or her  
8           last-known address that a civil judgment has been issued for the unpaid balance.  
9           The judgment has the same force and effect as judgments issued under s. 806.10.  
10          Except as provided in s. 48.275 (2) (b), the judgment shall be based on the person's  
11          ability to pay and on the fee schedule established by the board under s. 977.075 (3).

12          (2) The department of administration may collect unpaid reimbursement  
13          payments to the state public defender ordered by a court under sub. (1) or s. 48.275  
14          (1) (a), 757.66 or 973.06 (1) (e). The department may contract with a private  
15          collection agency to collect these payments. Section 16.705 does not apply to a  
16          contract under this subsection.

17          **SECTION 7281t.** 977.08 (2) (c) of the statutes is amended to read:

18          977.08 (2) (c) Cases involving persons charged with a misdemeanor that is  
19          punishable by imprisonment ~~but is not specified under par. (a) and to which s.~~  
20          939.615 (1) does not apply.

21          **SECTION 7282.** 977.08 (2) (f) of the statutes is repealed.

22          **SECTION 7284.** 977.08 (3) (f) of the statutes is amended to read:

23          977.08 (3) (f) Beginning on October 1, 1993, the state public defender ~~may~~ shall  
24          enter into as many annual contracts as possible with private local attorneys or law  
25          firms for the provision of legal representation ~~in cases involving the operation of a~~

1 vehicle. Under any such contract, the state public defender shall assign cases  
2 without regard to pars. (c) and (d), shall set a fixed-fee total amount for all cases  
3 handled and shall pay the that amount ~~specified in the contract, which shall not~~  
4 ~~exceed the amount, except that the state public defender may not pay an attorney~~  
5 more for a case than he or she would receive according to the rates under sub. (4m).

6 The contract shall include a procedure authorizing the state public defender to make  
7 additional payments for a case or to reassign a case if the circumstances surrounding  
8 the case justify the additional payment or reassignment.

9 **SECTION 7284m.** 977.08 (3) (fm) of the statutes is created to read:

10 977.08 (3) (fm) Contracts entered into under par. (f) must terminate before  
11 January 1, 1998.

12 **SECTION 7285.** 977.08 (3) (g) of the statutes is created to read:

13 977.08 (3) (g) The state public defender may appoint an attorney without  
14 regard to pars. (c) and (d) based on the state public defender's evaluation of that  
15 attorney's performance if the board promulgates rules under s. 977.03 (3).

16 **SECTION 7285g.** 977.08 (4m) of the statutes is amended to read:

17 977.08 (4m) (a) Unless otherwise provided by a rule promulgated under s.  
18 977.02 (7r), for cases assigned before December 1, 1992, private local attorneys shall  
19 be paid \$45 per hour for time spent in court; \$35 per hour for time spent out of court,  
20 excluding travel, related to a case; and \$25 per hour for time spent in travel related  
21 to a case if any portion of the trip is outside the county in which the attorney's  
22 principal office is located or if the trip requires traveling a distance of more than 30  
23 miles, one way, from the attorney's principal office.

24 (b) Unless otherwise provided by a rule promulgated under s. 977.02 (7r) or by  
25 a contract authorized under sub. (3) (f), for cases assigned on or after December 1,

**SECTION 7285g**

1 1992, private local attorneys shall be paid \$50 per hour for time spent in court; \$40  
2 per hour for time spent out of court, excluding travel, related to a case; and \$25 per  
3 hour for time spent in travel related to a case if any portion of the trip is outside the  
4 county in which the attorney's principal office is located or if the trip requires  
5 traveling a distance of more than 30 miles, one way, from the attorney's principal  
6 office.

7 **SECTION 7285m.** 977.08 (4m) (c) of the statutes is created to read:

8 977.08 (4m) (c) Unless otherwise provided by a rule promulgated under s.  
9 977.02 (7r) or by a contract authorized under sub. (3) (f), for cases assigned on or after  
10 the effective date of this paragraph .... [revisor inserts date], private local attorneys  
11 shall be paid \$40 per hour for time spent related to a case, excluding travel, and \$25  
12 per hour for time spent in travel related to a case if any portion of the trip is outside  
13 the county in which the attorney's principal office is located or if the trip requires  
14 traveling a distance of more than 30 miles, one way, from the attorney's principal  
15 office.

16 **SECTION 7286.** 977.08 (5) (b) (intro.) of the statutes is amended to read:

17 977.08 (5) (b) (intro.) ~~For the period before January 1, 1993, any~~ Any of the  
18 following constitutes an annual caseload standard for an assistant state public  
19 defender in the subunit responsible for trials:

20 **SECTION 7287.** 977.08 (5) (bd) of the statutes is repealed.

21 **SECTION 7288.** 977.08 (5) (bg) of the statutes is repealed.

22 **SECTION 7289.** 977.085 (1) (c) of the statutes is amended to read:

23 977.085 (1) (c) ~~In the last 3 quarterly reports for fiscal year 1993-94 and in all~~  
24 ~~of the quarterly reports for fiscal year 1994-95~~ years 1995-96 and 1996-97,  
25 information regarding the status of contracting under s. 977.08 (3) (f) and in the first

1 2 quarterly reports for fiscal year 1997-98, including information showing the cost  
2 savings achieved through the contracting.

3 **SECTION 7290m.** 977.10 (title) of the statutes is repealed.

4 **SECTION 7290p.** 977.10 of the statutes is renumbered 977.085 (3) and amended  
5 to read:

6 977.085 (3) ~~On or before each January 15, the state public defender~~ The board  
7 shall report provide quarterly reports to the joint committee on finance on the status  
8 of reimbursement for or recoupment of payments under ss. 48.275, 757.66 and,  
9 977.06, 977.07 (2), 977.075 and 977.076, including the amount of revenue generated  
10 by reimbursement and recoupment. The quarterly reports shall include any  
11 alternative means suggested by the board to improve reimbursement and  
12 recoupment procedures and to increase the amount of revenue generated. The  
13 department of justice, district attorneys, circuit courts and applicable county  
14 agencies shall cooperate by providing any necessary information to the state public  
15 defender.

16 **SECTION 7290t.** 978.045 (2) (a) of the statutes is amended to read:

17 978.045 (2) (a) The court shall fix the amount of compensation for any attorney  
18 appointed as a special prosecutor under sub. (1r) according to the rates specified in  
19 s. 977.08 (4m) (b).

20 **SECTION 7291.** 978.05 (4m) of the statutes is amended to read:

21 978.05 (4m) WELFARE FRAUD INVESTIGATIONS. Cooperate with the department  
22 of ~~health and social services~~ industry, labor and human relations regarding the fraud  
23 investigation program under s. 49.197 (1m).

24 **SECTION 7292.** 978.05 (6) (b) of the statutes is amended to read:

1           978.05 (6) (b) Enforce the provisions of all general orders of the department of  
2 industry, labor and human relations development relating to the sale, transportation  
3 and storage of explosives.

4           **SECTION 7292m.** 978.06 (6) of the statutes is amended to read:

5           978.06 (6) No district attorney, deputy district attorney or assistant district  
6 attorney may appear in a civil action or proceeding under s. ~~46.25~~ 73.25 (7), 59.07  
7 (97), 767.075, 767.08 or 767.45 or ch. 769.

8           **SECTION 7293.** 978.07 (1) (a) of the statutes is amended to read:

9           978.07 (1) (a) Any district attorney record, after it has first been microfilmed  
10 or transferred to optical disk or electronic storage and preserved in accordance with  
11 s. 16.61.

12           **SECTION 7293g.** 978.13 (1) (b) of the statutes is amended to read:

13           978.13 (1) (b) In counties having a population of 500,000 or more, the salary  
14 and fringe benefit costs of 2 clerk positions providing clerical services to the  
15 prosecutors in the district attorney's office handling cases involving felony violations  
16 under ch. 161. The state treasurer shall pay the amount authorized under this  
17 paragraph to the county treasurer pursuant to a voucher submitted by the district  
18 attorney to the department of administration from the appropriation under s. 20.475  
19 (1) ~~(h)~~ (i). The amount paid under this paragraph may not exceed ~~\$61,100~~ \$65,800  
20 in the ~~1993-94~~ 1995-96 fiscal year and ~~\$63,600~~ \$68,100 in the ~~1994-95~~ 1996-97  
21 fiscal year.

22           **SECTION 7293h.** 978.13 (1) (b) of the statutes, as affected by 1995 Wisconsin Act  
23 .... (this act), is amended to read:

24           978.13 (1) (b) In counties having a population of 500,000 or more, the salary  
25 and fringe benefit costs of 2 clerk positions providing clerical services to the

**SECTION 7293h**

1 prosecutors in the district attorney's office handling cases involving felony violations  
2 under ch. 161. The ~~state treasurer~~ secretary of administration shall pay the amount  
3 authorized under this paragraph to the county treasurer pursuant to a voucher  
4 submitted by the district attorney to the department of administration from the  
5 appropriation under s. 20.475 (1) (i). The amount paid under this paragraph may not  
6 exceed \$65,800 in the 1995-96 fiscal year and \$68,100 in the 1996-97 fiscal year.

7 **SECTION 7293i.** 978.13 (1) (c) of the statutes is amended to read:

8 978.13 (1) (c) In counties having a population of 500,000 or more, the salary and  
9 fringe benefit costs of clerk positions in the district attorney's office necessary for the  
10 prosecution of violent crime cases primarily involving felony violations under s.  
11 939.63, if a felony is committed while armed, and under ss. 940.01 to 940.03, 940.05,  
12 940.06, 940.225, 943.23 (1g), (1m) and (1r) and 943.32 (2). The state treasurer shall  
13 pay the amount authorized under this paragraph to the county treasurer pursuant  
14 to a voucher submitted by the district attorney to the secretary of administration  
15 from the appropriation under s. 20.475 (1) (e) (i). The amount paid under this  
16 paragraph may not exceed ~~\$76,800~~ \$82,600 in the ~~1993-94~~ 1995-96 fiscal year and  
17 ~~\$79,800~~ \$85,500 in the ~~1994-95~~ 1996-97 fiscal year.

18 **SECTION 7293j.** 978.13 (1) (c) of the statutes, as affected by 1995 Wisconsin Act  
19 .... (this act), is amended to read:

20 978.13 (1) (c) In counties having a population of 500,000 or more, the salary and  
21 fringe benefit costs of clerk positions in the district attorney's office necessary for the  
22 prosecution of violent crime cases primarily involving felony violations under s.  
23 939.63, if a felony is committed while armed, and under ss. 940.01 to 940.03, 940.05,  
24 940.06, 940.225, 943.23 (1g), (1m) and (1r) and 943.32 (2). The ~~state treasurer~~  
25 secretary of administration shall pay the amount authorized under this paragraph

1 to the county treasurer pursuant to a voucher submitted by the district attorney to  
2 the secretary of administration from the appropriation under s. 20.475 (1) (i). The  
3 amount paid under this paragraph may not exceed \$82,600 in the 1995-96 fiscal year  
4 and \$85,500 in the 1996-97 fiscal year.

5 **SECTION 7294.** 990.01 (3) of the statutes is amended to read:

6 990.01 (3) ADULT. ~~An adult is~~ “Adult” means a person who has attained the age  
7 of 18 years, except that for purposes of prosecuting a person who is alleged to have  
8 violated any state or federal criminal law, “adult” means a person who has attained  
9 the age of 17 years.

10 **SECTION 7295.** 990.01 (20) of the statutes is amended to read:

11 990.01 (20) MINOR. ~~A minor is~~ “Minor” means a person who has not attained  
12 the age of 18 years, except that for purposes of prosecuting a person who is alleged  
13 to have violated a state or federal criminal law, “minor” does not include a person who  
14 has attained the age of 17 years.

15 **SECTION 7296b.** 992.06 (2) of the statutes is amended to read:

16 992.06 (2) Whenever in the organization of corporations under chapter 146,  
17 laws of 1872, articles of association were made and adopted and signed by the  
18 persons forming such corporation, and there may have been a failure to make and  
19 record a verified copy thereof in the office of the register of deeds of the county in  
20 which such corporation is located, and such association, organization or corporation  
21 has in good faith carried on business and acted as a corporation for 25 years or more,  
22 such failure to make and record a verified copy of the articles of association shall not  
23 affect the validity of the corporation, but the same shall be a body corporate from and  
24 after the date of the making, adopting and signing of the articles of association, the  
25 same as though a verified copy had been duly made and recorded in the office of the

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1 register of deeds. Whenever any such corporation shall in good faith have attempted  
2 to change its corporate name, and shall in good faith have carried on and conducted  
3 its business under such changed name for a period of 25 years or more, and shall  
4 record its original articles of incorporation, or the copy thereof, with the register of  
5 deeds, of the county in which such corporation has its principal office, and in case the  
6 said original articles of incorporation, or a copy thereof, cannot be obtained, a  
7 certificate from the ~~secretary of state~~ department of financial institutions showing  
8 that no such articles nor a copy thereof can be found in the ~~office of the secretary of~~  
9 ~~state~~ records of the department of financial institutions, its acts, doings and  
10 proceedings heretofore done or which shall hereafter be done in or under such  
11 changed name shall be as valid and binding and as good in law as though done in or  
12 under the name contained in its original articles of association.

13 **SECTION 7297b.** 992.06 (3) of the statutes is amended to read:

14 992.06 (3) All transfers of real estate heretofore made to corporations,  
15 organized under the laws of this state, executed, delivered, filed and recorded  
16 between the date of the filing of the articles of organization ~~in the office of the~~  
17 ~~secretary of state~~ with the department of financial institutions and the date of the  
18 filing of a certified copy of said articles in the office of the register of deeds in the  
19 county wherein said corporation has its principal place of business, are hereby  
20 legalized, ratified, confirmed and validated.

21 **SECTION 7298d.** 1993 Wisconsin Act 16, section 2207aim is repealed.

22 **SECTION 7298e.** 1993 Wisconsin Act 16, section 2207ain is repealed.

23 **SECTION 7298f.** 1993 Wisconsin Act 16, section 2207aio is repealed.

24 **SECTION 7298g.** 1993 Wisconsin Act 16, section 2207aip is repealed.

25 **SECTION 7298h.** 1993 Wisconsin Act 16, section 2207air is repealed.

1           **SECTION 7298i.** 1993 Wisconsin Act 16, section 2213h is repealed.

2           **SECTION 7298j.** 1993 Wisconsin Act 16, section 2213i is repealed.

3           **SECTION 7298k.** 1993 Wisconsin Act 16, section 2213r is repealed.

4           **SECTION 7298L.** 1993 Wisconsin Act 16, section 2213s is repealed.

5           **SECTION 7298q.** 1993 Wisconsin Act 16, section 9120 (2xx) is repealed.

6           **SECTION 7299.** 1993 Wisconsin Act 16, section 9126 (15v) is renumbered 49.45

7           (6s) of the statutes and amended to read:

8           49.45 **(6s)** SUPPLEMENTAL PAYMENTS TO COUNTY HOMES. Notwithstanding section  
9           49.45 sub. (6m) of the statutes, as affected by this act, the department of health and  
10           social services shall, from the appropriation under section s. 20.435 (1) (o) of the  
11           statutes, distribute not more than \$20,000,000 in fiscal year 1993-94 1995-96 and  
12           not more than \$20,000,000 in fiscal year 1994-95 1996-97, to provide supplemental  
13           payments for care to recipients of medical assistance provided in county homes  
14           established under section s. 49.14 (1) of the statutes, except that the department  
15           shall also distribute for this same purpose from the appropriation under s. 20.435 (1)  
16           (o) any additional federal medical assistance funds that were not anticipated before  
17           enactment of the biennial budget act or other legislation affecting s. 20.435 (1) (o),  
18           were not used to fund nursing home rate increases under sub. (6m) (ag) 8. and are  
19           matched by county funds under sub. (6u) (b) 2. and certified under sub. (6u) (b) 2m.  
20           The total amount certified under sub. (6u) (b) 2m. and under this subsection may not  
21           exceed 100% of otherwise-unreimbursed care.

22           **SECTION 7299m.** 1993 Wisconsin Act 16, section 9145 (1t) (a) is renumbered  
23           119.55 (1) (a) of the statutes and amended to read:

24           119.55 **(1)** (a) ~~Notwithstanding section 118.16 (4) (c) of the statutes, as created~~  
25           ~~by this act, the~~ The board of school directors of the Milwaukee public schools shall

1 establish one or more youth service centers for the counseling of children who are  
2 taken into custody under section s. 48.19 (1) (d) 9<sub>2</sub> or 10 of the statutes, as created  
3 by this act, for being absent from school without an acceptable excuse under section  
4 s. 118.15 of the statutes, as affected by this act. The board shall contract with the  
5 boys and girls clubs of Greater Milwaukee for the operation of the centers.

6 **SECTION 7300.** 1993 Wisconsin Act 16, section 9145 (1t) (b) 2. (intro.) and (c)  
7 are amended to read:

8 [1993 Wisconsin Act 16] Section 9145 (1t) (b) 2. (intro.) From the appropriation  
9 under section 20.255 (2) (ed) of the statutes, as created by this act, the state  
10 superintendent of public instruction shall provide to the city of Milwaukee \$193,000  
11 in the ~~1993-94~~ fiscal year and \$193,000 in the ~~1994-95~~ 1995-96 fiscal year to pay  
12 the costs of salaries and fringe benefits for not more than 4 law enforcement officers,  
13 subject to the following restrictions:

14 (c) This subsection does not apply after June 30, ~~1995~~ 1996.

15 **SECTION 7300g.** 1993 Wisconsin Act 16, section 9320 (1y) is repealed.

16 **SECTION 7300k.** 1993 Wisconsin Act 16, section 9420 (1z) is repealed.

17 **SECTION 9101. Nonstatutory provisions; administration.**

18 (1) TRANSFER OF NATIONAL AND COMMUNITY SERVICE BOARD.

19 (a) *Assets and liabilities.* On the effective date of this subsection, the assets  
20 and liabilities of the department of administration primarily related to the functions  
21 of the national and community service board, as determined by the secretary of  
22 administration, shall become the assets and liabilities of the department of industry,  
23 labor and human relations.

24 (b) *Positions and employes.*

1           1. On the effective date of this subdivision, all full-time equivalent positions  
2 in the department of administration having duties primarily related to the functions  
3 of the national and community service board, as determined by the secretary of  
4 administration, are transferred to the department of industry, labor and human  
5 relations.

6           2. All incumbent employes holding positions specified in subdivision 1. are  
7 transferred on the effective date of this subdivision to the department of industry,  
8 labor and human relations.

9           3. Employes transferred under subdivision 2. have all the rights and the same  
10 status under subchapter V of chapter 111 and chapter 230 of the statutes in the  
11 department of industry, labor and human relations that they enjoyed in the  
12 department of administration immediately before the transfer. Notwithstanding  
13 section 230.28 (4) of the statutes, no employe so transferred who has attained  
14 permanent status in class is required to serve a probationary period.

15           (c) *Tangible personal property.* On the effective date of this paragraph, all  
16 tangible personal property, including records, of the department of administration  
17 that is primarily related to the functions of the national and community service  
18 board, as determined by the secretary of administration, is transferred to the  
19 department of industry, labor and human relations.

20           (d) *Contracts.* All contracts entered into by the department of administration  
21 in effect on the effective date of this paragraph that are primarily related to the  
22 functions of the national and community service board, as determined by the  
23 secretary of administration, remain in effect and are transferred to the department  
24 of industry, labor and human relations. The department of industry, labor and  
25 human relations shall carry out any such contractual obligations until modified or

1 rescinded by the department of industry, labor and human relations to the extent  
2 allowed under the contracts.

3 (2) INITIAL STATE VENDOR CHARGES AND FEES. In prescribing initial charges and  
4 fees under sections 16.701, 16.702 (1) and 16.855 (22) of the statutes, as created by  
5 this act, for the 1995-97 fiscal biennium the department of administration shall  
6 attempt to ensure gross revenue to the state of \$5,000,000 per fiscal year.

7 (3) DOCUMENT SALES AND MAIL DISTRIBUTION. On the effective date of this  
8 subsection, all assets acquired and liabilities incurred under the appropriation  
9 under section 20.505 (1) (ka), 1993 stats., that are attributable to state document  
10 sales or mail distribution, as determined by the secretary of administration, are  
11 transferred to the appropriation account under section 20.505 (1) (kd) of the statutes,  
12 as affected by this act.

13 (4) PUBLIC RECORDS AND FORMS. On the effective date of this subsection, all  
14 assets acquired and liabilities incurred under the appropriation under section  
15 20.505 (1) (kg), 1993 stats., are transferred to the appropriation account under  
16 section 20.505 (1) (kd) of the statutes, as affected by this act.

17 (5) PROSECUTION OF DRUG CRIMES, MILWAUKEE COUNTY. From federal and  
18 program revenue moneys appropriated to the department of administration for the  
19 office of justice assistance under section 20.505 (6) (g) of the statutes, as affected by  
20 this act, and section 20.505 (6) (pb) of the statutes, the department shall expend  
21 \$204,300 in fiscal year 1995-96 and \$220,600 in fiscal year 1996-97 to provide the  
22 multi-jurisdictional enforcement group serving Milwaukee County with funding for  
23 3 assistant district attorneys to prosecute criminal violations of chapter 161 of the  
24 statutes, as affected by this act. The funding is not subject to the grant procedure  
25 under section 16.964 (2m) of the statutes.

1           (6) PROSECUTION OF DRUG CRIMES, DANE COUNTY. From federal and program  
2 revenue moneys appropriated to the department of administration for the office of  
3 justice assistance under section 20.505 (6) (g) of the statutes, as affected by this act,  
4 and section 20.505 (6) (pb) of the statutes, the department shall expend \$70,900 in  
5 fiscal year 1995-96 and \$77,100 in fiscal year 1996-97 to provide the  
6 multi-jurisdictional enforcement group serving Dane County with funding for one  
7 assistant district attorney to prosecute criminal violations of chapter 161 of the  
8 statutes, as affected by this act. The funding is not subject to the grant procedure  
9 under section 16.964 (2m) of the statutes.

10           (8) PUBLIC RECORDS AND FORMS BOARD. Notwithstanding section 15.105 (4) of the  
11 statutes, as affected by this act, the member serving on the public records and forms  
12 board as a representative of a newspaper published in this state and the member  
13 serving on the public records and forms board as a representative of the permit  
14 information center may continue to serve as members of the public records board, as  
15 affected by this act, until a representative of a local unit of government, as defined  
16 in section 16.20 (1) (e) of the statutes, as affected by this act, and another member  
17 are appointed and qualify.

18           (9) KICKAPOO VALLEY RESERVE ADMINISTRATION TRANSFER.

19           (a) *Assets and liabilities.* On the effective date of this paragraph, all assets  
20 and liabilities of the department of administration primarily related to  
21 administration of the Kickapoo valley reserve, as determined by the department of  
22 administration, shall become the assets and liabilities of the department of tourism,  
23 as created by this act.

24           (b) *Positions and employes.*

**SECTION 9101**

1           1. On the effective date of this subdivision, the authorized FTE positions for  
2 the department of administration are decreased by 2.0 SEG positions having  
3 responsibility for administration of the Kickapoo valley reserve. On the effective  
4 date of this subdivision, any incumbent in a position identified in this subdivision  
5 shall, upon his or her request, be transferred to the department of tourism, as created  
6 by this act.

7           2. On the effective date of this subdivision, the authorized FTE positions for  
8 the department of tourism, as created by this act, are increased by 2.0 SEG positions.  
9 The secretary of tourism shall initially appoint any incumbents who request to be  
10 transferred under subdivision 1. to the positions authorized in this subdivision  
11 which correspond to the positions held by the incumbents on the day prior to the  
12 effective date of this subdivision.

13           (c) *Tangible personal property.* On the effective date of this paragraph, all  
14 tangible personal property, including records, of the department of administration  
15 primarily related to administration of the Kickapoo valley reserve, as determined by  
16 the secretary of administration, is transferred to the department of tourism, as  
17 created by this act.

18           (d) *Contracts.* All contracts entered into by the department of administration  
19 in effect on the effective date of this paragraph that are primarily related to the  
20 administration of the Kickapoo valley reserve, as determined by the secretary of  
21 administration, remain in effect and are transferred to the department of tourism,  
22 as created by this act. The department of tourism shall carry out any such  
23 contractual obligations unless modified or rescinded by the department of tourism  
24 to the extent allowed under the contracts.

25           (14) SENTENCING COMMISSION.

1           (a) *Rules and guidelines.* On the effective date of this paragraph, all rules and  
2 guidelines promulgated by the sentencing commission are void.

3           (b) *Contracts.* All contracts entered into by the sentencing commission in  
4 effect on the effective date of this paragraph remain in effect and are transferred to  
5 the department of administration. The department of administration shall carry out  
6 any such contractual obligations until modified or rescinded by the department of  
7 administration to the extent allowed under the contract.

8           (15) PRIVACY COUNCIL AND PRIVACY ADVOCATE.

9           (a) *Contracts.* All contracts entered into by the privacy council or the privacy  
10 advocate in effect on the effective date of this paragraph remain in effect and are  
11 transferred to the department of administration. The department of administration  
12 shall carry out any such contractual obligations until modified or rescinded by the  
13 department of administration to the extent allowed under the contract.

14           (b) *Pending matters.* Any matter pending with either the privacy council or  
15 the privacy advocate on the effective date of this paragraph is transferred to the  
16 department of administration and all materials submitted to or actions taken by the  
17 privacy council or the privacy advocate with respect to the pending matter are  
18 considered as having been submitted to or taken by the department of  
19 administration.

20           (16) RECYCLING MARKET DEVELOPMENT BOARD.

21           (a) On the effective date of this paragraph, the assets and liabilities of the  
22 department of administration primarily related to the functions of the recycling  
23 market development board, as determined by the secretary of administration, shall  
24 become the assets and liabilities of the board of regents of the University of Wisconsin  
25 System.

**SECTION 9101**

1           (b) On the effective date of this paragraph, the tangible personal property,  
2 including records, of the department of administration primarily used by the  
3 recycling market development board, as determined by the secretary of  
4 administration, is transferred to the board of regents of the University of Wisconsin  
5 System.

6           (c) All contracts entered into by the department of administration in effect on  
7 the effective date of this paragraph that are related primarily to the functions of the  
8 recycling market development board, as determined by the secretary of  
9 administration, remain in effect and are transferred to the board of regents of the  
10 University of Wisconsin System. The board of regents of the University of Wisconsin  
11 System shall carry out any obligations under those contracts unless modified or  
12 rescinded by the board of regents of the University of Wisconsin System to the extent  
13 allowed under the contract.

14           (eg) Notwithstanding section 15.105 (20) (c) 3. of the statutes, as affected by  
15 this act, all of the persons who are, immediately before the effective date of this  
16 paragraph, members of the recycling market development board representing  
17 responsible units shall continue to serve on the board until their terms expire.

18           (em) The recycling market development board shall submit the initial  
19 strategic plan required under section 159.41 of the statutes, as created by this act,  
20 to the appropriate standing committees of the legislature, as determined by the  
21 presiding officer of each house, in the manner provided in section 13.172 (3) of the  
22 statutes, by November 1, 1995, or the 90th day after the effective date of this  
23 paragraph, whichever is later.

24           (17) CLEAN WATER FUND ADMINISTRATION EMERGENCY RULES. Using the  
25 procedure under section 227.24 of the statutes, the department of administration

1 may promulgate rules for the clean water fund program under sections 144.241 and  
2 144.2415 of the statutes, as affected by this act, for the period before permanent rules  
3 take effect, but not to exceed the period authorized under section 227.24 (1) (c) and  
4 (2) of the statutes. Notwithstanding section 227.24 of the statutes, the department  
5 need not provide evidence of the necessity of preservation of the public peace, health,  
6 safety or welfare in promulgating rules under this subsection.

7 (18t) PUBLIC DEFENDER INFORMATION SYSTEM REPORT. Prior to submitting a  
8 request to the governor under section 16.505 (2) (a) of the statutes or taking action  
9 under section 16.515 (1) of the statutes to authorize full-time equivalent positions  
10 or to provide funding for the purpose of establishing an information system for the  
11 office of the state public defender, the secretary of administration shall submit a  
12 report to the cochairpersons of the joint committee on finance concerning:

13 (a) An implementation plan and associated costs for the proposed system.

14 (b) The costs of long-term support for the proposed system, including  
15 maintenance and training associated with the proposed system.

16 (c) The planned integration of the proposed system with other judicial and  
17 justice information systems.

18 (19) PAYMENT TO THE DIRECTOR OF STATE COURTS. From the appropriations under  
19 section 20.505 (6) (g) of the statutes, as affected by this act, and section 20.505 (6) (pb)  
20 of the statutes, the department of administration shall pay \$154,600 in fiscal year  
21 1995-96 and \$160,000 in fiscal year 1996-97 to the director of state courts to  
22 reimburse Milwaukee County for costs incurred in operating one circuit court branch  
23 in the 1st judicial administrative district that primarily handles drug-related cases.

24 (20g) TRANSFER OF DIVISION OF TRUST LANDS AND INVESTMENTS.

**SECTION 9101**

1           (a) *Assets and liabilities.* On the effective date of this paragraph, all assets and  
2 liabilities of the department of administration relating to the division of trust lands  
3 and investments shall become the assets and liabilities of the office of the state  
4 treasurer.

5           (b) *Tangible personal property.* On the effective date of this paragraph, all  
6 tangible personal property, including records, of the department of administration  
7 relating to the division of trust lands and investments are transferred to the office  
8 of the state treasurer.

9           (c) *Contracts.* All contracts entered into by the department of administration  
10 relating to the division of trust lands and investments, which are in effect on the  
11 effective date of this paragraph, remain in effect and are transferred to the office of  
12 the state treasurer. The office of the state treasurer shall carry out any such  
13 contractual obligations until modified or rescinded by the office of the state treasurer  
14 to the extent allowed under the contract.

15           (d) *Employe transfers and status.* On the effective date of this paragraph, all  
16 incumbent employes holding positions in the department of administration relating  
17 to the division of trust lands and investments, as determined by the secretary of  
18 administration, are transferred to the office of the state treasurer. Employes  
19 transferred under this paragraph have all rights and the same status under  
20 subchapter V of chapter 111 and chapter 230 of the statutes that they enjoyed in the  
21 department of administration. Notwithstanding section 230.28 (4) of the statutes,  
22 no employe so transferred who has attained permanent status in class may be  
23 required to serve a probationary period.

24           (e) *Pending matters.* Any matter pending with the department of  
25 administration relating to the division of trust lands and investments on the effective

1 date of this paragraph, is transferred to the office of the state treasurer and all  
2 materials submitted to or actions taken by the department of administration with  
3 respect to the pending matter are considered as having been submitted to or taken  
4 by the office of the state treasurer.

5 (f) *Rules and orders.* All rules promulgated by the department of  
6 administration relating to the division of trust lands and investments that are in  
7 effect on the effective date of this paragraph, remain in effect until their specified  
8 expiration dates or until amended or repealed by the office of the state treasurer. All  
9 orders issued by the department of administration relating to the division of trust  
10 lands and investments that are in effect on the effective date of this paragraph,  
11 remain in effect until their specified expiration dates or until amended or repealed  
12 by the office of the state treasurer.

13 (20m) ESTABLISHMENT OF PRINT-TO-MAIL CENTER. The department of  
14 administration shall submit to the cochairpersons of the joint committee on finance  
15 a report containing a plan for establishment of a print-to-mail center, at least 6  
16 months prior to establishment of such a center. The plan shall include descriptions  
17 of the funding and position modifications required to establish such a center and the  
18 impact of the proposed center on individual state agencies, and shall provide  
19 information concerning protection of privacy and access to public records in relation  
20 to operation of the center.

21 (20t) PLAN FOR CENTRALIZED STATE CHECK PROCESSING. No later than January 1,  
22 1996, the department of administration shall submit a plan to the cochairpersons of  
23 the joint committee on finance for creation and operation of a centralized center for  
24 the processing of checks issued by the state.

**SECTION 9101**

1           (21g) INFORMATION TECHNOLOGY INFRASTRUCTURE STANDARDS IMPLEMENTATION  
2 PLAN. The department of administration shall, pursuant to section 16.971 (2) (j) of  
3 the statutes, prescribe basic infrastructure standards for information technology  
4 systems development by the department and other executive branch agencies as  
5 defined in section 16.97 (5m) of the statutes, as created by this act. No later than  
6 January 1, 1996, the department shall submit to the cochairpersons of the joint  
7 committee on information policy a plan for implementation of the standards. The  
8 plan shall include a schedule for implementation of the standards, and an analysis  
9 of funding requirements for direct and related costs of implementation, including  
10 software conversion, technical support and staff training.

11           (21h) STANDARDIZED INFORMATION TECHNOLOGY PROJECT COSTING METHODOLOGY.

12           (a) In this subsection "information technology" has the meaning given in  
13 section 16.97 (6) of the statutes.

14           (b) No later than January 1, 1996, the department of administration shall  
15 develop and submit to the cochairpersons of the joint committee on finance and the  
16 cochairpersons of the joint committee on information technology a standardized  
17 methodology for evaluating and measuring the cost of any information technology  
18 project and the cost savings to be realized by the state as a result of implementation  
19 of the project.

20           (21ho) PROCUREMENT OF INFORMATION TECHNOLOGY SERVICES. No later than  
21 January 1, 1996, the department of administration shall submit to the  
22 cochairpersons of the joint committee on information policy proposed legislation  
23 that:

24           (a) Provides for speedier and more flexible competitive procedures for state  
25 procurement of information technology equipment, systems and services.

1 (b) Establishes terms and conditions under which an agency that is required  
2 to procure computer services from the division of information technology services  
3 under section 16.78 (1) of the statutes may instead procure services from a private  
4 vendor.

5 (c) Limits the application of services provided under section 16.76 (4) of the  
6 statutes to telecommunications services.

7 (2li) INITIAL INFORMATION TECHNOLOGY DEVELOPMENT PROJECTS.

8 (a) In accordance with section 16.515 (1) of the statutes, the secretary of  
9 administration shall provide a single notification to the cochairpersons of the joint  
10 committee on finance of all information technology development projects for which  
11 the department of administration proposes to award grants under section 16.971 (5)  
12 of the statutes, as created by this act, in the 1995-96 fiscal year. The notification  
13 shall include a detailed description of each project proposed to be funded, the total  
14 cost of the project, the anticipated annual commitment from the information  
15 technology investment fund required to complete the project and the project  
16 completion date.

17 (b) In approving grants under section 16.971 (5) of the statutes, as created by  
18 this act, for the 1995-96 fiscal year, the department of administration shall accord  
19 priority consideration to the following projects:

- 20 1. Department of administration: state information technology operations.
- 21 2. Department of agriculture, trade and consumer protection: consumer  
22 information.
- 23 3. Department of corrections: distance education.
- 24 4. Department of corrections: integrated learning.
- 25 5. Department of corrections: records imaging.

1           6. Department of corrections: scheduling software.

2           7. Department of development: interactive voice response.

3           8. Department of development: Wisconsin travel information center  
4 automation.

5           9. Department of health and social services: information technology services.

6           10. Department of justice: updating of departmental networks.

7           11. Department of natural resources: all-terrain vehicle-boat-snowmobile  
8 registration.

9           12. Department of natural resources: campground telephone reservation.

10          13. Department of natural resources: outdoor skills initiative.

11          14. Department of public instruction: voice response-facsimile transmission  
12 return.

13          15. Department of revenue: Milwaukee refund inquiry.

14          16. Board of regents of the University of Wisconsin System: distance  
15 education.

16          (22g) EDUCATIONAL TECHNOLOGY BOARD. Notwithstanding the length of term  
17 specified in section 15.105 (26) (a) (intro.) of the statutes, as created by this act, the  
18 initial terms of the members appointed under section 15.105 (26) (a) 1. and 9. of the  
19 statutes, as created by this act, expire on May 1, 1996; the initial terms of the  
20 members appointed under section 15.105 (26) (a) 2. and 5. of the statutes, as created  
21 by this act, expire on May 1, 1997; the initial terms of the members appointed under  
22 section 15.105 (26) (a) 3. and 6. of the statutes, as created by this act, expire on May  
23 1, 1998; and the initial terms of the members appointed under section 15.105 (26) (a)  
24 7. and 8. of the statutes, as created by this act, expire on May 1, 1999.

1           (23b) COMPETITIVE ENTERPRISE REVIEW BOARD; INITIAL TERMS. Notwithstanding  
2 section 15.105 (27) (d) of the statutes, as created by this act, the members of the  
3 competitive enterprise review board who are initially appointed to serve under  
4 section 15.105 (27) (d) of the statutes, as created by this act, shall serve for terms  
5 expiring on May 1, 1997.

6           **SECTION 9102. Nonstatutory provisions; adolescent pregnancy**  
7 **prevention and pregnancy services board.**

8           (1z) EDUCATION NOW AND BABIES LATER CURRICULUM DEVELOPMENT. Of the  
9 amounts appropriated under section 20.434 (1) (a) of the statutes, as affected by this  
10 act, the adolescent pregnancy prevention and pregnancy services board shall expend  
11 not more than \$10,000 in fiscal year 1996-97 to develop, or purchase, and provide  
12 the education now and babies later curriculum.

13           **SECTION 9104. Nonstatutory provisions; agriculture, trade and**  
14 **consumer protection.**

15           (2g) FARMLAND PRESERVATION REPORT. The department of agriculture, trade and  
16 consumer protection shall examine alternative methods for administering a  
17 farmland preservation tax credit payback requirement for persons who withdraw  
18 from the farmland preservation program and shall submit the results of its findings  
19 to the legislature, in the manner provided under section 13.172 (2) of the statutes,  
20 and to the governor no later than January 1, 1996. The report shall include, at a  
21 minimum, all of the following:

22           (a) A cost-benefit analysis of a system under which the amount of the payback  
23 is based on an amount per acre scale that considers the length of time that the  
24 landowner has participated in the program and the total amount of tax credits  
25 received on the land removed from the program.

1 (b) An estimate of the impact on collections of a provision that requires the  
2 payback to be made in full before final approval by the local unit of government of  
3 a request to rezone farmland from exclusive agricultural use.

4 (3) PLAT REVIEW TRANSFER.

5 (a) On the effective date of this paragraph, the assets and liabilities of the  
6 department of agriculture, trade and consumer protection primarily related to plat  
7 review, as determined by the secretary of administration, shall become the assets  
8 and liabilities of the department of development.

9 (b) On the effective date of this paragraph, the employes of the department of  
10 agriculture, trade and consumer protection primarily performing duties related to  
11 plat review, as determined by the secretary of administration, are transferred to the  
12 department of development.

13 (c) Employes transferred under paragraph (b) to the department of  
14 development have all of the rights and the same status under subchapter V of  
15 chapter 111 and chapter 230 of the statutes in the department of development that  
16 they enjoyed in the department of agriculture, trade and consumer protection  
17 immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,  
18 no employe so transferred who has attained permanent status in class is required to  
19 serve a probationary period.

20 (d) On the effective date of this paragraph, all tangible personal property,  
21 including records, of the department of agriculture, trade and consumer protection  
22 that is primarily related to plat review, as determined by the secretary of  
23 administration, is transferred to the department of development.

24 (e) All contracts entered into by the department of agriculture, trade and  
25 consumer protection in effect on the effective date of this paragraph that are

**SECTION 9104**

1 primarily related to plat review, as determined by the secretary of administration,  
2 remain in effect and are transferred to the department of development. The  
3 department of development shall carry out any obligations under those contracts  
4 unless modified or rescinded by the department of development to the extent allowed  
5 under the contract.

6 (f) All rules promulgated by the department of agriculture, trade and  
7 consumer protection relating to plat review that are in effect on the effective date of  
8 this paragraph remain in effect until their specified expiration dates or until  
9 amended or repealed by the department of development. All orders issued by the  
10 department of agriculture, trade and consumer protection relating to plat review  
11 that are in effect on the effective date of this paragraph remain in effect until their  
12 specified expiration date or until rescinded or modified by the department of  
13 development.

14 (g) Any matter pending with the department of agriculture, trade and  
15 consumer protection on the effective date of this paragraph relating to plat review  
16 is transferred to the department of development and all materials submitted to or  
17 actions taken by the department of agriculture, trade and consumer protection with  
18 respect to the pending matter are considered to have been submitted to or taken by  
19 the department of development.

20 (4g) FUNDING REPORT; SUSTAINABLE AGRICULTURE GRANT PROGRAM. By June 1,  
21 1996, the department of agriculture, trade and consumer protection shall submit a  
22 funding report to the senate and assembly standing committees with jurisdiction  
23 over agricultural matters, as determined by the speaker of the assembly and the  
24 president of the senate, specifying how the department will identify and secure  
25 revenue sources for the purpose of funding the sustainable agriculture grant

1 program under section 93.47 of the statutes, as affected by this act. The committees,  
2 following their review, shall approve or disapprove the funding report. If the funding  
3 report is not approved by both committees by June 20, 1996, all of the following shall  
4 occur:

5 (a) The chairpersons of the committees shall send a notice of disapproval to the  
6 revisor of statutes for publication in the Wisconsin administrative register.

7 (b) The sustainable agriculture grant program shall be eliminated, effective  
8 July 1, 1996.

9 (5) EFFICIENCY MEASURES. By September 1, 1995, the department of  
10 agriculture, trade and consumer protection shall submit a report to the joint  
11 committee on finance recommending how savings in fiscal year 1996-97 of \$513,100  
12 resulting from budgetary efficiency measures should be allocated among the  
13 department's general purpose revenue appropriations. The report shall identify the  
14 programs, positions and expenditure categories to be eliminated or reduced. If the  
15 cochairpersons of the joint committee on finance do not notify the department that  
16 the committee has scheduled a meeting for the purpose of reviewing the report  
17 within 14 working days after the date that the department submits the report, the  
18 department's recommendations shall be implemented. If, within 14 working days  
19 after the date that the department submits the report, the cochairpersons of the  
20 committee notify the department that the committee has scheduled a meeting for the  
21 purpose of reviewing the report, the department's recommendations may be  
22 implemented only upon approval of the committee.

23 (5g) RULES ON FEES FOR LABORATORY CERTIFICATION. The department of  
24 agriculture, trade and consumer protection shall submit proposed rules required

1 under section 93.12 (7) of the statutes, as affected by this act, to the legislative council  
2 staff for review under section 227.15 (1) of the statutes no later than March 1, 1996.

3 (5q) BOARD OF AGRICULTURE, TRADE AND CONSUMER PROTECTION.

4 Notwithstanding the requirement under section 15.13 of the statutes, as affected by  
5 this act, that the board of agriculture, trade and consumer protection consist of 5  
6 members with an agricultural background and 2 members who are consumer  
7 representatives, beginning on July 1, 1996, the board shall continue to consist of 6  
8 members with an agricultural background and one consumer representative until  
9 such time as a vacancy occurs among the members with an agricultural background.

10 At the time that such a vacancy occurs, a consumer representative shall be appointed  
11 for a 6-year term to fill the vacancy or, if the vacancy has occurred because a member  
12 has resigned, a consumer representative shall be appointed to fill the unexpired  
13 term. Thereafter, the board of agriculture, trade and consumer protection shall  
14 consist of 5 members with an agricultural background and 2 members who are  
15 consumer representatives.

16 **SECTION 9105. Nonstatutory provisions; arts board.**

17 (1) TRANSFER OF ARTS BOARD TO DEPARTMENT OF TOURISM.

18 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets  
19 and liabilities of the department of administration that are primarily related to the  
20 functions of the arts board, as determined by the secretary of administration, shall  
21 become the assets and liabilities of the department of tourism, as created by this act.

22 (b) *Employe transfers.* All incumbent employes holding positions in the  
23 department of administration performing duties that are primarily related to the  
24 functions of the arts board, as determined by the secretary of administration, are  
25 transferred on the effective date of this paragraph to the department of tourism.

1           (c) *Employe status.* Employes transferred under paragraph (b) have all the  
2 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
3 statutes in the department of tourism that they enjoyed in the department of  
4 administration immediately before the transfer. Notwithstanding section 230.28 (4)  
5 of the statutes, no employe so transferred who has attained permanent status in  
6 class is required to serve a probationary period.

7           (d) *Tangible personal property.* On the effective date of this paragraph, all  
8 tangible personal property, including records, of the department of administration  
9 that is primarily related to the functions of the arts board, as determined by the  
10 secretary of administration, is transferred to the department of tourism.

11           (e) *Contracts.* All contracts entered into by the department of administration  
12 in effect on the effective date of this paragraph that are primarily related to the  
13 functions of the arts board, as determined by the secretary of administration, remain  
14 in effect and are transferred to the department of tourism. The department of  
15 tourism shall carry out any such contractual obligations unless modified or rescinded  
16 by the department of tourism to the extent allowed under the contract.

17           (2) EFFICIENCY MEASURES. By September 1, 1995, the arts board shall submit  
18 a report to the joint committee on finance recommending how savings in fiscal year  
19 1995-96 of \$141,700 and in fiscal year 1996-97 of \$283,400 resulting from budgetary  
20 efficiency measures should be allocated among the board's general purpose revenue  
21 appropriations. The report shall include a specific plan for implementing the  
22 allocations that identifies the programs, positions and expenditure categories to be  
23 reduced or eliminated. If the cochairpersons of the committee do not notify the arts  
24 board that the committee has scheduled a meeting for the purpose of reviewing the  
25 report within 14 working days after the date of the submittal, the recommendation

1 may be implemented as proposed by the arts board. If, within 14 working days after  
2 the date of the submittal, the cochairpersons of the committee notify the arts board  
3 that the committee has scheduled a meeting for the purpose of reviewing the report,  
4 the recommendation may be implemented only upon approval of the committee.

5 (3g) FUNDING REPORT; ELIMINATION OF ARTS BOARD.

6 (a) *Report to joint committee on finance.* By September 1, 1996, the arts board  
7 shall submit a funding report to the cochairpersons of the joint committee on finance  
8 specifying how the arts board will identify and secure revenue sources for the  
9 purpose of funding the operations of the arts board, including grant programs. The  
10 joint committee on finance, following its review, shall approve or disapprove the  
11 funding report. If the funding report is not approved by the joint committee on  
12 finance by May 1, 1997, all of the following shall occur:

13 1. The cochairpersons of the joint committee on finance shall send a notice of  
14 disapproval to the revisor of statutes for publication in the Wisconsin administrative  
15 register.

16 2. The arts board and all of its functions shall be eliminated, effective July 1,  
17 1997, except for the transfer of the fine arts in state buildings program to the  
18 department of administration under paragraph (b).

19 (b) *Transfer of fine arts in state buildings program.*

20 1. 'Assets and liabilities.' On the effective date of this subdivision, the assets  
21 and liabilities of the department of tourism, as created by this act, that are primarily  
22 related to the fine arts in state buildings program of the arts board, as determined  
23 by the secretary of administration, shall become the assets and liabilities of the  
24 department of administration.

25 2. 'Positions and employes.'

1           a. On the effective date of this subdivision 2. a., all full-time equivalent  
2 positions in the department of tourism, as created by this act, having duties  
3 primarily related to the fine arts in state buildings program, as determined by the  
4 secretary of administration, are transferred to the department of administration.

5           b. All incumbent employes holding positions specified in subdivision 2. a. are  
6 transferred on the effective date of this subdivision 2. b. to the department of  
7 administration.

8           c. Employes transferred under subdivision 2. b. have all the rights and the  
9 same status under subchapter V of chapter 111 and chapter 230 of the statutes in the  
10 department of administration that they enjoyed in the department of tourism  
11 immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,  
12 no employe so transferred who has attained permanent status in class is required to  
13 serve a probationary period.

14           3. 'Tangible personal property.' On the effective date of this subdivision, all  
15 tangible personal property, including records, of the department of tourism that is  
16 primarily related to the fine arts in state buildings program of the arts board, as  
17 determined by the secretary of administration, is transferred to the department of  
18 administration.

19           4. 'Contracts.' All contracts entered into by the department of tourism in effect  
20 on the effective date of this subdivision that are primarily related to the fine arts in  
21 state buildings program of the arts board, as determined by the secretary of  
22 administration, remain in effect and are transferred to the department of  
23 administration. The department of administration shall carry out any such  
24 contractual obligations unless modified or rescinded by the department of  
25 administration to the extent allowed under the contract.

1           5. 'Application.' This paragraph applies if the joint committee on finance does  
2 not approve the funding report of the arts board under paragraph (a).

3           **SECTION 9106.    Nonstatutory provisions; banking.**

4           (1) TRANSFER OF FUNCTIONS TO DIVISION OF BANKING.

5           (a) On the effective date of this paragraph, the assets and liabilities of the  
6 office of the commissioner of banking shall become the assets and liabilities of the  
7 division of banking.

8           (b) On the effective date of this paragraph, 74.0 FTE PR positions in the office  
9 of the commissioner of banking and the incumbent employes holding those positions  
10 are transferred to the division of banking.

11           (c) Employes transferred under paragraph (b) have all the rights and the  
12 same status under subchapter V of chapter 111 and chapter 230 of the statutes in the  
13 division of banking that they enjoyed in the office of the commissioner of banking  
14 immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,  
15 no employe so transferred who has attained permanent status in class is required to  
16 serve a probationary period.

17           (d) On the effective date of this paragraph, 14.5 FTE PR positions in the office  
18 of the commissioner of banking are deauthorized.

19           (e) On the effective date of this paragraph, all tangible personal property,  
20 including records, of the office of the commissioner of banking is transferred to the  
21 division of banking.

22           (f) All contracts entered into by the office of the commissioner of banking in  
23 effect on the effective date of this paragraph remain in effect and are transferred to  
24 the division of banking. The division of banking shall carry out any such contractual

1 obligations until modified or rescinded by the division of banking to the extent  
2 allowed under the contract.

3 (g) All rules promulgated by the office of the commissioner of banking that are  
4 in effect on the effective date of this paragraph remain in effect until their specified  
5 expiration date or until amended or repealed by the division of banking. All orders  
6 issued by the office of the commissioner of banking that are in effect on the effective  
7 date of this paragraph remain in effect until their specified expiration date or until  
8 modified or rescinded by the administrator of the division of banking.

9 (h) All matters pending with the office of the commissioner of banking on the  
10 effective date of this paragraph are transferred to the division of banking and all  
11 materials submitted to or actions taken by the office of the commissioner of banking  
12 with respect to the pending matter are considered as having been submitted to or  
13 taken by the division of banking.

14 **SECTION 9108. Nonstatutory provisions; building commission.**

15 (1) 1995-97 AUTHORIZED STATE BUILDING PROGRAM. For the fiscal years  
16 beginning on July 1, 1995, and ending on June 30, 1997, the authorized state  
17 building program is as follows:

18 (a) DEPARTMENT OF ADMINISTRATION

19 1. *Projects financed by program revenue supported*

20 *borrowing:*

21 Chiller conversion — Madison \$ 2,500,000

22 Eau Claire office building addition 6,300,000

23 Hangar construction and acquisition — Madison 927,000

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1	Records center and office facility — Madison	5,000,000
2	2. <i>Agency totals:</i>	
3	Program revenue supported borrowing	<u>14,727,000</u>
4	Total — All sources of funds	\$ 14,727,000
5	(b) DEPARTMENT OF CORRECTIONS	
6	1. <i>Projects financed by general fund supported borrowing:</i>	
7	Green Bay Correctional Institution — master plan	
8	implementation	\$ 10,225,000
9	Oakhill Correctional Institution — master plan	
10	implementation	7,750,000
11	Winnebago Mental Health Institute — Kempster Hall	
12	remodeling	5,800,000
13	Prison expansion project	25,000,000
14	(Total project all funding sources \$75,000,000)	
15	800 Megahertz radio systems	1,400,000
16	Correctional centers housing unit	3,400,000
17	2. <i>Projects financed by program revenue supported</i>	
18	<i>borrowing:</i>	
19	Racine Correctional Institution — industries laundry	3,910,000
20	Industries building	1,500,000
21	3. <i>Projects financed by federal funds:</i>	
22	Prison expansion project	50,000,000

1 (Total project all funding sources \$75,000,000)

2 4. *Agency totals:*

3	General fund supported borrowing	53,575,000
4	Program revenue supported borrowing	5,410,000
5	Federal funds	<u>50,000,000</u>
6	Total — All sources of funds	\$108,985,000

7 (c) EDUCATIONAL COMMUNICATIONS BOARD

8 1. *Projects financed by general fund supported borrowing:*

9	Satellite uplink conversion	\$ 200,000
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10 (Total project all funding sources \$353,800)

11 2. *Projects financed by moneys appropriated to the agency*  
12 *from any revenue source:*

13	Satellite uplink conversion	153,800
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14 (Total project all funding sources \$353,800)

15 3. *Projects financed by federal funds:*

16	Replacement of network broadcast facilities	800,000
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17 4. *Agency totals:*

18	General fund supported borrowing	200,000
19	Moneys appropriated to the agency from any revenue	
20	source	153,800
21	Federal funds	<u>800,000</u>
22	Total — All sources of funds	\$ 1,153,800

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1	(d) DEPARTMENT OF HEALTH AND SOCIAL SERVICES	
2	1. <i>Projects financed by general fund supported borrowing:</i>	
3	Juvenile assessment and evaluation center	\$ 9,300,000
4	Lincoln Hills School — security cottage	3,320,000
5	Wisconsin Resource Center expansion	12,100,000
6	Southern Wisconsin Center for the Developmentally	
7	Disabled — female youth center expansion — 75	
8	beds	3,783,300
9	Secured Wisconsin juvenile school	10,000,000
10	Central Wisconsin Center for the Developmentally	
11	Disabled — laundry facility	684,000
12	2. <i>Agency totals:</i>	
13	General fund supported borrowing	<u>38,503,300</u>
14	Total — All sources of funds	\$ 38,503,300
15	(e) STATE HISTORICAL SOCIETY	
16	1. <i>Projects financed by general fund supported borrowing:</i>	
17	Collection storage building — Madison	\$ 400,000
18	2. <i>Projects financed by program revenue supported</i>	
19	<i>borrowing:</i>	
20	Old Wade House sawmill and dam reconstruction	2,016,600
21	3. <i>Agency Totals:</i>	
22	General fund supported borrowing	400,000

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1	Program revenue supported borrowing	<u>2,016,600</u>
2	Total — All sources of funds	\$ 2,416,600
3	(f) LEGISLATURE	
4	1. <i>Projects financed by general fund supported borrowing:</i>	
5	Capitol south wing renovation and restoration	\$ 1,540,000
6	2. <i>Projects financed by moneys appropriated from</i>	
7	<i>miscellaneous appropriations (general purpose</i>	
8	<i>revenue):</i>	
9	Capitol south wing renovation and restoration	15,000,000
10	(Total project all funding sources \$16,540,000)	
11	3. <i>Agency totals:</i>	
12	General fund supported borrowing	1,540,000
13	Moneys appropriated from miscellaneous	
14	appropriations (general purpose revenue)	<u>15,000,000</u>
15	Total — All sources of funds	\$ 16,540,000
16	(g) DEPARTMENT OF MILITARY AFFAIRS	
17	1. <i>Projects financed by general fund supported borrowing:</i>	
18	Organizational maintenance shop — Hayward	\$ 183,000
19	(Total project all funding sources \$2,008,000)	
20	Aircraft parking expansion — Madison	111,000
21	(Total project all funding sources \$1,800,000)	
22	2. <i>Projects financed by federal funds:</i>	

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1	Lake Michigan erosion control — Racine	2,000,000
2	Organizational maintenance shop — Hayward	1,825,000
3	(Total project all funding sources \$2,008,000)	
4	Aircraft parking expansion — Madison	1,689,000
5	(Total project all funding sources \$1,800,000)	
6	Organizational maintenance shop — Madison	605,000
7	3. <i>Agency totals:</i>	
8	General fund supported borrowing	294,000
9	Federal funds	<u>6,119,000</u>
10	Total — All sources of funds	\$ 6,413,000

## 11 (h) DEPARTMENT OF NATURAL RESOURCES

12	1. <i>Projects financed by existing general fund supported</i>	
13	<i>borrowing authority — stewardship general property</i>	
14	<i>development funds:</i>	
15	Kettle Moraine State Forest — wastewater system	\$ 657,100
16	Devil's Lake State Park — water supply system	300,000
17	Statewide — toilet/shower buildings	1,100,000
18	Chippewa Moraine ice age unit — interpretive	
19	exhibits	50,000
20	(Total project all funding sources \$550,000)	
21	2. <i>Projects financed by existing general fund supported</i>	
22	<i>borrowing authority — stewardship trail funds:</i>	

1	State park trail improvements	457,400
2	(Total project all funding sources \$947,000)	
3	<i>3. Projects financed by segregated fund supported</i>	
4	<i>borrowing:</i>	
5	Havenwoods State Forest landfill cap — Milwaukee	600,000
6	Hatchery water supply system — Bayfield	1,060,000
7	Ranger station storage building — Rhinelander	360,000
8	Lake Winnebago Comprehensive Project — Phase 2	
9	— Terrells Island breakwall	1,700,000
10	<i>4. Projects financed by segregated fund revenue:</i>	
11	Kettle Moraine State Forest — Lapham Peak unit	
12	recreation development — Phase 1	798,000
13	Governor Knowles State Forest family campground	263,400
14	(Total project all funding sources \$523,400)	
15	<i>5. Projects financed by gifts, grants and other receipts:</i>	
16	Governor Knowles State Forest family campground	260,000
17	(Total project all funding sources \$523,400)	
18	<i>6. Projects financed by federal funds:</i>	
19	State park trail improvements	489,600
20	(Total project all funding sources \$947,000)	
21	Chippewa Moraine ice age unit — interpretive	
22	exhibits	500,000

1	(Total project all funding sources \$550,000)	
2	7. <i>Agency totals:</i>	
3	Existing general fund supported borrowing authority	
4	— stewardship general property development funds	2,107,100
5	Existing general fund supported borrowing authority	
6	— stewardship trail funds	457,400
7	Segregated fund supported borrowing	3,720,000
8	Segregated fund revenue	1,061,400
9	Gifts, grants and other receipts	260,000
10	Federal funds	<u>989,600</u>
11	Total — All sources of funds	\$ 8,595,500
12	(i) STATE FAIR PARK BOARD	
13	1. <i>Projects financed by general fund supported borrowing:</i>	
14	Youth and athlete facility	\$ 5,000,000
15	(Total project all funding sources \$15,000,000)	
16	2. <i>Projects financed by program revenue supported</i>	
17	<i>borrowing:</i>	
18	Youth and athlete facility	5,000,000
19	(Total project all funding sources \$15,000,000)	
20	Coliseum renovation	5,000,000
21	Racetrack improvements	1,250,000
22	3. <i>Projects financed by gifts, grants and other receipts:</i>	

1	Youth and athlete facility	5,000,000
2	(Total project all funding sources \$15,000,000)	
3	4. <i>Agency totals:</i>	
4	General fund supported borrowing	5,000,000
5	Program revenue supported borrowing	11,250,000
6	Gifts, grants and other receipts	<u>5,000,000</u>
7	Total — All sources of funds	\$ 21,250,000
8	(j) DEPARTMENT OF TRANSPORTATION	
9	1. <i>Projects financed by segregated fund supported revenue</i>	
10	<i>borrowing:</i>	
11	Wisconsin Rapids office building renovation	\$ 900,000
12	Rice Lake licensing facility	1,130,600
13	Tower and building — Footville	398,900
14	Tower and building — Wittenberg	355,900
15	2. <i>Agency totals:</i>	
16	Segregated fund supported revenue borrowing	<u>2,785,400</u>
17	Total — All sources of funds	\$ 2,785,400
18	(k) DEPARTMENT OF VETERANS AFFAIRS	
19	1. <i>Projects financed by general fund supported borrowing:</i>	
20	Southeast Wisconsin State Veterans Cemetery	\$ 984,000
21	(Total project all funding sources \$1,968,000)	

1	2. <i>Projects financed by existing general fund supported</i>	
2	<i>borrowing authority:</i>	
3	Wisconsin Veterans Home at King — food service	
4	renovations	525,000
5	(Total project all funding sources \$1,500,000)	
6	3. <i>Projects financed by program revenue supported</i>	
7	<i>borrowing:</i>	
8	Wisconsin Veterans Home at King — independent	
9	living unit	1,629,400
10	(Total project all funding sources \$4,655,000)	
11	4. <i>Projects financed by federal funds:</i>	
12	Southeast Wisconsin State Veterans Cemetery	984,000
13	(Total project all funding sources \$1,968,000)	
14	Wisconsin Veterans Home at King — food service	
15	renovations	975,000
16	(Total project all funding sources \$1,500,000)	
17	Wisconsin Veterans Home at King — independent	
18	living unit	3,025,600
19	(Total project all funding sources \$4,655,000)	
20	5. <i>Agency totals:</i>	
21	General fund supported borrowing	984,000
22	Existing general fund supported borrowing authority	525,000

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1	Program revenue supported borrowing	1,629,400
2	Federal funds	<u>4,984,600</u>
3	Total — All sources of funds	\$ 8,123,000
4	(m) UNIVERSITY OF WISCONSIN SYSTEM	
5	1. <i>Projects financed by general fund supported borrowing:</i>	
6	Madison — Utility improvements	\$ 2,245,000
7	(Total project all funding sources \$3,645,000)	
8	— Lathrop Hall renovation	2,730,000
9	(Total project all funding sources \$4,930,000)	
10	— Armory (Red Gym) renovation	5,500,000
11	(Total project all funding sources \$11,000,000)	
12	— Cogeneration project	8,600,000
13	Milwaukee — Fine arts courtyard enclosure	426,000
14	— Bolton Hall remodeling	3,282,000
15	Oshkosh — Nursing education remodeling	900,000
16	Parkside — Physical education addition and	
17	remodeling	3,795,000
18	(Total project all funding sources \$4,465,000)	
19	Platteville — Doudna Hall capital renewal — Phase 2	3,759,000
20	— Russell Hall remodeling	7,297,000
21	River Falls — Ames Teacher Education Center	6,500,000
22	Whitewater — Hyer Hall capital renewal	6,480,000

1	System — Instructional technology improvements	8,500,000
2	<i>2. Projects financed by program revenue supported</i>	
3	<i>borrowing:</i>	
4	Eau Claire — Hilltop Center kitchen/serving	
5	remodeling	1,916,000
6	Madison — Environmental Management Center	1,425,000
7	(Total project all funding sources \$4,725,000)	
8	— University Station building acquisition	6,787,000
9	— East side ambulatory care facility	10,000,000
10	— Outpatient treatment center	4,189,000
11	— Parking ramp	14,900,000
12	— Multipurpose sports arena	27,000,000
13	(Total project all funding sources \$72,000,000)	
14	Parkside — Physical education addition and	
15	remodeling	670,000
16	(Total project all funding sources \$4,465,000)	
17	— Student residence hall	8,818,000
18	Platteville — Student center remodeling	5,020,000
19	Whitewater — Parking and pedestrian circulation	1,862,700
20	— Drumlin dining hall remodeling	521,000
21	Extension — 3817 Mineral Point Road acquisition —	
22	Madison	780,000

1	3. <i>Projects financed by program revenue:</i>	
2	Madison — McClain Student Academic Center	500,000
3	(Total project all funding sources \$2,400,000)	
4	Extension — Wisconsin Center addition and	
5	renovation	700,000
6	(Total project all funding sources \$13,000,000)	
7	4. <i>Projects financed by gifts, grants and other receipts:</i>	
8	Madison — Lathrop Hall renovation	2,200,000
9	(Total project all funding sources \$4,930,000)	
10	— Armory (Red Gym) renovation	5,500,000
11	(Total project all funding sources \$11,000,000)	
12	— Robert M. Bock Laboratory renovation	1,873,000
13	(Total project all funding sources \$7,950,000)	
14	— Research greenhouses	3,000,000
15	(Total project all funding sources \$5,000,000)	
16	— Waisman Center addition and	
17	remodeling	17,500,000
18	— McClain Student Academic Center	1,900,000
19	(Total project all funding sources \$2,400,000)	
20	— Medical school office and research	
21	addition	8,250,000
22	— Multipurpose sports arena	45,000,000

1	(Total project all funding sources \$72,000,000)	
2	System — Great Lakes Research Facility Molecular	
3	Probe Center	250,000
4	(Total project all funding sources \$500,000)	
5	5. <i>Agency totals:</i>	
6	General fund supported borrowing	60,014,000
7	Program revenue supported borrowing	83,888,700
8	Program revenue	1,200,000
9	Gifts, grants and other receipts	<u>85,473,000</u>
10	Total — All sources of funds	\$230,575,700
11	(n) WISCONSIN INITIATIVE FOR STATE TECHNOLOGY AND APPLIED	
12	RESEARCH; NONMATCHING PROJECTS	
13	1. <i>Projects financed by existing general fund supported</i>	
14	<i>borrowing authority:</i>	
15	University of Wisconsin-Madison — Utility	
16	improvements	\$ 1,400,000
17	(Total project all funding sources \$3,645,000)	
18	— Environmental Management Center	3,300,000
19	(Total project all funding sources \$4,725,000)	
20	University of Wisconsin-Stout — Applied arts	
21	building remodeling	4,500,000

1	University of Wisconsin-Extension — Wisconsin	
2	Center addition and renovation	12,300,000
3	All agency projects — Facilities repair and renovation	791,000
4	<i>2. Totals:</i>	
5	Existing general fund supported borrowing authority	<u>22,291,000</u>
6	Total — All sources of funds	\$ 22,291,000
7	(o) WISCONSIN INITIATIVE FOR STATE TECHNOLOGY AND APPLIED	
8	RESEARCH; MATCHING PROJECTS	
9	<i>1. Projects financed by existing general fund supported</i>	
10	<i>borrowing authority:</i>	
11	University of Wisconsin-La Crosse — Medical Health	
12	Science Education and Research Center	\$ 13,400,000
13	(Total project all funding sources \$26,800,000)	
14	University of Wisconsin-Madison — School of	
15	Pharmacy	15,000,000
16	(Total project all funding sources \$30,000,000)	
17	University of Wisconsin-Madison — Robert M. Bock	
18	Laboratory renovation	6,077,000
19	(Total project all funding sources \$7,950,000)	
20	University of Wisconsin-Madison — Research	
21	greenhouses	2,000,000
22	(Total project all funding sources \$5,000,000)	

1	University of Wisconsin System — Great Lakes	
2	Research Facility Molecular Probe Center	250,000
3	(Total project all funding sources \$500,000)	
4	2. <i>Projects financed by program revenue supported</i>	
5	<i>borrowing:</i>	
6	University of Wisconsin-La Crosse — Medical Health	
7	Science Education and Research Center	13,400,000
8	(Total project all funding sources \$26,800,000)	
9	3. <i>Projects financed by gifts, grants and other receipts:</i>	
10	University of Wisconsin-Madison — School of	
11	Pharmacy	15,000,000
12	(Total project all funding sources \$30,000,000)	
13	4. <i>Totals:</i>	
14	Existing general fund supported borrowing authority	36,727,000
15	Program revenue supported borrowing	13,400,000
16	Gifts, grants and other receipts	<u>15,000,000</u>
17	Total — All sources of funds	\$65,127,000
18	(p) ALL AGENCY PROJECT FUNDING	
19	1. <i>Projects financed by general fund supported borrowing:</i>	
20	Facilities repair and renovation	\$ 30,000,000
21	(Total program all funding sources \$72,320,000)	
22	Utilities repair and renovation	25,000,000

1	(Total program all funding sources \$50,722,000)	
2	Health, safety and environment	25,000,000
3	(Total program all funding sources \$31,312,000)	
4	Wisconsin energy initiative	10,000,000
5	Preventive maintenance program	4,000,000
6	Capital equipment allocation	5,250,000
7	<i>2. Projects financed by existing general fund supported</i>	
8	<i>borrowing — stewardship general property</i>	
9	<i>development funds:</i>	
10	Facilities repair and renovation	627,000
11	(Total program all funding sources \$72,320,000)	
12	Utilities repair and renovation	1,382,000
13	(Total program all funding sources \$50,722,000)	
14	Health, safety and environment	300,000
15	(Total program all funding sources \$31,312,000)	
16	<i>3. Projects financed by program revenue supported</i>	
17	<i>borrowing:</i>	
18	Facilities repair and renovation	40,800,000
19	(Total program all funding sources \$72,320,000)	
20	Utilities repair and renovation	6,414,000
21	(Total program all funding sources \$50,722,000)	
22	Health, safety and environment	4,607,000

1	(Total program all funding sources \$31,312,000)	
2	Land and property acquisition	2,000,000
3	4. <i>Projects financed by segregated fund supported</i>	
4	<i>borrowing:</i>	
5	Facilities repair and renovation	255,000
6	(Total program all funding sources \$72,320,000)	
7	Utilities repair and renovation	239,000
8	(Total program all funding sources \$50,722,000)	
9	Health, safety and environment	280,000
10	(Total program all funding sources \$31,312,000)	
11	5. <i>Projects financed by program revenue:</i>	
12	Utilities repair and renovation	4,618,000
13	(Total program all funding sources \$50,722,000)	
14	6. <i>Projects financed by segregated fund revenue:</i>	
15	Facilities repair and renovation	29,000
16	(Total program all funding sources \$72,320,000)	
17	Utilities repair and renovation	2,009,000
18	(Total program all funding sources \$50,722,000)	
19	7. <i>Projects financed by moneys appropriated to agencies</i>	
20	<i>from any revenue source:</i>	
21	Facilities repair and renovation	53,000
22	(Total program all funding sources \$72,320,000)	

1	8. <i>Projects financed by gifts, grants and other receipts:</i>	
2	Utilities repair and renovation	10,000,000
3	(Total program all funding sources \$53,222,000)	
4	9. <i>Projects financed by federal funds:</i>	
5	Facilities repair and renovation	556,000
6	(Total program all funding sources \$72,320,000)	
7	Utilities repair and renovation	1,060,000
8	(Total program all funding sources \$50,722,000)	
9	Health, safety and environment	1,125,000
10	(Total program all funding sources \$31,312,000)	
11	10. <i>All agency totals:</i>	
12	General fund supported borrowing	99,250,000
13	Existing general fund supported borrowing —	
14	stewardship general property development funds	2,309,000
15	Program revenue supported borrowing	53,821,000
16	Segregated fund supported borrowing	774,000
17	Program revenue	4,618,000
18	Segregated fund revenue	2,038,000
19	Moneys appropriated to agencies from any revenue	
20	source	53,000
21	Gifts, grants and other receipts	10,000,000
22	Federal funds	<u>2,741,000</u>

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1	Total — All sources of funds	\$175,604,000
2	(q) SUMMARY	
3	Total general fund supported borrowing	\$260,444,300
4	Total existing general fund supported borrowing	
5	authority — stewardship general property	
6	development funds	4,416,100
7	Total existing general fund supported borrowing	
8	authority — stewardship trail funds	457,400
9	Total other existing general fund supported	
10	borrowing authority	59,543,000
11	Total program revenue supported borrowing	186,142,700
12	Total segregated fund supported borrowing	4,494,000
13	Total segregated fund supported revenue borrowing	2,785,400
14	Total program revenue	5,818,000
15	Total segregated fund revenue	3,099,400
16	Total moneys appropriated to agencies from any	
17	revenue source	206,800
18	Total moneys appropriated from miscellaneous	
19	appropriations (general purpose revenue)	15,000,000
20	Total gifts, grants and other receipts	115,733,000
21	Total federal funds	<u>65,634,200</u>
22	Total — All sources of funds	\$723,774,300

1           (1mt) REVISION OF BUILDING PROJECTS FINANCED BY PUBLIC DEBT; REVIEW.  
2       Notwithstanding section 20.924 (1) of the statutes and subsection (1), the building  
3       commission shall not authorize the construction of any building project enumerated  
4       under subsection (1) that is financed in whole or in part from public debt before the  
5       commission submits to the cochairpersons of the joint committee on finance a revised  
6       list of the authorized state building projects under subsection (1) that are financed  
7       in whole or in part from public debt. The list shall contain changes in funding sources  
8       or cost reductions or deletions of projects sufficient to ensure that the maximum  
9       amounts of authorized public debt under section 20.866 (2) of the statutes, as affected  
10      by this act, are not exceeded. If the cochairpersons of the committee do not notify the  
11      commission that the committee has scheduled a meeting for the purpose of reviewing  
12      the revised list of authorized state building projects under this subsection within 14  
13      working days after the date of the commission's submittal, the commission may  
14      authorize projects to be constructed as proposed in the list submitted by the  
15      commission. If, within 14 working days after the date of the commission's submittal,  
16      the cochairpersons of the committee notify the commission that the committee has  
17      scheduled a meeting for the purpose of reviewing the revised list of authorized state  
18      building projects under this subsection, the commission shall not authorize  
19      construction of any project enumerated in subsection (1) that is funded in whole or  
20      in part from public debt without the approval of a revised list of authorized state  
21      building projects by the committee. Notwithstanding subsection (1), the authorized  
22      state building program for the 1995-97 fiscal biennium with respect to all projects  
23      funded in whole or in part from public debt is the program specified in the revised  
24      list, as approved under this subsection if approval is required.

**SECTION 9108**

1           (2) 1993-95 STATE BUILDING PROGRAM DELETIONS. In 1993 Wisconsin Act 16,  
2 section 9108 (1) (m) 2., under projects financed by program revenue supported  
3 borrowing, the 1993-95 state building program project identified as “Wisconsin  
4 veterans home at King - Wastewater treatment plant expansion” is deleted and the  
5 appropriate totals are decreased accordingly.

6           (2g) JUVENILE FACILITY CONSTRUCTION PLAN APPROVAL. Prior to acting under  
7 section 13.48 (10) of the statutes to approve the construction, reconstruction,  
8 remodeling of or addition to any of the following projects, the building commission  
9 shall submit to the joint committee on finance plans for that construction,  
10 reconstruction, remodeling or addition and obtain the approval of that committee of  
11 those plans:

12           (a) The 250 juvenile secured correctional program beds authorized under 1993  
13 Wisconsin Act 377, section 9108 (1) (a).

14           (b) The juvenile assessment and evaluation center authorized under  
15 subsection (1) (d) 1.

16           (c) The 75-bed female youth center expansion at the Southern Wisconsin  
17 Center for the Developmentally Disabled authorized under subsection (1) (d) 1.

18           (3) PROGRAMS PREVIOUSLY AUTHORIZED. In addition to the projects and financing  
19 authority enumerated under subsection (1), the building and financing authority  
20 enumerated under the previous authorized state building programs is continued in  
21 the 1995-97 fiscal biennium.

22           (4) LOANS. During the 1995-97 fiscal biennium, the building commission may  
23 make loans from general fund supported borrowing or the building trust fund to state  
24 agencies, as defined in section 20.001 (1) of the statutes, for projects which are to be

1 utilized for programs not funded by general purpose revenue and which are  
2 authorized under subsection (1) (p).

3 (5) PROJECT CONTINGENCY FUNDING RESERVE. During the 1995-97 fiscal  
4 biennium, the building commission may allocate moneys from the appropriation  
5 under section 20.866 (2) (yg) of the statutes, as affected by this act, for contingency  
6 expenses in connection with any project in the authorized state building program.

7 (6) CAPITAL EQUIPMENT FUNDING ALLOCATION.

8 (a) During the 1995-97 fiscal biennium, the building commission may allocate  
9 moneys from the appropriation under section 20.866 (2) (ym) of the statutes, as  
10 affected by this act, for capital equipment acquisition in connection with any project  
11 in the authorized state building program.

12 (b) During the 1995-97 fiscal biennium, the building commission may allocate  
13 moneys from the appropriation under section 20.866 (2) (ym) of the statutes, as  
14 affected by this act, for the replacement of capital equipment of the educational  
15 communications board. The money allocated under this paragraph may be used in  
16 conjunction with any matching funds available to the educational communications  
17 board.

18 (c) During the 1995-97 fiscal biennium, the building commission may allocate  
19 moneys from the appropriation under section 20.866 (2) (ym) of the statutes, as  
20 affected by this act, to acquire other priority capital equipment for state agencies, as  
21 defined in section 20.001 (1) of the statutes.

22 (7) PRISON EXPANSION PROJECT. Notwithstanding section 20.924 (1) (d) of the  
23 statutes, the building commission may not authorize the contracting of public debt  
24 under section 18.06 (4) of the statutes for, or the construction under section 13.48 (10)  
25 of the statutes of, the project identified under subsection (1) (b) 4. as "Prison

**SECTION 9108**

1 expansion project”, unless the state receives at least \$50,000,000 in federal funding  
2 for the project.

3 (11g) STATE CAPITOL SOUTH WING RENOVATION AND RESTORATION. No contract for  
4 the renovation and restoration of the south wing of the state capitol may be entered  
5 into without completion of final plans, arrangement for supervision of construction  
6 and prior approval by the building commission. Upon such completion, arrangement  
7 and approval, the department of administration shall proceed with construction and  
8 shall transfer the amounts required to finance the construction from the  
9 appropriation account under section 20.855 (9) (a) of the statutes, as created by this  
10 act, to the capital improvement fund.

11 (12) STATE FAIR PARK PROJECTS. Notwithstanding section 18.04 (2) of the  
12 statutes, the building commission shall not authorize public debt to be contracted for  
13 the building projects identified in subsection (1) (i) as the “Youth and athlete facility”  
14 or the “Coliseum renovation” until the commission receives a copy of and approves  
15 the report required under SECTION 9152 (1z) of this act.

16 **SECTION 9110. Nonstatutory provisions; circuit courts.**

17 (1t) COURT REPORTER OVERTIME STUDY. The director of state courts shall conduct  
18 a study of court reporter overtime, training costs and transcript volume, ways to  
19 reduce the costs related to court reporter overtime and more efficient methods of  
20 transcribing court proceedings. By January 1, 1997, the director of state courts shall  
21 submit a report of the results of that study to the governor and to the joint committee  
22 on finance.

23 **SECTION 9111. Nonstatutory provisions; conservation corps board.**

24 (1) TRANSFER TO THE DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS.

1           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets  
2 and liabilities of the department of administration primarily related to the functions  
3 of the Wisconsin conservation corps board, as determined by the secretary of  
4 administration, shall become the assets and liabilities of the department of industry,  
5 labor and human relations.

6           (b) *Employe transfers.*

7           1. All incumbent employes holding positions in the department of  
8 administration who are performing duties primarily related to the functions of the  
9 Wisconsin conservation corps board, as determined by the secretary of  
10 administration, are transferred on the effective date of this subdivision to the  
11 department of industry, labor and human relations.

12           2. All corps enrollees as described under section 16.20 (10) (a) of the statutes,  
13 as affected by this act, are transferred on the effective date of this subdivision to the  
14 department of industry, labor and human relations.

15           (c) *Employe status.* Employes transferred under paragraph (b) 1. have all the  
16 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
17 statutes in the department of industry, labor and human relations that they enjoyed  
18 in the department of administration immediately before the transfer.  
19 Notwithstanding section 230.28 (4) of the statutes, no employe so transferred who  
20 has attained permanent status in class is required to serve a probationary period.

21  
22           (d) *Tangible personal property.* On the effective date of this paragraph, all  
23 tangible personal property, including records, of the department of administration  
24 that is primarily related to the functions of the Wisconsin conservation corps board,

1 as determined by the secretary of administration, is transferred to the department  
2 of industry, labor and human relations.

3 (e) *Contracts*. All contracts entered into by the department of administration  
4 in effect on the effective date of this paragraph that are primarily related to the  
5 functions of the Wisconsin conservation corps board, as determined by the secretary  
6 of administration, remain in effect and are transferred to the department of industry,  
7 labor and human affairs. The department of industry, labor and human relations  
8 shall carry out any such contractual obligations until modified or rescinded by the  
9 department of industry, labor and human relations to the extent allowed under the  
10 contract.

11 (3p) INCREASE IN MINIMUM WAGE. If the Wisconsin conservation corps board  
12 submits a request under section 13.101 of the statutes, as affected by this act, that  
13 the joint committee on finance take action to fund increased corps enrollee support  
14 costs related to an increase in the minimum wage as required to be paid under section  
15 16.20 (10) (c) of the statutes, as affected by this act, the requirement of a finding of  
16 emergency under section 13.101 (3) (a) 1. of the statutes does not apply to such a  
17 request. This subsection does not apply after June 30, 1997.

18 (3x) REPORT ON EMPLOYMENT OF CREW LEADERS. Before February 1, 1996, the  
19 Wisconsin conservation corps board shall submit a report to the joint committee on  
20 finance detailing the board's strategic plan and evaluating crew leaders' length of  
21 employment. The report shall include an analysis detailing whether maintaining  
22 the organizational stability of the Wisconsin conservation corps is more important  
23 than providing promotional opportunities for corps members.

24 **SECTION 9112. Nonstatutory provisions; corrections.**

1           (1) **ELECTRONIC MONITORING.** All contracts entered into by the department of  
2 corrections under section 301.135 (1), 1993 stats., relating to electronic monitoring  
3 services for children and in effect immediately before the effective date of this  
4 subsection remain in effect. The department shall carry out any such contractual  
5 obligations until modified or rescinded by the department to the extent allowed  
6 under the contract.

7           (1t) **SECURED JUVENILE CORRECTIONAL FACILITY STAFFING.** Of the moneys  
8 appropriated to the department of corrections under section 20.410 (3) (hm) of the  
9 statutes, as created by this act, \$10,093,400 of the amount appropriated in fiscal year  
10 1996-97 may not be encumbered until the department of corrections submits a plan  
11 to the joint committee on finance for the staffing of the secured correctional facility  
12 established under SECTION 9126 (26v) of this act that specifies how those funds will  
13 be expended and the joint committee on finance approves that plan.

14           (1u) **JUVENILE CORRECTIONAL INSTITUTION RATES.** No later than January 15,  
15 1996, the secretary of corrections shall submit to the secretary of administration and  
16 to the cochairpersons of the joint committee on finance proposed rates under section  
17 301.26 (4) (d) 3m. of the statutes, as created by this act, and section 301.26 (4) (d) 4.  
18 of the statutes, as created by this act, for maintaining a child in a juvenile  
19 correctional institution. The rates may not vary according to the juvenile  
20 correctional institution in which a child is placed. The rates shall reflect the average  
21 daily cost associated with maintaining a child in a juvenile correctional institution.  
22 The secretary of administration shall evaluate the rates and, if the secretary of  
23 administration approves of the rates, the secretary of administration shall, no later  
24 than March 1, 1996, submit a report to the cochairpersons of the joint committee on  
25 finance containing proposed legislation providing for those rates effective on July 1,

1 1996. The department of health and social services shall assist the department of  
2 corrections in proposing those rates.

3 (1v) YOUTH AIDS FORMULA EVALUATION. The department of corrections shall  
4 evaluate the formula used by the department of health and social services to  
5 determine the allocation of community youth and family aids to counties under  
6 section 46.26 of the statutes and shall, by no later than July 1, 1996, submit to the  
7 secretary of administration and the cochairpersons of the joint committee on finance  
8 a proposed formula for the allocation of community youth and family aids to counties  
9 that reflects the factors specified in paragraphs (a) to (f). The secretary of  
10 administration shall evaluate that proposed formula and, if the secretary of  
11 administration approves of that proposed formula, the secretary of administration  
12 shall include that proposed formula in the 1997-99 budget compilation under section  
13 16.43 of the statutes. The department of health and social services shall assist the  
14 department of corrections in making that evaluation. In making that evaluation, the  
15 department of corrections shall consider all of the following factors:

16 (a) The number of children placed under the legal custody or supervision of the  
17 department of health and social services or in child caring institutions as a result of  
18 any of the violations specified in section 48.34 (4h) (a) of the statutes, as created by  
19 this act, during state fiscal years 1993-94, 1994-95 and 1995-96.

20 (b) The number of children whom the department of corrections anticipates  
21 will be placed under the supervision of that department under the serious juvenile  
22 offender program under section 48.34 (4h) of the statutes, as created by this act,  
23 during state fiscal year 1996-97.

24 (c) Factors that target the need for juvenile delinquency-related services,  
25 including early intervention and chronic offender services.

1 (d) The number of children in this state living in poverty according to the latest  
2 U.S. bureau of the census figures available.

3 (e) The number of Part I juvenile arrests, including violent Part I juvenile  
4 arrests reported statewide under the uniform crime reporting system of the office of  
5 justice assistance in the department of administration during the most recent 2-year  
6 period for which that information is available.

7 (f) Various models for cost sharing between counties and the state.

8 (1x) JUVENILE PSYCHOLOGIST POSITIONS. If the department of corrections is  
9 unable to fill 2.0 PR vacant psychologist positions at the Lincoln Hills school in fiscal  
10 year 1996-97, that department shall use \$93,600 from the appropriation under  
11 section 20.410 (3) (hm) of the statutes, as created by this act, to hire one or more  
12 limited-term employe psychologists or to contract for the provision of psychological  
13 services at the Lincoln Hills school.

14 (2t) EFFICIENCY MEASURES. By January 1, 1996, the department of corrections  
15 shall submit a report to the joint committee on finance recommending how savings  
16 in fiscal year 1996-97 of \$1,700,000 resulting from budget efficiency measures  
17 should be allocated among the department's general purpose revenue appropriations  
18 and how many positions should be abolished. If the cochairpersons of the committee  
19 do not notify the department that the committee has scheduled a meeting for the  
20 purpose of reviewing the proposed action within 14 working days after the date that  
21 the department submits the report, the department's allocation request shall be  
22 implemented and the positions shall be abolished. If, within 14 working days after  
23 the date that the department submits the report, the cochairpersons of the  
24 committee notify the department that the committee has scheduled a meeting for the  
25 purpose of reviewing the proposed action, the allocation request shall not be

1 implemented and the positions shall not be abolished unless the committee approves  
2 the action. Notwithstanding section 16.505 (1) of the statutes, as affected by this act,  
3 the department or the committee may abolish positions under this subsection.

4 (2x) EXCHANGE OF McNAUGHTON CORRECTIONAL CENTER PROPERTY. Before July  
5 1, 1996, the department of corrections shall transfer the property under its  
6 jurisdiction that is owned by the state in the town of Lake Tomahawk, Oneida  
7 County, to the department of natural resources in exchange for land owned by the  
8 state in Oneida County that is under the jurisdiction of the department of natural  
9 resources, that the department of natural resources offers in exchange and that the  
10 department of corrections finds to be suitable for the building of a correctional  
11 facility.

12 (3g) PROBATIONER AND PAROLEE REIMBURSEMENT FEE; EMERGENCY RULES. Using  
13 the procedure under section 227.24 of the statutes, the department of corrections  
14 shall promulgate rules required under section 304.074 (5) of the statutes, as created  
15 by this act, for the period before permanent rules take effect, but not to exceed the  
16 period under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section  
17 227.24 of the statutes, the department need not provide evidence of the necessity of  
18 preservation of the public peace, health, safety or welfare in promulgating rules  
19 under this subsection.

20 (3x) ADMINISTRATIVE AND MINIMUM SUPERVISION; EMERGENCY RULES. Using the  
21 procedure under section 227.24 of the statutes, the department of corrections shall  
22 promulgate rules required under section 304.073 (3) of the statutes, as created by  
23 this act, for the period before permanent rules take effect, but not to exceed the period  
24 under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24  
25 of the statutes, the department need not provide evidence of the necessity of

1 preservation of the public peace, health, safety or welfare in promulgating rules  
2 under this subsection.

3 **SECTION 9115. Nonstatutory provisions; credit unions.**

4 (1) TRANSFER OF FUNCTIONS TO OFFICE OF CREDIT UNIONS.

5 (a) On the effective date of this paragraph, the assets and liabilities of the  
6 office of the commissioner of credit unions shall become the assets and liabilities of  
7 the office of credit unions.

8 (b) On the effective date of this paragraph, 21.0 FTE PR positions in the office  
9 of the commissioner of credit unions and the incumbent employes holding those  
10 positions are transferred to the office of credit unions.

11 (c) Employes transferred under paragraph (b) have all the rights and the  
12 same status under subchapter V of chapter 111 and chapter 230 of the statutes in the  
13 office of credit unions that they enjoyed in the office of the commissioner of credit  
14 unions immediately before the transfer. Notwithstanding section 230.28 (4) of the  
15 statutes, no employe so transferred who has attained permanent status in class is  
16 required to serve a probationary period.

17 (d) On the effective date of this paragraph, 2.0 FTE PR positions in the office  
18 of the commissioner of credit unions are deauthorized.

19 (e) On the effective date of this paragraph, all tangible personal property,  
20 including records, of the office of the commissioner of credit unions is transferred to  
21 the office of credit unions.

22 (f) All contracts entered into by the office of the commissioner of credit unions  
23 in effect on the effective date of this paragraph remain in effect and are transferred  
24 to the office of credit unions. The office of credit unions shall carry out any such

1 contractual obligations until modified or rescinded by the office of credit unions to  
2 the extent allowed under the contract.

3 (g) All rules promulgated by the office of the commissioner of credit unions  
4 that are in effect on the effective date of this paragraph remain in effect until their  
5 specified expiration date or until amended or repealed by the office of credit unions.  
6 All orders issued by the office of the commissioner of credit unions that are in effect  
7 on the effective date of this paragraph remain in effect until their specified expiration  
8 date or until modified or rescinded by the director of credit unions.

9 (h) All matters pending with the office of the commissioner of credit unions on  
10 the effective date of this paragraph are transferred to the office of credit unions and  
11 all materials submitted to or actions taken by the office of the commissioner of credit  
12 unions with respect to the pending matter are considered as having been submitted  
13 to or taken by the office of credit unions.

14 **SECTION 9116. Nonstatutory provisions; development.**

15 (1) HAZARDOUS POLLUTION PREVENTION COUNCIL. Notwithstanding section  
16 15.157 (5) of the statutes, as created by this act, the initial members of the hazardous  
17 pollution prevention council shall be appointed for the following terms:

18 (a) Two members, to be determined by the governor, for terms expiring on July  
19 1, 1996.

20 (b) Three members, to be determined by the governor, for terms expiring on  
21 July 1, 1997.

22 (c) Two members, to be determined by the governor, for terms expiring on July  
23 1, 1998.

24 (2) INITIAL TERMS OF NEW COUNCIL MEMBERS. Notwithstanding the length of  
25 terms specified for the members of the council on main street programs under section

1 15.157 (7) (a) (intro.) of the statutes, as affected by this act, the initial members of  
2 the council under section 15.157 (7) (a) 11. of the statutes, as created by this act, shall  
3 be appointed for the following terms:

4 (a) One member for a term expiring on July 1, 1996.

5 (b) Two members for terms expiring on July 1, 1997.

6 (c) One member for a term expiring on July 1, 1998.

7 (4) TRANSFER OF DIVISION OF TOURISM TO DEPARTMENT OF TOURISM.

8 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets  
9 and liabilities of the department of development that are primarily related to the  
10 functions of the division of tourism, as determined by the secretary of  
11 administration, shall become the assets and liabilities of the department of tourism,  
12 as created by this act.

13 (b) *Employe transfers.* All incumbent employes holding positions in the  
14 department of development performing duties that are primarily related to the  
15 functions of the division of tourism, as determined by the secretary of  
16 administration, are transferred on the effective date of this paragraph to the  
17 department of tourism.

18 (c) *Employe status.* Employes transferred under paragraph (b) have all the  
19 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
20 statutes in the department of tourism that they enjoyed in the department of  
21 development immediately before the transfer. Notwithstanding section 230.28 (4)  
22 of the statutes, no employe so transferred who has attained permanent status in  
23 class is required to serve a probationary period.

24 (d) *Tangible personal property.* On the effective date of this paragraph, all  
25 tangible personal property, including records, of the department of development that

1 is primarily related to the functions of the division of tourism, as determined by the  
2 secretary of administration, is transferred to the department of tourism.

3 (e) *Contracts*. All contracts entered into by the department of development in  
4 effect on the effective date of this paragraph that are primarily related to the  
5 functions of the division of tourism, as determined by the secretary of  
6 administration, remain in effect and are transferred to the department of tourism.  
7 The department of tourism shall carry out any such contractual obligations unless  
8 modified or rescinded by the department of tourism to the extent allowed under the  
9 contract.

10 (f) *Rules and orders*. All rules promulgated by the department of development  
11 in effect on the effective date of this paragraph that are primarily related to the  
12 functions of the division of tourism, as determined by the secretary of  
13 administration, remain in effect until their specified expiration dates or until  
14 amended or repealed by the department of tourism. All orders issued by the  
15 department of development in effect on the effective date of this paragraph that are  
16 primarily related to the functions of the division of tourism, as determined by the  
17 secretary of administration, remain in effect until their specified expiration dates or  
18 until modified or rescinded by the department of tourism.

19 (g) *Pending matters*. Any matter pending with the department of  
20 development on the effective date of this paragraph that is primarily related to the  
21 functions of the division of tourism, as determined by the secretary of  
22 administration, is transferred to the department of tourism and all materials  
23 submitted to or actions taken by the department of development with respect to the  
24 pending matter are considered as having been submitted to or taken by the  
25 department of tourism.

1           (h) *Tourism offices and tourist information centers.* All tourism offices  
2 established by the department of development under section 560.25 of the statutes,  
3 as affected by this act, and all tourist information centers established by the  
4 department of development under section 560.23 (3) (c) of the statutes, as affected  
5 by this act, that are in existence on the effective date of this paragraph are  
6 transferred to the department of tourism.

7           (5) AGENCY NAME CHANGE.

8           (a) Wherever the term “department of development” appears in the statutes,  
9 as affected by the acts of 1995, the term “department of commerce” is substituted.

10          (b) Wherever the term “secretary of development” appears in the statutes, as  
11 affected by the acts of 1995, the term “secretary of commerce” is substituted.

12          (c) Beginning on July 1, 1996, the department of commerce has the powers and  
13 duties granted or assigned the department of development by SECTIONS 9101 to 9159  
14 of this act that do not terminate before paragraph (a) takes effect. Beginning on July  
15 1, 1996, the secretary of commerce has the powers and duties granted or assigned the  
16 secretary of development by SECTIONS 9101 to 9159 of this act that do not terminate  
17 before paragraph (b) takes effect.

18          (6g) EXPENDITURE REDUCTIONS.

19          (a) Notwithstanding section 20.001 (3) (a), (b) and (c) of the statutes and  
20 subject to the approval of the joint committee on finance under paragraph (c), in each  
21 of fiscal years 1995-96 and 1996-97 the department of development may not  
22 encumber or expend a total of \$500,000 from one or more sum certain appropriations  
23 made to the department of development from general purpose revenue. The  
24 department of development shall indicate its preference for allocation of the

1 expenditure reductions in the plan submitted to the joint committee on finance under  
2 paragraph (c).

3 (b) Notwithstanding section 20.001 (3) (a), (b) and (c) of the statutes, the  
4 secretary of administration shall lapse to the general fund by the end of the 1995-97  
5 fiscal biennium a total of \$1,000,000 from the appropriation accounts subject to the  
6 reductions required under paragraph (a), as approved by the joint committee on  
7 finance under paragraph (c).

8 (c) On or before January 1, 1996, the department of development shall submit  
9 to the joint committee on finance for review and approval a plan identifying the  
10 department's preference for allocation of the expenditure reductions under  
11 paragraph (a) among the sum certain appropriations made to the department from  
12 general purpose revenue. If the cochairpersons of the committee do not notify the  
13 department that the committee has scheduled a meeting for the purpose of reviewing  
14 the proposed plan within 14 days after the date of the department's submittal, the  
15 department may implement the plan. If within 14 days after the date of the  
16 department's submittal the cochairpersons of the committee notify the department  
17 that the committee has scheduled a meeting for the purpose of reviewing the  
18 proposed plan, the department may not implement the plan until it is approved by  
19 the committee, as submitted or as modified.

20 (d) Notwithstanding section 16.42 (1) (e) of the statutes, in submitting  
21 information under section 16.42 of the statutes for purposes of the 1997-99 biennial  
22 budget bill, the department of development shall submit information concerning the  
23 sum certain appropriations made to the department from general purpose revenue  
24 as though the amounts appropriated to the department under those appropriations  
25 for fiscal year 1996-97 were \$500,000 less than the amounts in the schedule.

1 (7gg) LABOR TRAINING AND SERVICES GRANT.

2 (a) The department of development may make a grant of not more than  
3 \$480,000 from the appropriation under section 20.143 (1) (c) of the statutes, as  
4 affected by this act, to the private industry council serving Milwaukee County to fund  
5 a labor training and employment services program to provide employes of Briggs and  
6 Stratton Corporation who are being laid off from the facility in Wauwatosa with job  
7 training and related employment services, if all of the following apply:

8 1. The labor training and employment services are not eligible for funding  
9 under the federal job training partnership act, 29 USC 1501 to 1781, or any other  
10 federal or state job training program.

11 2. The private industry council submits a plan to the department of  
12 development detailing the proposed use of the grant and the secretary of  
13 development approves the plan.

14 3. The private industry council enters into a written agreement with the  
15 department of development that specifies the conditions for use of the grant  
16 proceeds, including reporting and auditing requirements.

17 4. The private industry council agrees in writing to submit to the department  
18 of development the report required under paragraph (b) by the time required under  
19 paragraph (b).

20 (b) If the private industry council serving Milwaukee County receives a grant  
21 under this subsection, it shall submit to the department of development, within 6  
22 months after spending the full amount of the grant, a report detailing how the grant  
23 proceeds were used.

24 (c) The department of development may not pay grant proceeds under this  
25 subsection after July 1, 1996.

1           (7m) DUTIES PENDING TRANSFER OF SAFETY AND BUILDINGS FUNCTIONS FROM THE  
2 DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS. In anticipation of the transfer  
3 under this act of functions relating to the regulation of industry, safety and buildings  
4 from the department of industry, labor and human relations to the department of  
5 development, the department of development may, beginning on the effective date  
6 of this subsection, develop and, to the extent permitted under section 227.11 (2) (d)  
7 of the statutes, promulgate administrative rules relating to the administration and  
8 enforcement of laws regulating industry, safety and buildings under chapters 101,  
9 107, 145 and 168 and sections 32.19 to 32.27, 167.10, 167.11 and 167.27 of the  
10 statutes, as affected by this act prior to the effective date of this subsection and as  
11 otherwise provided by statute. In developing and promulgating rules under this  
12 subsection, the department of development may, when appropriate, seek advice from  
13 or consult with the dwelling code council, the contractor financial responsibility  
14 council, the fire prevention council and the multifamily dwelling code council. This  
15 subsection does not apply after June 30, 1996.

16           (8t) MEXICO TRADE OFFICE. From the appropriation under section 20.143 (1) (bs)  
17 of the statutes, as affected by this act, the department of development may pay  
18 contract costs for the trade office in Mexico.

19           **SECTION 9117. Nonstatutory provisions; educational**  
20 **communications board.**

21           (2g) CONSOLIDATION; COST SAVINGS AND EFFICIENCIES. In consultation with the  
22 department of administration, the educational communications board and the board  
23 of regents of the University of Wisconsin System shall jointly identify to the governor  
24 and to the joint committee on finance, no later than January 15, 1996, cost savings  
25 and efficiencies that may result from the consolidation of services, finances,

1 personnel and functions of the educational communications board and the  
2 University of Wisconsin-Extension's division of extension communications.

3 **SECTION 9119. Nonstatutory provisions; employe trust funds.**

4 (1t) OPTICAL IMAGING PROJECT.

5 (a) Of the moneys appropriated to department of employe trust funds under  
6 section 20.515 (1) (t) of the statutes, \$2,170,000 for fiscal year 1995-96 and  
7 \$1,706,700 for fiscal year 1996-97 is allocated for an electronic document imaging  
8 system for retirement system records and may not be encumbered or expended until  
9 the secretary of administration submits to the cochairpersons of the joint committee  
10 on finance and the cochairpersons of the joint committee on information policy a  
11 report which includes all of the following:

- 12 1. The results of a review of the project by the division of technology  
13 management in the department of administration.
- 14 2. The specific objectives of the optical imaging project.
- 15 3. The schedule for implementation of the project, including a projection of the  
16 effect, during the period of the actual records conversion to the optical imaging  
17 system, on the ability of the department to process affected records received prior to  
18 and during the conversion, and any expected backlogs in processing.
- 19 4. An evaluation of the effectiveness of the project activities, if any, to date.
- 20 5. The additional funding requirements, if any, for the project in the 1995-97  
21 fiscal biennium, including any additional costs such as overtime or other personnel  
22 costs likely to be incurred as a result of any projected processing backlog.
- 23 6. The funding requirements for the completion of the project and operation of  
24 the optical imaging system in future fiscal biennia.

1 (b) Notwithstanding section 16.50 (1) and (2) of the statutes, the secretary of  
2 administration shall not waive submission of expenditure estimates for the project  
3 identified in paragraph (a) and shall not approve such estimates for the amounts  
4 specified in paragraph (a) until 14 working days after the secretary submits the  
5 report required under paragraph (a) and until the secretary has responded in writing  
6 to any concerns that are communicated to the secretary prior to the end of the 14-day  
7 period by the cochairpersons of the joint committee on finance or the cochairpersons  
8 of the joint committee on information policy.

9 **SECTION 9120. Nonstatutory provisions; employment relations**  
10 **commission.**

11 (1) ADJUDICATION OF CLAIMS ARISING BEFORE TERMINATION OF COVERAGE.  
12 Notwithstanding SECTION 9420 (2) of this act, any employe of the University of  
13 Wisconsin Hospitals and Clinics Authority who was included in a collective  
14 bargaining unit under subchapter V of chapter 111 of the statutes to which a  
15 collective bargaining agreement applied on June 30, 1997, may file or pursue any  
16 claim arising prior to July 1, 1997, under that agreement or any rights granted under  
17 that agreement until the claim is appropriately adjudicated and any appropriate  
18 relief is granted.

19 (1m) EFFICIENCY STUDY. The employment relations commission shall study its  
20 current procedures in all areas of its responsibility, identify areas that could become  
21 more efficient, develop recommendations to streamline its procedures and improve  
22 its operations and identify any positions that could be eliminated as a result of the  
23 efficiencies and improved procedures identified in the study. The employment  
24 relations commission shall submit its findings and recommendations to the  
25 secretary of administration and the joint committee on finance by October 31, 1996.

1           (3g) TRANSCRIPT, FACT-FINDING, MEDIATION AND ARBITRATION FEES; SUBMISSION OF  
2 TRANSCRIPT, FACT-FINDING, MEDIATION AND ARBITRATION FEES RULES TO LEGISLATIVE  
3 COUNCIL STAFF. The employment relations commission shall submit the proposed  
4 rules under sections 111.09 (1) and (2), 111.71 (1) and (2) and 111.94 (1) and (2) of the  
5 statutes, as affected by this act, to the legislative council staff under section 227.15  
6 (1) of the statutes no later than October 1, 1995. Notwithstanding the requirement  
7 under sections 111.09 (1), 111.71 (1) and 111.94 (1) of the statutes, as affected by this  
8 act, that the uniform rate per page shall be set by rule, the employment relations  
9 commission may set a temporary uniform rate per page to be charged for transcripts  
10 that are requested beginning on January 1, 1996, but before the effective date of the  
11 rules. Notwithstanding the requirement under sections 111.09 (2), 111.71 (2) and  
12 111.94 (2) of the statutes, as affected by this act, that the filing fees under those  
13 sections shall be set by rule, the employment relations commission may set  
14 temporary filing fees for requests specified under those sections that are filed  
15 beginning on January 1, 1996, but before the effective date of the rules.

16           (3h) SURVEY OF MEDIATION ACTIVITIES. The employment relations commission  
17 shall submit a report to the department of administration at the same time that the  
18 commission submits its 1997-99 biennial budget request, under section 16.42 of the  
19 statutes, that specifies all of the employment relations commission's mediation  
20 activities, and the amount of time that the employment relations commission spent  
21 on these activities, for a period that begins no later than 30 days after the effective  
22 date of this subsection and continues for one year.

23           (3i) PENDING ARBITRATIONS. As soon as possible after the effective date of this  
24 subsection, the employment relations commission shall, for each collective  
25 bargaining unit consisting of municipal employes of a county in which it has

**SECTION 9120**

1 appointed an arbitrator or arbitration panel under section 111.70 (4) (cm) 6., 1993  
2 stats., but for which no arbitration award has been issued on that effective date,  
3 order the arbitrator or panel members to terminate the arbitration with respect to  
4 that dispute. The parties shall reimburse the arbitrator or arbitration panel  
5 members for all costs incurred in conducting the arbitration prior to the date of the  
6 notice, but are not liable for any costs incurred to arbitrate any dispute or portion of  
7 a dispute that is not subject to arbitration under section 111.70 (4) (cm) of the  
8 statutes, as affected by this act, on or after the date of any notice by the commission  
9 to that effect. Notwithstanding section 111.70 (3) (a) 4. and 7. of the statutes, as  
10 affected by this act, no municipal employer commits a prohibited practice by refusing  
11 to execute a collective bargaining agreement resulting from an award under section  
12 111.70 (4) (cm) 6., 1993 stats., if the dispute resulting in that award is not subject to  
13 arbitration under section 111.70 (4) (cm) 6. of the statutes, as affected by this act.  
14 This subsection does not affect the obligations of a municipal employer which has  
15 executed a collective bargaining agreement prior to the effective date of this  
16 subsection.

17 **SECTION 9123. Nonstatutory provisions; gaming commission.**

18 (3) ADMINISTRATION OF SIMULCAST RACING. The gaming commission shall  
19 administer section 562.057 (4) of the statutes, as affected by this act, on a  
20 case-by-case basis during the period prior to the effective date of the rules  
21 promulgated under section 562.057 (5) of the statutes, as created by this act.

22 (4) SUBMISSION OF ANIMAL TESTING RULES TO LEGISLATIVE COUNCIL STAFF. The  
23 gaming commission shall submit the proposed rules under section 562.09 (2) (b) 2.  
24 of the statutes, as affected by this act, to the legislative council staff under section

1 227.15 (1) of the statutes no later than the first day of the 3rd month after the  
2 effective date of this subsection.

3 (5) ADMINISTRATION OF ANIMAL TESTING. The gaming commission shall  
4 administer section 562.09 (2) (b) 2. of the statutes, as affected by this act, on a  
5 case-by-case basis during the period prior to the effective date of the rules  
6 promulgated under section 562.09 (2) (b) 2. of the statutes, as affected by this act.

7 (6pp) AGENCY NAME CHANGE. On July 1, 1996, wherever the term "commission"  
8 appears in chapters 561, 562, 563, 564 and 569 of the statutes, as affected by the acts  
9 of 1995, the term "board" is substituted.

10 (6pq) LOTTERY CONFLICT OF INTEREST LAWS. Notwithstanding section 565.05 (1)  
11 (a), 1993 stats., and section 565.05 (1) (a) of the statutes, as affected by this act, an  
12 employe of the gaming commission, the gaming board or the lottery division in the  
13 department of revenue, but not including any member of the gaming commission or  
14 gaming board or the administrator of the lottery division in the gaming commission  
15 or the administrator in the lottery division in the department of revenue, whose  
16 position is eliminated between the effective date of this subsection and June 30,  
17 1997, may be employed by any vendor, as defined in section 565.01 (7) of the statutes,  
18 immediately following the employe's termination of service.

19 (6pr) SUBMISSION OF GAMING COMMISSION REORGANIZATION PLANS TO JOINT  
20 COMMITTEE ON FINANCE.

21 (a) *Implementation plan.* The gaming commission and the secretaries of  
22 revenue and administration shall jointly develop a plan to transfer the operation and  
23 administration of the state lottery from the gaming commission to the department  
24 of revenue and shall submit the plan to the joint committee on finance by February  
25 1, 1996. If the cochairpersons of the committee do not notify the gaming commission

1 and the secretaries of revenue and administration within 14 working days after the  
2 date of the submission of the plan to the committee that the committee has scheduled  
3 a meeting for the purpose of reviewing the plan, the gaming commission and the  
4 secretaries of revenue and administration may proceed with the proposed plan. If,  
5 within 14 working days after the date of the submission of the plan, the  
6 cochairpersons of the committee notify the gaming commission and the secretaries  
7 of revenue and administration that the committee has scheduled a meeting for the  
8 purpose of reviewing the plan, the gaming commission and the secretaries of revenue  
9 and administration may not proceed with the proposed plan until the committee  
10 approves the plan. Notwithstanding section 13.10 (4) of the statutes, the governor  
11 does not have the authority to approve or object to any committee action under this  
12 paragraph.

13 (b) *Lottery privatization plan.* The gaming commission and the secretaries of  
14 revenue and administration shall jointly develop a plan relating to the privatization  
15 of the state lottery and shall submit the plan to the joint committee on finance by  
16 April 1, 1996. The plan shall address the implementation of contracts and contract  
17 oversight mechanisms involving sales administration, marketing, ticket  
18 warehousing, instant ticket data processing, telephone sales and ticket delivery and  
19 the plan shall specify the state employe position reductions associated with each  
20 privatization initiative. If the cochairpersons of the committee do not notify the  
21 gaming commission and the secretaries of revenue and administration within 14  
22 working days after the date of the submission of the plan to the committee that the  
23 committee has scheduled a meeting for the purpose of reviewing the plan, the gaming  
24 commission and the secretaries of revenue and administration may proceed with the  
25 proposed plan. If, within 14 working days after the date of the submission of the plan,

1 the cochairpersons of the committee notify the gaming commission and the  
2 secretaries of revenue and administration that the committee has scheduled a  
3 meeting for the purpose of reviewing the plan, the gaming commission and the  
4 secretaries of revenue and administration may not proceed with the proposed plan  
5 until the committee approves the plan. Notwithstanding section 13.10 (4) of the  
6 statutes, the governor does not have the authority to approve or object to any  
7 committee action under this paragraph.

8 (c) *Coordination of gaming security functions plan.* The gaming commission,  
9 a designee of the attorney general in the division of criminal investigation in the  
10 department of justice and the secretaries of revenue and administration shall jointly  
11 develop a plan relating to the coordination of gaming security functions and shall  
12 submit the plan to the joint committee on finance by June 1, 1996. The plan may  
13 allow, but not require, the contracting out of warehouse and building protection to  
14 the department of administration. If the cochairpersons of the committee do not  
15 notify the gaming commission, a designee of the attorney general in the division of  
16 criminal investigation in the department of justice and the secretaries of revenue  
17 and administration within 14 working days after the date of the submission of the  
18 plan to the committee that the committee has scheduled a meeting for the purpose  
19 of reviewing the plan, the gaming commission, a designee of the attorney general in  
20 the division of criminal investigation in the department of justice and the secretaries  
21 of revenue and administration may proceed with the proposed plan. If, within 14  
22 working days after the date of the submission of the plan, the cochairpersons of the  
23 committee notify the gaming commission, a designee of the attorney general in the  
24 division of criminal investigation in the department of justice and the secretaries of  
25 revenue and administration that the committee has scheduled a meeting for the

1 purpose of reviewing the plan, the gaming commission, a designee of the attorney  
2 general in the division of criminal investigation in the department of justice and the  
3 secretaries of revenue and administration may not proceed with the proposed plan  
4 until the committee approves the plan. Notwithstanding section 13.10 (4) of the  
5 statutes, the governor does not have the authority to approve or object to any  
6 committee action under this paragraph.

7 (6ps) GAMING COMMISSION REORGANIZATION.

8 (a) *Assets and liabilities.* On July 1, 1996, all assets and liabilities of the  
9 gaming commission shall become the assets and liabilities of the gaming board,  
10 except that those assets and liabilities that relate to the state lottery shall become  
11 the assets and liabilities of the department of revenue.

12 (b) *Tangible personal property.* On July 1, 1996, all tangible personal property,  
13 including records, of the gaming commission is transferred to the gaming board,  
14 except that the tangible personal property, including records, of the gaming  
15 commission that relate to the state lottery is transferred to the department of  
16 revenue.

17 (c) *Contracts.*

18 1. Except as provided in subdivision 2., all contracts entered into by the gaming  
19 commission which are in effect on July 1, 1996, remain in effect and are transferred  
20 to the gaming board. The gaming board shall carry out any such contractual  
21 obligations until modified or rescinded by the gaming board to the extent allowed  
22 under the contract.

23 2. All contracts entered into by the gaming commission that relate to the state  
24 lottery which are in effect on July 1, 1996, remain in effect and are transferred to the  
25 department of revenue. The department of revenue shall carry out any such

1 contractual obligations until modified or rescinded by the department of revenue to  
2 the extent allowed under the contract.

3 (d) *Employe transfers and status.* On July 1, 1996, all incumbent employes  
4 holding positions in the gaming commission are transferred to the gaming board,  
5 except that all incumbent employes holding positions in the gaming commission that  
6 are funded from the lottery fund are transferred to the department of revenue.  
7 Employes transferred under this paragraph have all rights and the same status  
8 under subchapter V of chapter 111 and chapter 230 of the statutes that they enjoyed  
9 in the gaming commission. Notwithstanding section 230.28 (4) of the statutes, no  
10 employe so transferred who has attained permanent status in class may be required  
11 to serve a probationary period.

12 (e) *Pending matters.*

13 1. Except as provided in subdivision 2., any matters pending with the gaming  
14 commission on July 1, 1996, are transferred to the gaming board and all materials  
15 submitted to or actions taken by the gaming commission with respect to any pending  
16 matter are considered as having been submitted to or taken by the gaming board.

17 2. Any matters pending with the gaming commission that relate to the state  
18 lottery on July 1, 1996, are transferred to the department of revenue and all  
19 materials submitted to or actions taken by the gaming commission with respect to  
20 any pending matter are considered as having been submitted to or taken by the  
21 department of revenue.

22 (f) *Rules and orders.* All rules promulgated by the gaming commission that  
23 relate to the state lottery and that are in effect on July 1, 1996, remain in effect until  
24 their specified expiration date or until amended or repealed by the gaming board.  
25 All orders issued by the gaming commission that relate to the state lottery and that

1 are in effect on July 1, 1996, remain in effect until their specified expiration date or  
2 until modified or rescinded by the gaming board.

3 (6pt) GAMING COMMISSION MEMBERS. Notwithstanding section 15.06 (1) (f), 1993  
4 stats., the terms of all members of the gaming commission holding office under  
5 section 15.06 (1) (f), 1993 stats., shall expire on June 30, 1996.

6 (6pu) INITIAL TERMS OF MEMBERS OF THE GAMING BOARD. Notwithstanding section  
7 15.64 of the statutes, as affected by this act, the initial term of one member of the  
8 gaming board shall expire on July 1, 2000, the initial term of 2 of the members of the  
9 gaming board shall expire on July 1, 1999, and the initial term of 2 of the members  
10 of the gaming board shall expire on July 1, 1998.

11 **SECTION 9125. Nonstatutory provisions; health and educational**  
12 **facilities authority.**

13 (1) RURAL HOSPITAL LOAN FUND TRANSFER. On August 1, 1995, the Wisconsin  
14 Health and Educational Facilities Authority shall transfer to the department of  
15 administration for deposit in the general fund any balance remaining in the rural  
16 hospital loan fund under section 231.36 of the statutes on that date, after deducting  
17 an amount sufficient to pay any outstanding claims, and to fund the outstanding  
18 guarantees, under the rural hospital loan guarantee program under section 231.35  
19 of the statutes, as affected by this act.

20 **SECTION 9126. Nonstatutory provisions; health and social services.**

21 (2) FEES FOR PLAN REVIEWS OF HOSPITALS AND NURSING HOMES. Until the  
22 department of health and social services promulgates rules as required under  
23 sections 50.02 (2) (b) 2. and 50.36 (2) (b) of the statutes, as affected by this act, or until  
24 June 30, 1996, whichever is earlier, the department may, for conducting nursing  
25 home and hospital plan reviews under sections 50.02 (2) (b) 1. and 50.36 (2) (a) of the

1 statutes, as affected by this act, collect fees that are equal in amount to the fees  
2 collectible on September 30, 1995, under sections 50.02 (2) (b) and 50.36 (2), 1993  
3 stats., and for examination of nursing home and hospital plans under section 101.19  
4 (1) (a), 1993 stats.

5 (3) ENHANCED COMMUNITY INTEGRATION PROGRAM REIMBURSEMENT. By January  
6 1, 1996, and before providing enhanced reimbursement under section 46.278 (6) (e)  
7 of the statutes, as created by this act, the department of health and social services  
8 shall submit to the department of administration for approval the formula developed  
9 by the department of health and social services for determining the enhanced  
10 reimbursement rate.

11 (4) COMMUNITY OPTIONS PROGRAM SERVICES IN CERTAIN FACILITIES. By October 1,  
12 1995, the department of health and social services shall submit to the department  
13 of administration for approval the standards developed by the department of health  
14 and social services under section 46.27 (7) (cm) 2. of the statutes, as created by this  
15 act, for approving the provision of certain community options program services in  
16 certain community-based residential facilities.

17 (5) STANDARDS AND RULES REVIEW AND APPROVAL AND EMERGENCY RULES.

18 (a) By October 1, 1995, the department of health and social services shall  
19 submit all of the following to the department of administration for review and  
20 approval:

21 2. Proposed rules required under sections 46.27 (2) (h) 2. and 46.277 (5r) of the  
22 statutes, as created by this act, for the granting of hardship exceptions to the  
23 requirements under sections 46.27 (6r) (c) and 46.277 (5) (d) 3. of the statutes, as  
24 created by this act.

1 (b) The department of health and social services shall submit proposed rules  
2 required under sections 46.27 (2) (h) 2. and 46.277 (5r) of the statutes, as created by  
3 this act, to the legislative council staff for review under section 227.15 (1) of the  
4 statutes no later than November 1, 1995.

5 (c) Using the procedure under section 227.24 of the statutes, the department  
6 of health and social services shall promulgate rules required under sections 46.27 (2)  
7 (h) 2. and 46.277 (5r) of the statutes, as created by this act, for the period after  
8 December 30, 1995, and prior to the effective date of the rules submitted under  
9 paragraph (b) , but not to exceed the period authorized under section 227.24 (1) (c)  
10 and (2) of the statutes. Notwithstanding section 227.24 (1) (a) and (2) (b) of the  
11 statutes, the department need not provide evidence of the necessity of preservation  
12 of the public peace, health, safety or welfare in promulgating the rules under this  
13 paragraph.

14 (6) RULES ON ASSISTED LIVING FACILITIES. The department of health and social  
15 services shall submit proposed rules required under sections 49.45 (2) (a) 23. and  
16 50.034 (2) of the statutes, as created by this act, to the department of administration  
17 for review no later than December 1, 1995. The department of health and social  
18 services shall submit the proposed rules, as approved by the department of  
19 administration, to the joint legislative council staff for review under section 227.15  
20 (1) of the statutes no later than January 1, 1996.

21 (7) MEDICAL ASSISTANCE SCHOOL SERVICES. The department of health and social  
22 services shall submit in proposed form the rules required under section 49.45 (39) of  
23 the statutes, as created by this act, to the legislative council staff under section  
24 227.15 (1) of the statutes no later than March 1, 1996.

1           (8) RULES FOR MEDICAL ASSISTANCE SERVICES RELATED TO TUBERCULOSIS. Using  
2 the procedure under section 227.24 of the statutes, the department of health and  
3 social services may promulgate rules regarding the provision of medical assistance  
4 services under section 49.46 (2) (bm) of the statutes, as created by this act, for the  
5 period before the effective date of the permanent rules promulgated under section  
6 49.46 (2) (bm) of the statutes, as created by this act, but not to exceed the period  
7 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding  
8 section 227.24 (1) and (3) of the statutes, the department need not provide evidence  
9 of the necessity of preservation of the public peace, health, safety or welfare in  
10 promulgating rules under this subsection.

11           (13) GENERAL RELIEF AND RELIEF OF NEEDY INDIAN PERSONS. The department of  
12 health and social services shall submit in proposed form the rules required under  
13 section 49.02 (7m) of the statutes, as created by this act, to the legislative council staff  
14 under section 227.15 (1) of the statutes no later than October 1, 1995.

15           (14) ALCOHOL AND OTHER DRUG TREATMENT PROGRAMS. During fiscal year  
16 1995-96, the department of health and social services shall allocate \$400,000 from  
17 the appropriation under section 20.435 (6) (gb) of the statutes for alcohol and other  
18 drug treatment programs in community aids under section 46.40 of the statutes, as  
19 affected by this act.

20           (15) TRANSFER OF CERTAIN PUBLIC ASSISTANCE PROGRAMS.

21           (a) *Assets and liabilities.* On the effective date of this paragraph, all assets and  
22 liabilities of the department of health and social services that are primarily related  
23 to the programs in subchapter III of chapter 49 of the statutes, as affected by this act,  
24 as determined by the secretary of administration, shall become the assets and  
25 liabilities of the department of industry, labor and human relations.

1           (b) *Employe transfers.*

2           1. All incumbent employes holding positions in the department of health and  
3 social services that are primarily related to the programs in subchapter III of chapter  
4 49 of the statutes, as affected by this act, as determined by the secretary of  
5 administration, are transferred on the effective date of this subdivision to the  
6 department of industry, labor and human relations.

7           2. Upon final determination of the personnel to be transferred to the  
8 department of industry, labor and human relations under subdivision 1., the  
9 secretary of health and social services and the secretary of industry, labor and human  
10 relations shall, by the date that is established for submittal of requests for  
11 consideration at the 4th quarterly meeting for 1995 of the joint committee on finance  
12 under section 13.10 of the statutes, request the joint committee on finance to transfer  
13 moneys between the general purpose revenue appropriations for the department of  
14 health and social services and the department of industry, labor and human  
15 relations, between the program revenue appropriations for the department of health  
16 and social services and the department of industry, labor and human relations,  
17 between the program revenue-service appropriations for the department of health  
18 and social services and the department of industry, labor and human relations and  
19 between the federal revenues appropriations for the department of health and social  
20 services and the department of industry, labor and human relations, if necessary to  
21 adjust previously allocated costs in accordance with the transfer of personnel.

22           (c) *Employe status.* Employes transferred under paragraph (b) 1. have all the  
23 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
24 statutes in the department of industry, labor and human relations that they enjoyed  
25 in the department of health and social services immediately before the transfer.

1 Notwithstanding section 230.28 (4) of the statutes, no employe so transferred who  
2 has attained permanent status in class is required to serve a probationary period.

3 (d) *Tangible personal property.* On the effective date of this paragraph, all  
4 tangible personal property, including records, of the department of health and social  
5 services that is primarily related to the programs in subchapter III of chapter 49 of  
6 the statutes, as affected by this act, as determined by the secretary of administration,  
7 is transferred to the department of industry, labor and human relations.

8 (e) *Contracts.* All contracts entered into by the department of health and social  
9 services in effect on the effective date of this paragraph that are primarily related  
10 to the programs in subchapter III of chapter 49 of the statutes, as affected by this act,  
11 as determined by the secretary of administration, remain in effect and are  
12 transferred to the department of industry, labor and human relations. The  
13 department of industry, labor and human relations shall carry out any such  
14 contractual obligations until modified or rescinded by the department of industry,  
15 labor and human relations to the extent allowed under the contracts.

16 (f) *Rules and orders.*

17 1. All rules promulgated by the department of health and social services that  
18 are in effect on the effective date of this subdivision and that are primarily related  
19 to the programs in subchapter III of chapter 49 of the statutes, as affected by this act,  
20 remain in effect until their specified expiration date or until amended or repealed by  
21 the department of industry, labor and human relations. All orders issued by the  
22 department of health and social services that are in effect on the effective date of this  
23 subdivision and that are primarily related to the programs in subchapter III of  
24 chapter 49 of the statutes, as affected by this act, remain in effect until their specified

1 expiration date or until modified or rescinded by the department of industry, labor  
2 and human relations.

3 2. The secretary of health and social services and the secretary of industry,  
4 labor and human relations shall, by December 31, 1995, meet and specify the  
5 apportionment of rules and standards, between the 2 departments, with respect to  
6 the supervision of employes of county departments under sections 46.215, 46.22 and  
7 46.23 of the statutes, as affected by this act, and with respect to eligibility  
8 requirements for certain programs of public assistance, in order to effect the intent  
9 of this act.

10 (g) *Pending matters.* Any matter pending with the department of health and  
11 social services on the effective date of this paragraph that is primarily related to the  
12 programs in subchapter III of chapter 49 of the statutes, as affected by this act, is  
13 transferred to the department of industry, labor and human relations and all  
14 materials submitted to or actions taken by the department of health and social  
15 services with respect to the pending matter are considered as having been submitted  
16 to or taken by the department of industry, labor and human relations.

17 (15g) TRANSFER OF CHILD SUPPORT AND PATERNITY PROGRAMS.

18 (a) *Assets and liabilities.* On the effective date of this paragraph, all assets and  
19 liabilities of the department of health and social services that are primarily related  
20 to the programs in sections 73.25, 73.255 and 73.258 of the statutes, as affected by  
21 this act, as determined by the secretary of administration, shall become the assets  
22 and liabilities of the department of revenue.

23 (b) *Employe transfers.*

24 1. All incumbent employes holding positions in the department of health and  
25 social services that are primarily related to the programs in sections 73.25, 73.255

1 and 73.258 of the statutes, as affected by this act, as determined by the secretary of  
2 administration, are transferred on the effective date of this subdivision to the  
3 department of revenue.

4 2. Upon final determination of the personnel to be transferred to the  
5 department of revenue under subdivision 1., the secretary of health and social  
6 services and the secretary of revenue shall, by the date that is established for  
7 submittal of requests for consideration at the 4th quarterly meeting for 1995 of the  
8 joint committee on finance under section 13.10 of the statutes, request the joint  
9 committee on finance to transfer moneys between the general purpose revenue  
10 appropriations for the department of health and social services and the department  
11 of revenue, between the program revenue appropriations for the department of  
12 health and social services and the department of revenue, between the program  
13 revenue-service appropriations for the department of health and social services and  
14 the department of revenue and between the federal revenues appropriations for the  
15 department of health and social services and the department of revenue, if necessary  
16 to adjust previously allocated costs in accordance with the transfer of personnel.

17 (c) *Employe status.* Employes transferred under paragraph (b) 1. have all the  
18 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
19 statutes in the department of revenue that they enjoyed in the department of health  
20 and social services immediately before the transfer. Notwithstanding section 230.28  
21 (4) of the statutes, no employe so transferred who has attained permanent status in  
22 class is required to serve a probationary period.

23 (d) *Tangible personal property.* On the effective date of this paragraph, all  
24 tangible personal property, including records, of the department of health and social  
25 services that is primarily related to the programs in sections 73.25, 73.255 and

1 73.258 of the statutes, as affected by this act, as determined by the secretary of  
2 administration, is transferred to the department of revenue.

3 (e) *Contracts.* All contracts entered into by the department of health and social  
4 services in effect on the effective date of this paragraph that are primarily related  
5 to the programs in sections 73.25, 73.255 and 73.258 of the statutes, as affected by  
6 this act, as determined by the secretary of administration, remain in effect and are  
7 transferred to the department of revenue. The department of revenue shall carry out  
8 any such contractual obligations until modified or rescinded by the department of  
9 revenue to the extent allowed under the contracts.

10 (f) *Rules and orders.* All rules promulgated by the department of health and  
11 social services that are in effect on the effective date of this paragraph and that are  
12 primarily related to the programs in sections 73.25, 73.255 and 73.258 of the  
13 statutes, as affected by this act, remain in effect until their specified expiration date  
14 or until amended or repealed by the department of revenue. All orders issued by the  
15 department of health and social services that are in effect on the effective date of this  
16 paragraph and that are primarily related to the programs in sections 73.25, 73.255  
17 and 73.258 of the statutes, as affected by this act, remain in effect until their specified  
18 expiration date or until modified or rescinded by the department of revenue.

19 (g) *Pending matters.* Any matter pending with the department of health and  
20 social services on the effective date of this paragraph that is primarily related to any  
21 of the programs in sections 73.25, 73.255 and 73.258 of the statutes, as affected by  
22 this act, is transferred to the department of revenue and all materials submitted to  
23 or actions taken by the department of health and social services with respect to the  
24 pending matter are considered as having been submitted to or taken by the  
25 department of revenue.

1           (16) PLAN OF REORGANIZATION. By April 1, 1996, the department of health and  
2 social services shall submit to the department of administration, for review, a  
3 proposed plan of reorganization, beginning on July 1, 1996, for the department of  
4 health and social services, in order to effect the intent of this act. After reviewing the  
5 proposed reorganization plan, the secretary of administration shall submit the plan,  
6 including any suggested modifications to the plan, no later than May 1, 1996, to the  
7 joint committee on finance. If the cochairpersons of the committee do not notify the  
8 secretary of administration within 14 working days after the date of the plan's  
9 submittal that the committee has scheduled a meeting to take place no later than  
10 June 30, 1996, for the purpose of reviewing the plan, the secretary of administration  
11 shall proceed with the reorganization plan, including the secretary's suggested  
12 modifications. If, within 14 working days after the date of the plan's submittal, the  
13 cochairpersons of the committee notify the secretary of administration that the  
14 committee has scheduled a meeting for the purpose of reviewing the plan, the  
15 secretary of administration shall proceed with the plan, after incorporating any  
16 changes to the plan that are made by the joint committee on finance at the meeting.

17           (17) VOCATIONAL REHABILITATION SUBUNIT TRANSFER.

18           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets  
19 and liabilities of the department of health and social services primarily related to the  
20 subunit of the department of health and social services that administers vocational  
21 rehabilitation services, as determined by the secretary of administration, shall  
22 become the assets and liabilities of the department of industry, labor and human  
23 relations, except that those assets and liabilities of the department of health and  
24 social services primarily related to nonvocational services for the hearing and

1 visually impaired shall remain the assets and liabilities of the department of health  
2 and social services.

3 (b) *Employe transfers.*

4 1. All incumbent employes holding positions in the subunit of the department  
5 of health and social services that administers vocational rehabilitation services, as  
6 determined by the secretary of administration, are transferred on the effective date  
7 of this subdivision to the department of industry, labor and human relations, except  
8 that those incumbent employes in the department of health and social services  
9 primarily related to nonvocational services for the hearing and visually impaired  
10 shall remain in the department of health and social services.

11 2. Upon final determination of the personnel to be transferred to the  
12 department of industry, labor and human relations under subdivision 1., the  
13 secretary of health and social services and the secretary of industry, labor and human  
14 relations shall, by the date that is established for submittal of requests for  
15 consideration at the 4th quarterly meeting for 1995 of the joint committee on finance  
16 under section 13.10 of the statutes, request the joint committee on finance to transfer  
17 moneys, as of July 1, 1996, between the general purpose revenue appropriations for  
18 the department of health and social services and the department of industry, labor  
19 and human relations, between the program revenue appropriations for the  
20 department of health and social services and the department of industry, labor and  
21 human relations, between the program revenue-service appropriations for the  
22 department of health and social services and the department of industry, labor and  
23 human relations and between the federal revenues appropriations for the  
24 department of health and social services and the department of industry, labor and

1 human relations, if necessary to adjust previously allocated costs in accordance with  
2 the transfer of personnel.

3 (c) *Employe status.* Employes transferred under paragraph (b) to the  
4 department of industry, labor and human relations have all the rights and the same  
5 status under subchapter V of chapter 111 and chapter 230 of the statutes, in the  
6 department of industry, labor and human relations that they enjoyed in the subunit  
7 of the department of health and social services that administers vocational  
8 rehabilitation services before the transfer. Notwithstanding section 230.28 (4) of the  
9 statutes, no employe so transferred who has attained permanent status in class is  
10 required to serve a probationary period.

11 (d) *Tangible personal property.* On the effective date of this paragraph, all  
12 tangible personal property, including records, of the department of health and social  
13 services that is primarily related to the functions of the subunit of the department  
14 of health and social services that administers vocational rehabilitation services, as  
15 determined by the secretary of administration, is transferred to the department of  
16 industry, labor and human relations, except that the tangible personal property,  
17 including records, of the department of health and social services primarily related  
18 to nonvocational services for the hearing and visually impaired remain in the  
19 department of health and social services.

20 (e) *Contracts.* All contracts entered into by the department of health and social  
21 services primarily related to the subunit of the department of health and social  
22 services that administers vocational rehabilitation services in effect on the effective  
23 date of this paragraph remain in effect and are transferred to the department of  
24 industry, labor and human relations, except that those contracts primarily related  
25 to nonvocational services for the hearing and visually impaired remain in the

1 department of health and social services. The secretary of industry, labor and human  
2 relations shall carry out any such contractual obligations, except that the secretary  
3 of health and social services shall carry out any contractual obligations primarily  
4 related to nonvocational services for the hearing and visually impaired.

5 (f) *Contracts of the subunit of the department of health and social services that*  
6 *administers vocational rehabilitation services.* All contracts entered into by the  
7 subunit of the department of health and social services that administers vocational  
8 rehabilitation services in effect on the effective date of this paragraph remain in  
9 effect and are transferred to the department of industry, labor and human relations,  
10 except those contracts primarily related to nonvocational services for the hearing  
11 and visually impaired shall remain in the department of health and social services.  
12 The department of industry, labor and human relations shall carry out any such  
13 contractual obligations, except that the secretary of health and social services shall  
14 carry out any contractual obligations primarily related to nonvocational services for  
15 the hearing and visually impaired.

16 (g) *Rules and orders.* All rules promulgated by the department of health and  
17 social services primarily related to the subunit of the department of health and social  
18 services that administers vocational rehabilitation services that are in effect on the  
19 effective date of this paragraph remain in effect until their specified expiration date  
20 or until amended or repealed by the department of industry, labor and human  
21 relations, except that those rules promulgated by the department of health and social  
22 services primarily related to nonvocational services to the hearing and visually  
23 impaired remain in effect until their expiration date or until amended or repealed  
24 by the department of health and social services. All orders issued by the department  
25 of health and social services primarily related to the subunit of the department of

1 health and social services that administers vocational rehabilitation services that  
2 are in effect on the effective date of this paragraph remain in effect until their  
3 specified expiration date or until modified or rescinded by the department of  
4 industry, labor and human relations, except that those orders issued by the  
5 department of health and social services primarily related to nonvocational services  
6 to the hearing and visually impaired remain in effect until their expiration date or  
7 until modified or rescinded by the department of health and social services.

8 (h) *Pending matters.* Any matter pending with the department of health and  
9 social services on the effective date of this paragraph primarily related to the subunit  
10 of the department of health and social services that administers vocational  
11 rehabilitation services, except any matter primarily related to nonvocational  
12 services for the hearing and visually impaired, is transferred to the department of  
13 industry, labor and human relations, and all materials submitted to or actions taken  
14 by the department of health and social services before the effective date of this  
15 paragraph with respect to pending matters, except pending matters primarily  
16 related to nonvocational services for the hearing and visually impaired, are  
17 considered as having been submitted to or taken by the department of industry, labor  
18 and human relations.

19 (i) *Transfer proposals.* After reviewing the proposed transfer of assets and  
20 liabilities under paragraph (a), employees under paragraph (b), tangible personal  
21 property under paragraph (d) and contracts under paragraphs (e) and (f), the  
22 secretary of administration shall submit the proposals, including any suggested  
23 modifications to the proposals, no later than June 1, 1996, to the joint committee on  
24 finance. If the cochairpersons of the committee do not notify the secretary of  
25 administration within 14 working days after the date of the proposals' submittal that

1 the committee has scheduled a meeting to take place in June 1996, for the purpose  
2 of reviewing the proposals, the secretary of administration shall proceed with the  
3 proposals, including the secretary's suggested modifications. If, within 14 working  
4 days after the date of the proposal's submittal, the cochairpersons of the committee  
5 notify the secretary of administration that the committee has scheduled a meeting  
6 for the purpose of reviewing the proposals, the secretary of administration shall  
7 proceed with the proposals, after incorporating any changes to the proposals that are  
8 made by the joint committee on finance at the meeting.

9 (17m) VOCATIONAL REHABILITATION REPORT. The department of health and social  
10 services shall report to the joint committee on finance, at the committee's 2nd  
11 quarterly meeting in 1996 under section 13.10 of the statutes, on all of the following:

12 (a) The extent of the waiting list, if any, for vocational rehabilitation services  
13 and the measures taken by the department of health and social services to minimize  
14 the waiting list in order to comply with the provision under section 47.02 (3) (f) of the  
15 statutes to make vocational rehabilitation services available in every county to all  
16 handicapped persons who are present in this state regardless of residency.

17 (b) The amount of 3rd-party funding that will be available as a match to  
18 federal funds under 29 USC 701 to 796i in federal fiscal year 1996-97.

19 (c) Whether additional funding is necessary to fully capture available federal  
20 matching funds and the sources of funding that could be reallocated within the  
21 budget of the department of health and social services.

22 (18) STATE USE BOARD MEMBERSHIP. Notwithstanding section 15.105 (22) of the  
23 statutes, as affected by this act, the member serving on the state use board as a  
24 representative of the subunit of health and social services that administers

1 vocational rehabilitation laws shall continue to serve as a member of the state use  
2 board until his or her successor is appointed and qualifies.

3 (19) AGENCY NAME CHANGE.

4 (a) Wherever the term "health and social services" appears in the statutes, as  
5 affected by the acts of 1995, the term "health and family services" is substituted.

6 (b) Beginning on July 1, 1996, the department of health and family services  
7 has the powers and duties granted or assigned the department of health and social  
8 services by SECTIONS 9101 to 9159 of this act that do not terminate before paragraph

9 (a) takes effect. Beginning on July 1, 1996, the secretary of health and family  
10 services has the powers and duties granted or assigned the secretary of health and  
11 social services by SECTIONS 9101 to 9159 of this act that do not terminate before  
12 paragraph (a) takes effect.

13 (22x) SICK LEAVE POLICY. By October 1, 1995, the department of health and  
14 social services shall develop and implement a policy to address the use of scheduled  
15 and unscheduled leave, including sick leave, by employes of that department who are  
16 employed at the juvenile correctional institutions operated by that department and  
17 shall, by October 1, 1995, submit a report containing its findings and  
18 recommendations to the appropriate standing committees in the manner provided  
19 under section 13.172 (3) of the statutes and to the governor.

20 (23) TRANSFER OF JUVENILE SECURED CORRECTIONAL FACILITIES.

21 (a) *Assets and liabilities.* On the effective date of this paragraph, all assets  
22 and liabilities of the department of health and social services that are primarily  
23 related to the division of youth services in that department shall become the assets  
24 and liabilities of the department of corrections. The departments of health and social  
25 services and corrections shall jointly determine these assets and liabilities and shall

1 jointly develop and implement a plan for the orderly transfer thereof. In the event  
2 of any disagreement between the departments, the secretary of administration shall  
3 resolve the dispute and shall develop a plan for the orderly transfer thereof.

4 (b) *Tangible personal property.* On the effective date of this paragraph, all  
5 tangible personal property, including records, of the department of health and social  
6 services that is primarily related to the division of youth services in that department  
7 is transferred to the department of corrections. The departments of health and social  
8 services and corrections shall jointly identify this tangible personal property,  
9 including records, and shall jointly develop and implement a plan for the orderly  
10 transfer thereof. In the event of any disagreement between the departments, the  
11 secretary of administration shall resolve the dispute and shall develop a plan for the  
12 orderly transfer thereof.

13 (c) *Pending matters.* Any matter pending with the department of health and  
14 social services on the effective date of this paragraph that is primarily related to the  
15 division of youth services in that department is transferred to the department of  
16 corrections. All materials submitted or actions taken by the department of health  
17 and social services with respect to the pending matter are considered as having been  
18 submitted to or taken by the department of corrections.

19 (d) *Contracts.* All contracts entered into by the department of health and  
20 social services in effect on the effective date of this paragraph that are primarily  
21 related to the division of youth services in that department remain in effect and are  
22 transferred to the department of corrections. The departments of health and social  
23 services and corrections shall jointly identify these contracts and shall jointly  
24 develop and implement a plan for the orderly transfer thereof. In the event of any

1 disagreement between the departments, the secretary of administration shall  
2 resolve the dispute and shall develop a plan for the orderly transfer thereof.

3 (e) *Rules and orders.* All rules promulgated by the department of health and  
4 social services in effect on the effective date of this paragraph that are primarily  
5 related to the division of youth services in that department remain in effect until  
6 their specified expiration date or until amended or repealed by the department of  
7 corrections. All orders issued by the department of health and social services in effect  
8 on the effective date of this paragraph that are primarily related to the division of  
9 youth services in that department remain in effect until their specified expiration  
10 date or until modified or rescinded by the department of corrections.

11 (f) *Transfer of positions and employes, change in funding source.*

12 1m. All incumbent employes holding positions in the division of youth services  
13 in the department of health and social services, except for the incumbent employe  
14 holding the unclassified division administrator position, are transferred on the  
15 effective date of this subdivision to the department of corrections.

16 3. On the effective date of this subdivision, 1.5 FTE PR positions in the  
17 division of management services in the department of health and social services  
18 funded from the appropriation under section 20.435 (8) (k) of the statutes, as affected  
19 by the acts of 1995, and the incumbent employes holding those positions are  
20 transferred to the department of corrections, and the positions become 1.5 FTE GPR  
21 positions to be funded from the appropriation under section 20.410 (1) (a) of the  
22 statutes, as affected by the acts of 1995.

23 3m. On the effective date of this subdivision, 0.4 FTE PR position in the  
24 division of management services in the department of health and social services  
25 funded from the appropriation under section 20.435 (8) (k) of the statutes, as affected

1 by the acts of 1995, and the incumbent employe holding that position are transferred  
2 to the department of corrections, and the position becomes 0.4 FTE PR position to be  
3 funded from the appropriation under section 20.410 (1) (kk) of the statutes, as  
4 affected by the acts of 1995.

5 5. On the effective date of this subdivision, 6.1 FTE GPR positions in the  
6 division of management services in the department of health and social services  
7 funded from the appropriation under section 20.435 (8) (a) of the statutes, as affected  
8 by the acts of 1995, and the incumbent employes holding those positions are  
9 transferred to the department of corrections, and the positions become 3.0 FTE GPR  
10 positions to be funded from the appropriation under section 20.410 (1) (a) of the  
11 statutes, as affected by the acts of 1995.

12 6. The departments of health and social services and corrections shall jointly  
13 determine the employes to be transferred under subdivisions 1m., 3., 3m. and 5. and  
14 shall jointly develop and implement a plan for the orderly transfer thereof. In the  
15 event of any disagreement between the departments, the secretary of administration  
16 shall resolve the dispute and shall develop a plan for the orderly transfer thereof.

17 7. Upon final determination of the personnel to be transferred to the  
18 department of corrections under subdivisions 1m., 3., 3m. and 5., the joint committee  
19 on finance shall, by December 31, 1996, transfer moneys between the general  
20 purpose revenue appropriations for the department of health and social services and  
21 the department of corrections, between the program revenue appropriations for the  
22 department of health and social services and the department of corrections, between  
23 the program revenue-service appropriations for the department of health and social  
24 services and the department of corrections and between the federal revenues  
25 appropriations for the department of health and social services and the department

1 of corrections, if necessary to adjust previously allocated costs in accordance with the  
2 transfer of personnel.

3 (g) *Employe status.* Employes transferred under paragraph (f) have all the  
4 same rights and status under subchapter V of chapter 111 and chapter 230 of the  
5 statutes in the department of corrections that they enjoyed in the department of  
6 health and social services immediately before the transfer. Notwithstanding section  
7 230.28 (4) of the statutes, no employe so transferred who has attained permanent  
8 status in class is required to serve a probationary period.

9 (h) *Custody.* On the effective date of this paragraph, all persons who are under  
10 the legal custody or supervision of the department of health and social services are  
11 transferred to the supervision of the department of corrections. The departments of  
12 health and social services and corrections shall jointly determine those persons and  
13 shall jointly develop a plan for the orderly transfer thereof. In the event of any  
14 disagreement between the departments, the secretary of administration shall  
15 resolve the dispute and shall develop a plan for the orderly transfer thereof.

16 (24x) EFFICIENCY MEASURES. Before September 1, 1995, the department of  
17 health and social services shall submit a report to the joint committee on finance  
18 recommending how savings in fiscal year 1995-96 of \$703,100 and in fiscal year  
19 1996-97 of \$1,406,200 resulting from budget efficiency measures should be allocated  
20 among the department's general purpose revenue general program operations  
21 appropriations for programs under section 20.435 of the statutes and how many  
22 positions should be abolished. If the cochairpersons of the committee do not notify  
23 the department of health and social services that the committee has scheduled a  
24 meeting for the purpose of reviewing the report within 14 working days after the date  
25 of the submittal of the report by the department of health and social services, the

1 recommendations of the report may be implemented as proposed by the department  
2 of health and social services. If, within 14 working days after the date of the  
3 submittal of the report by the department of health and social services, the  
4 cochairpersons of the committee notify the department that the committee has  
5 scheduled a meeting for the purpose of reviewing the report, the recommendations  
6 of the report may be implemented only upon approval of the committee.  
7 Notwithstanding section 16.505 (1) of the statutes, as affected by this act, the  
8 department or the committee may abolish positions under this subsection.

9 (26j) CONTRACT WITH RED CLIFF BAND OF LAKE SUPERIOR CHIPPEWAS.

10 (a) The department of health and social services shall establish a pilot project  
11 under which the Red Cliff Band of Lake Superior Chippewas may directly negotiate  
12 a contract with the department of health and social services to provide certain social  
13 services for tribal members who reside within the boundaries of the reservation of  
14 the Red Cliff Band of Lake Superior Chippewas. Specific programs, services and  
15 funding levels that are to be provided under the project shall be determined by  
16 negotiations between the department of health and social services and the Red Cliff  
17 Band of Lake Superior Chippewas and shall be specified in the contract. As a  
18 condition of the contract, the Red Cliff Band of Lake Superior Chippewas shall  
19 contract for performance of an independent evaluation of the project.

20 (b) This subsection does not apply after June 30, 1997.

21 (26t) CAPACITY BUILDING FOR EARLY AND INTENSIVE INTERVENTION SERVICES. A  
22 county that receives funding under section 46.263 (1), 1993 stats., during the first  
23 6 months of 1995 may expend that funding at any time during calendar year 1995.

24 (26v) SECURED JUVENILE CORRECTIONAL FACILITY. The department of health and  
25 social services, with the approval of the governor, may purchase or accept a gift of

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1 land and an existing facility for a suitable site for an additional secured correctional  
2 facility, as defined in section 48.02 (15m) of the statutes, as affected by this act, for  
3 delinquent boys and renovate and equip such buildings as it considers necessary for  
4 that purpose. The facility shall be financed by SECTION 9108 (1) (d) 1. of this act, shall  
5 be located at a site selected by the building commission and shall be operational by  
6 July 1, 1996.

7 (26y) JUVENILE PSYCHOLOGIST POSITIONS. If the department of health and social  
8 services is unable to fill 2.0 PR vacant psychologist positions at the Lincoln Hills  
9 school in fiscal year 1995-96, that department shall use \$93,600 from the  
10 appropriation under section 20.435 (3) (hm) of the statutes, as affected by this act,  
11 sections 829 and 830, to hire one or more limited-term employe psychologists or to  
12 contract for the provision of psychological services at the Lincoln Hills school.

13 (27) FUNERAL, BURIAL AND CEMETERY EXPENSES. No later than January 1, 1996,  
14 the department of health and social services shall amend the state plan for aid to  
15 families with dependent children under 42 USC 602 to make the funeral, burial and  
16 cemetery expenses paid under section 49.19 (5) (d) of the statutes, as affected by this  
17 act, a special-needs item under 45 CFR 233.20 (a) (2) (v).

18 (27g) TRANSFER OF CHILD WELFARE SERVICES. The department of health and  
19 social services shall submit to the legislature in the manner provided under section  
20 13.172 (2) of the statutes and to the governor, by April 1, 1996, a proposal to transfer  
21 the duty and authority to provide child welfare services in a county that has a  
22 population of 500,000 or more from the county department of social services of that  
23 county to the department of health and social services. The proposal shall provide  
24 an implementation plan for the department of health and social services to provide  
25 child welfare services in that county or to contract for the provision of child welfare

1 services in that county, or both, beginning on January 1, 1998, and shall consider all  
2 funds expended from state and federal revenues, the county tax levy and any other  
3 source of revenue for child welfare services in that county, as determined by the  
4 department of health and social services. The county from which the duty and  
5 authority to provide child welfare services would be transferred by the proposal  
6 under this subsection shall maintain in 1996 and 1997 the same level of expenditure  
7 for child welfare services from state and federal revenues, the county tax levy and  
8 any other source of revenue as that county expended in 1995 for child welfare  
9 services, as determined by the department of health and social services.

10 (27h) PLAN FOR TRANSFER OF AGENCY HEALTH FUNCTIONS. By July 1, 1996, after  
11 first consulting with representatives of local health departments and other state  
12 agencies, as defined in section 20.001 (1) of the statutes, the department of health  
13 and social services shall develop and submit to the legislature in the manner  
14 provided under section 13.172 (2) of the statutes and to the governor a plan to  
15 transfer to a department health functions that are performed by state agencies. The  
16 plan shall include an inventory of all authorized positions and funding of the affected  
17 state agencies that are associated with the health functions.

18 (27i) LOW-INCOME ENERGY ASSISTANCE.

19 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets  
20 and liabilities of the department of health and social services primarily related to the  
21 functions of the low-income energy assistance program, as determined by the  
22 secretary of administration, shall become the assets and liabilities of the department  
23 of administration.

24 (b) *Employee transfers.* All incumbent employees holding positions in the  
25 department of health and social services performing duties primarily related to the

1 low-income energy assistance program, as determined by the secretary of  
2 administration, are transferred on the effective date of this paragraph to the  
3 department of administration.

4 (c) *Employe status.* Employes transferred under paragraph (b) have all the  
5 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
6 statutes in the department of administration that they enjoyed in the department  
7 of health and social services immediately before the transfer. Notwithstanding  
8 section 230.28 (4) of the statutes, no employe so transferred who has attained  
9 permanent status in class is required to serve a probationary period.

10 (d) *Tangible personal property.* On the effective date of this paragraph, all  
11 tangible personal property, including records, of the department of health and social  
12 services that is primarily related to the functions of the low-income energy  
13 assistance program, as determined by the secretary of administration, is transferred  
14 to the department of administration.

15 (e) *Contracts.* All contracts entered into by the department of health and social  
16 services in effect on the effective date of this paragraph that are primarily related  
17 to the functions of the low-income energy assistance program, as determined by the  
18 secretary of administration, remain in effect and are transferred to the department  
19 of administration. The department of administration shall carry out any such  
20 contractual obligations until modified or rescinded by the department of  
21 administration to the extent allowed under the contract.

22 (f) *Rules and orders.* All rules promulgated by the department of health and  
23 social services that are primarily related to the functions of the low-income energy  
24 assistance program and that are in effect on the effective date of this paragraph  
25 remain in effect until their specified expiration date or until amended or repealed by

1 the department of administration. All orders issued by the department of health and  
2 social services that are primarily related to the functions of the low-income energy  
3 assistance program and that are in effect on the effective date of this paragraph  
4 remain in effect until their specified expiration date or until modified or rescinded  
5 by the department of administration.

6 (g) *Pending matters.* Any matter pending on the effective date of this  
7 paragraph with the department of health and social services that is primarily related  
8 to the functions of the low-income energy assistance program is transferred to the  
9 department of administration and all materials submitted to or actions taken by the  
10 department of health and social services that are primarily related to the functions  
11 of the low-income energy assistance program are considered as having been  
12 submitted to or taken by the department of administration.

13 (27q) TRANSFER OF OLDER AMERICAN COMMUNITY SERVICE EMPLOYMENT PROGRAM.

14 (a) *Assets and liabilities.* On the effective date of this paragraph, all assets and  
15 liabilities of the department of health and social services that are primarily related  
16 to the older American community service employment program under section 46.80  
17 (2m) (c) of the statutes, as affected by this act, as determined by the secretary of  
18 administration, shall become the assets and liabilities of the department of industry,  
19 labor and human relations.

20 (b) *Employe transfer.* One FTE FED position in the department of health and  
21 social services performing duties primarily related to the older American community  
22 service employment program under section 46.80 (2m) (c) of the statutes, as affected  
23 by this act, as determined by the secretary of administration, and the incumbent  
24 employe holding that position are transferred on the effective date of this paragraph  
25 to the department of industry, labor and human relations.

1           (c) *Employee status.* The employe transferred under paragraph (b) has all the  
2 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
3 statutes in the department of industry, labor and human relations that the employe  
4 enjoyed in the department of health and social services immediately before the  
5 transfer. Notwithstanding section 230.28 (4) of the statutes, no employe so  
6 transferred who has attained permanent status in class is required to serve a  
7 probationary period.

8           (d) *Tangible personal property.* On the effective date of this paragraph, all  
9 tangible personal property, including records, of the department of health and social  
10 services that is primarily related to the older American community service  
11 employment program under section 46.80 (2m) (c) of the statutes, as affected by this  
12 act, as determined by the secretary of administration, is transferred to the  
13 department of industry, labor and human relations.

14           (e) *Contracts.* All contracts entered into by the department of health and social  
15 services in effect on the effective date of this paragraph that are primarily related  
16 to the older American community service employment program under section 46.80  
17 (2m) (c) of the statutes, as affected by this act, as determined by the secretary of  
18 administration, remain in effect and are transferred to the department of industry,  
19 labor and human relations. The department of industry, labor and human relations  
20 shall carry out any such contractual obligations until modified or rescinded by the  
21 department of industry, labor and human relations to the extent allowed under the  
22 contracts.

23           (f) *Rules and orders.* All rules promulgated by the department of health and  
24 social services that are in effect on the effective date of this paragraph and that are  
25 primarily related to the older American community service employment program

1 under section 46.80 (2m) (c) of the statutes, as affected by this act, remain in effect  
2 until their specified expiration date or until amended or repealed by the department  
3 of industry, labor and human relations. All orders issued by the department of health  
4 and social services that are in effect on the effective date of this paragraph and that  
5 are primarily related to the older American community service employment program  
6 under section 46.80 (2m) (c) of the statutes, as affected by this act, remain in effect  
7 until their specified expiration date or until modified or rescinded by the department  
8 of industry, labor and human relations.

9 (g) *Pending matters.* Any matter pending with the department of health and  
10 social services on the effective date of this paragraph that is primarily related to the  
11 older American community service employment program under section 46.80 (2m)  
12 (c) of the statutes, as affected by this act, is transferred to the department of industry,  
13 labor and human relations and all materials submitted to or actions taken by the  
14 department of health and social services with respect to the pending matter are  
15 considered as having been submitted to or taken by the department of industry, labor  
16 and human relations.

17 (h) *Joint committee on finance review.* After reviewing the proposed transfer  
18 of assets and liabilities under paragraph (a), employes under paragraph (b), tangible  
19 personal property under paragraph (d) and contracts under paragraph (e), the  
20 secretary of administration shall submit the proposals, including any suggested  
21 modifications to the proposals, no later than June 1, 1996, to the joint committee on  
22 finance. If the cochairpersons of the committee do not notify the secretary of  
23 administration within 14 working days after the date of the submittal that the  
24 committee has scheduled a meeting to take place in June 1996, for the purpose of  
25 reviewing the proposals, the secretary of administration shall proceed with the

1 proposals, including the secretary's suggested modifications. If, within 14 working  
2 days after the date of the submittal, the cochairpersons of the committee notify the  
3 secretary of administration that the committee has scheduled a meeting for the  
4 purpose of reviewing the proposals, the secretary of administration shall proceed  
5 with the proposals, after incorporating any changes to the proposals that are made  
6 by the joint committee on finance at the meeting.

7 (27t) REPORT ON DATA COLLECTION EFFORTS. No later than July 1, 1996, the  
8 department of health and social services shall submit to the secretary of  
9 administration and to the cochairpersons of the joint committee on finance a report  
10 on data collection regarding county social and human services expenditures. The  
11 report shall include a description of current data collection efforts for social and  
12 human services expenditures and recommendations on how to modify current data  
13 collection efforts to ensure that information from counties is available to do all of the  
14 following:

15 (a) Accurately anticipate budget needs.

16 (b) Evaluate existing and proposed social and human services initiatives.

17 (c) Distribute additional funding for community aids received after the  
18 1995-97 biennium based on the outcomes of county spending, rather than on  
19 across-the-board adjustments based on historical county allocations.

20 (27u) REGIONAL SERVICE DELIVERY FEASIBILITY STUDY. The department shall  
21 conduct a study of the feasibility of implementing a regional-based, rather than  
22 county-based, human and social services delivery system. In conducting the study,  
23 the department shall consult with representatives from the private and public  
24 sectors involved in the delivery of human and social services. The department shall

1 report the results of its feasibility study to the joint committee on finance at its 4th  
2 regularly scheduled quarterly meeting under section 13.10 of the statutes in 1996.

3 (27x) RULES ON GRANTS FOR LEAD POISONING OR LEAD EXPOSURE.

4 (a) The department of health and social services shall submit proposed rules  
5 required under section 254.151 of the statutes, as affected by this act, to the  
6 legislative council staff for review under section 227.15 (1) of the statutes no later  
7 than November 1, 1995.

8 (b) Using the procedure under section 227.24 of the statutes, the department  
9 of health and social services shall promulgate rules required under section 254.151  
10 of the statutes, as affected by this act, for the period after October 1, 1995, and prior  
11 to the effective date of the rules submitted under paragraph (a), but not to exceed the  
12 period authorized under section 227.24 (1) (c) and (2) of the statutes.  
13 Notwithstanding section 227.24 (1) (a) and (2) (b) of the statutes, the department  
14 need not provide evidence of the necessity of preservation of the public peace, health,  
15 safety or welfare in promulgating the rules under this paragraph.

16 (28g) STUDY OF CONSOLIDATING ALCOHOL AND OTHER DRUG ABUSE PROGRAMS.

17 (a) In this subsection, "agency" has the meaning given in section 16.045 (1) (a)  
18 of the statutes.

19 (b) The department of health and social services shall study the feasibility of  
20 consolidating into a single, statewide program all programs having to do with alcohol  
21 or other drug abuse that are administered by agencies in this state.

22 (c) By January 1, 1996, the department of health and social services shall  
23 submit the results of the study to the legislature in the manner provided under  
24 section 13.172 (2) of the statutes and to the governor.

1           (28q) PERSONAL CARE BENEFIT STUDY. The department of health and social  
2 services shall conduct a study of the personal care benefit under the medical  
3 assistance program. The department shall submit the results of its study to the  
4 governor and to the joint committee on finance no later than January 1, 1996. The  
5 study shall consider the following:

6           (a) The effect of modifying the medical assistance personal care benefit to  
7 create incentives for agencies or county social services staff to limit the provision of  
8 personal care services, such as requiring that program monitoring and supervision  
9 be provided by individuals who are not employed by the agency that employs the  
10 personal care worker.

11           (b) The effect and administrative feasibility of providing some personal care  
12 services through individuals who are not employed by home health agencies or  
13 personal-care-only agencies, including family members and neighbors of the  
14 individual receiving the personal care services.

15           (c) The potential cost savings of limited eligibility for the services, the amount  
16 and scope of personal care services, and the effect such proposals would have on  
17 individuals currently receiving personal care services.

18           (d) The adequacy of current medical assistance reimbursement rates for  
19 personal care services, the effect of paying for personal care services on a per-visit  
20 basis and recommendations for changing the current rate structure.

21           (28x) MANAGED CARE MEDICAL ASSISTANCE FORMS WORKING GROUP. The  
22 department of health and social services shall convene a working group no later than  
23 January 1, 1996, comprised of department employees and representatives of managed  
24 care providers under the medical assistance program. The working group shall  
25 study the development of standardized forms to be used by managed care providers

1 under the medical assistance program, other than forms to be used for billing or  
2 obtaining medical assistance reimbursement. In particular, the working group shall  
3 study the development of standardized forms to be used to obtain referrals and prior  
4 authorization for care. The department of health and social services shall submit the  
5 results of the working group's study to the legislature in the manner provided under  
6 section 13.172 (2) of the statutes no later than July 1, 1996.

7 (29g) REPORT ON LIMITING FUNDING FOR CERTAIN CARE IN COMMUNITY-BASED  
8 RESIDENTIAL FACILITIES. By October 1, 1995, the department of health and social  
9 services shall submit for review and approval a report to the governor and to the joint  
10 committee on finance concerning proposed standards for the granting of a waiver  
11 under sections 46.27 (3) (f) and 46.277 (3) (c) of the statutes, as created by this act,  
12 for provision of long-term community support services for persons who reside in  
13 community-based residential facilities. If the cochairpersons of the committee do  
14 not notify the department of health and social services that the committee has  
15 scheduled a meeting for the purpose of reviewing the proposed standards within 14  
16 working days after the date of the submittal, the standards may be implemented as  
17 proposed by the department of health and social services. If, within 14 working days  
18 after the date of the submittal, the cochairpersons of the committee notify the  
19 department of health and social services that the committee has scheduled a meeting  
20 for the purpose of reviewing the proposed standards, the proposed standards may be  
21 implemented only upon approval of the committee.

22 (29h) REPORT ON MODEL CONTRACT FOR CERTAIN CARE IN COMMUNITY-BASED  
23 RESIDENTIAL FACILITIES. By January 1, 1996, the department of health and social  
24 services shall submit a report to the governor and to the joint committee on finance  
25 concerning the model contract required to be developed and approved under section

1 46.27 (2) (j) of the statutes, as created by this act, for purchase of community options  
2 program services for persons who reside in community-based residential facilities.

3 (30g) COMMUNITY OPTIONS PROGRAM DATA COLLECTION.

4 (a) 1. The department of health and social services shall survey counties with  
5 respect to their needs and priorities for additional data on the long-term support  
6 community options program under section 46.27 of the statutes, as affected by this  
7 act, in order to best enhance efforts to coordinate the delivery and control the costs  
8 of the long-term community support services under the program.

9 2. The department of health and social services shall examine the benefits and  
10 costs of collecting all of the following data with respect to the long-term support  
11 community options program under section 46.27 of the statutes, as affected by this  
12 act:

13 a. Expenditure data, by type of service.

14 b. Cost-sharing by community options program clients.

15 c. Income and asset levels of community options program clients.

16 d. Costs of medical assistance benefits, by type of service, provided for  
17 community options program clients.

18 e. The amount and impact of informal support services provided to community  
19 options program clients by their families and friends.

20 f. A more detailed assessment of the needs of a community options program  
21 client for nursing care than is provided by the distinction between the level of care  
22 that is provided in a skilled nursing facility and that which is provided in an  
23 intermediate care facility.

24 (b) Based on the information obtained by the department of health and social  
25 services under paragraph (a), the department shall submit recommendations for

1 consideration at the 4th quarterly 1995 meeting of the joint committee on finance  
2 under section 13.10 of the statutes for expenditure of \$50,000 from the appropriation  
3 under section 20.865 (4) of the statutes to expand data collection for the long-term  
4 support community options program.

5 (31g) TRANSFER OF LABORATORY CERTIFICATION.

6 (a) *Assets and liabilities.* On the effective date of this paragraph, all assets and  
7 liabilities of the department of health and social services that are primarily related  
8 to the certification of laboratories under section 252.22 of the statutes, as affected by  
9 this act, as determined by the secretary of administration, shall become the assets  
10 and liabilities of the department of agriculture, trade and consumer protection.

11 (b) *Employe transfer.* On the effective date of this paragraph, 2.5 FTE PR  
12 positions in the department of health and social services performing duties primarily  
13 related to the certification of laboratories under section 252.22 of the statutes, as  
14 affected by this act, as determined by the secretary of administration, and the  
15 incumbent employes holding those positions are transferred to the department of  
16 agriculture, trade and consumer protection.

17 (c) *Employe status.* The employes transferred under paragraph (b) have all the  
18 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
19 statutes in the department of agriculture, trade and consumer protection that the  
20 employes enjoyed in the department of health and social services immediately before  
21 the transfer. Notwithstanding section 230.28 (4) of the statutes, no employe so  
22 transferred who has attained permanent status in class is required to serve a  
23 probationary period.

24 (d) *Tangible personal property.* On the effective date of this paragraph, all  
25 tangible personal property, including records, of the department of health and social

1 services that is primarily related to the certification of laboratories under section  
2 252.22 of the statutes, as affected by this act, as determined by the secretary of  
3 administration, is transferred to the department of agriculture, trade and consumer  
4 protection.

5 (e) *Contracts.* All contracts entered into by the department of health and social  
6 services in effect on the effective date of this paragraph that are primarily related  
7 to the certification of laboratories under section 252.22 of the statutes, as affected by  
8 this act, as determined by the secretary of administration, remain in effect and are  
9 transferred to the department of agriculture, trade and consumer protection. The  
10 department of agriculture, trade and consumer protection shall carry out any such  
11 contractual obligations until modified or rescinded by the department of agriculture,  
12 trade and consumer protection to the extent allowed under the contracts.

13 (f) *Rules and orders.* All rules promulgated by the department of health and  
14 social services that are in effect on the effective date of this paragraph and that are  
15 primarily related to the certification of laboratories under section 252.22 of the  
16 statutes, as affected by this act, remain in effect until their specified expiration date  
17 or until amended or repealed by the department of agriculture, trade and consumer  
18 protection. All orders issued by the department of health and social services that are  
19 in effect on the effective date of this paragraph and that are primarily related to the  
20 certification of laboratories under section 252.22 of the statutes, as affected by this  
21 act, remain in effect until their specified expiration date or until modified or  
22 rescinded by the department of agriculture, trade and consumer protection.

23 (g) *Pending matters.* Any matter pending with the department of health and  
24 social services on the effective date of this paragraph that is primarily related to the  
25 certification of laboratories under section 252.22 of the statutes, as affected by this

1 act, is transferred to the department of agriculture, trade and consumer protection  
2 and all materials submitted to or actions taken by the department of health and  
3 social services with respect to the pending matter are considered as having been  
4 submitted to or taken by the department of agriculture, trade and consumer  
5 protection.

6 (h) *Joint committee on finance review.* After reviewing the proposed transfer  
7 of assets and liabilities under paragraph (a), employes under paragraph (b), tangible  
8 personal property under paragraph (d) and contracts under paragraph (e), the  
9 secretary of administration shall submit the proposals, including any suggested  
10 modifications to the proposals, no later than June 1, 1996, to the joint committee on  
11 finance. If the cochairpersons of the committee do not notify the secretary of  
12 administration within 14 working days after the date of the submittal that the  
13 committee has scheduled a meeting to take place in June 1996, for the purpose of  
14 reviewing the proposals, the secretary of administration shall proceed with the  
15 proposals, including the secretary's suggested modifications. If, within 14 working  
16 days after the date of the plan's submittal, the cochairpersons of the committee notify  
17 the secretary of administration that the committee has scheduled a meeting for the  
18 purpose of reviewing the proposals, the secretary of administration shall proceed  
19 with the proposals, after incorporating any changes to the proposals that are made  
20 by the joint committee on finance at the meeting.

21 (32g) RULES ON ESTATE RECOVERY FOR DISEASE AIDS COSTS.

22 (a) The department of health and social services shall submit proposed rules  
23 required under section 49.482 (5) of the statutes, as created by this act, to the  
24 legislative council staff for review under section 227.15 (1) of the statutes no later  
25 than January 1, 1996.

1           (b) Using the procedures under section 227.24 of the statutes, the department  
2 of health and social services shall promulgate rules required under section 49.482  
3 (5) of the statutes, as created by this act, for the period prior to the effective date of  
4 the rules submitted under paragraph (a), but not to exceed the period authorized  
5 under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24  
6 (1) and (3) of the statutes, the department is not required to make a finding of  
7 emergency.

8           **SECTION 9127. Nonstatutory provisions; higher educational aids**  
9 **board.**

10           (1) **ELIMINATION OF AGENCY.**

11           (a) Wherever the term “higher educational aids board” or “higher education  
12 aids board” appears in the statutes, as affected by the acts of 1995, the term  
13 “department of education” is substituted.

14           (b) Members of the council on financial aids in the higher educational aids  
15 board immediately prior to the effective date of this paragraph shall continue to serve  
16 as members of the council on financial aids in the department of education until they  
17 are removed by the secretary of education or their successors are appointed and  
18 qualify.

19           (c) On the effective date of this paragraph, the assets and liabilities of the  
20 higher educational aids board shall become the assets and liabilities of the  
21 department of education.

22           (d) All incumbent employes holding positions in the higher educational aids  
23 board, except the executive secretary of the board and the deputy to the executive  
24 secretary of the board, are transferred on the effective date of this paragraph to the  
25 department of education.

1           (e) Employees transferred under paragraph (d) have all the rights and the  
2 same status under subchapter V of chapter 111 and chapter 230 of the statutes in the  
3 department of education that they enjoyed in the higher educational aids board  
4 immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,  
5 no employe so transferred who has attained permanent status in class is required to  
6 serve a probationary period.

7           (f) On the effective date of this paragraph, all tangible personal property,  
8 including records, of the higher educational aids board is transferred to the  
9 department of education.

10          (g) All contracts entered into by the higher educational aids board in effect on  
11 the effective date of this paragraph remain in effect and are transferred to the  
12 department of education. The department of education shall carry out any such  
13 contractual obligations until modified or rescinded by the department of education  
14 to the extent allowed under the contract.

15          (h) All rules promulgated by the higher educational aids board that are in  
16 effect on the effective date of this paragraph remain in effect until their specified  
17 expiration date or until amended or repealed by the department of education. All  
18 orders issued by the higher educational aids board that are in effect on the effective  
19 date of this paragraph remain in effect until their specified expiration date or until  
20 modified or rescinded by the secretary of education.

21          (i) Any matter pending with the higher educational aids board on the effective  
22 date of this paragraph is transferred to the department of education and all  
23 materials submitted to or actions taken by the board with respect to the pending  
24 matter are considered as having been submitted to or taken by the department of  
25 education.

1           **SECTION 9128. Nonstatutory provisions; historical society.**

2           (1x) EFFICIENCY MEASURES. By September 1, 1995, the historical society shall  
3 submit a report to the joint committee on finance recommending how savings in fiscal  
4 year 1995-96 of \$49,000 and in fiscal year 1996-97 of \$250,700 resulting from  
5 budgetary efficiency measures should be allocated among the historical society's  
6 general purpose revenue appropriations for state operations. If the cochairpersons  
7 of the committee do not notify the historical society that the committee has scheduled  
8 a meeting for the purpose of reviewing the report within 14 working days after the  
9 date of the submittal, the recommendation may be implemented as proposed by the  
10 historical society. If, within 14 working days after the date of the submittal, the  
11 cochairpersons of the committee notify the historical society that the committee has  
12 scheduled a meeting for the purpose of reviewing the report, the recommendation  
13 may be implemented only upon approval of the committee.

14           **SECTION 9129. Nonstatutory provisions; housing and economic**  
15 **development authority.**

16           (1g) WISCONSIN DEVELOPMENT RESERVE FUND TRANSFER. On the effective date of  
17 this subsection, the Wisconsin Housing and Economic Development Authority shall  
18 transfer to the department of administration for deposit in the general fund \$240,900  
19 from the Wisconsin development reserve fund under section 234.93 of the statutes.

20           **SECTION 9130. Nonstatutory provisions; industry, labor and human**  
21 **relations.**

22           (1) HOSPITAL AND NURSING HOME PLANS REVIEW TRANSFER.

23           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets  
24 and liabilities of the department of industry, labor and human relations primarily  
25 related to the review, under section 101.12 (intro.), 1993 stats., of essential drawings,

1 calculations and specifications of hospitals and nursing homes, as determined by the  
2 secretary of administration, shall become the assets and liabilities of the department  
3 of health and social services.

4 (d) *Tangible personal property.* On the effective date of this paragraph, all  
5 tangible personal property, including records, of the department of industry, labor  
6 and human relations that is primarily related to the review, under section 101.12  
7 (intro.), 1993 stats., of essential drawings, calculations and specifications of  
8 hospitals and nursing homes is transferred to the department of health and social  
9 services.

10 (e) *Contracts.* All contracts entered into by the department of industry, labor  
11 and human relations in effect on the effective date of this paragraph that are  
12 primarily related to the review, under section 101.12 (intro.), 1993 stats., of essential  
13 drawings, calculations and specifications of hospitals and nursing homes, as  
14 determined by the secretary of administration, remain in effect and are transferred  
15 to the department of health and social services. The department of health and social  
16 services shall carry out any such contractual obligations until modified or rescinded  
17 by the department of health and social services to the extent allowed under the  
18 contract.

19 (f) *Rules and orders.* All rules promulgated by the department of industry,  
20 labor and human relations primarily related to the review, under section 101.12  
21 (intro.), 1993 stats., of essential drawings, calculations and specifications of  
22 hospitals and nursing homes that are in effect on the effective date of this paragraph  
23 remain in effect until their specified expiration date or until amended or repealed by  
24 the department of health and social services. All orders issued by the department  
25 of industry, labor and human relations primarily related to the review, under section

1 101.12 (intro.), 1993 stats., of essential drawings, calculations and specifications of  
2 hospitals and nursing homes that are in effect on the effective date of this paragraph  
3 remain in effect until their specified expiration date or until modified or rescinded  
4 by the department of health and social services.

5 (g) *Pending matters.* Any matter pending with the department of industry,  
6 labor and human relations on the effective date of this paragraph that is primarily  
7 related to the review, under section 101.12 (intro.), 1993 stats., of essential drawings,  
8 calculations and specifications of hospitals and nursing homes is transferred to the  
9 department of health and social services and all materials submitted to or actions  
10 taken by the department of industry, labor and human relations with respect to the  
11 pending matter are considered as having been submitted to or taken by the  
12 department of health and social services.

13 (1g) TRANSFER OF POSITIONS AND EMPLOYES RELATING TO CODE DEVELOPMENT. On  
14 the effective date of this subsection, 8.3 FTE PR and 0.2 FTE SEG positions having  
15 duties primarily related to the development of the codes and rules of the division of  
16 safety and buildings in the department of industry, labor and human relations, as  
17 determined by the secretary of administration, are transferred from the department  
18 of industry, labor and human relations to the department of development. Employees  
19 transferred under this subsection have all the rights and the same status under  
20 subchapter V of chapter 111 and chapter 230 of the statutes in the department of  
21 development that they enjoyed in the department of industry, labor and human  
22 relations before the transfer. Notwithstanding section 230.28 (4) of the statutes, no  
23 employe so transferred who has attained permanent status in class is required to  
24 serve a probationary period.

1           (1m) EFFICIENCY STUDY. The labor and industry review commission shall study  
2 its current procedures in all areas of its responsibility, identify areas that could  
3 become more efficient, develop recommendations to streamline its procedures and  
4 improve its operations and identify any positions that could be eliminated as a result  
5 of the efficiencies and improved procedures identified in the study. The labor and  
6 industry review commission shall submit its findings and recommendations to the  
7 secretary of administration and the joint committee on finance by October 31, 1996.

8           (2) TRANSFER OF SAFETY AND BUILDINGS FUNCTIONS.

9           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets  
10 and liabilities of the department of industry, labor and human relations primarily  
11 related to the functions of the division of safety and buildings, as determined by the  
12 secretary of administration, shall become the assets and liabilities of the department  
13 of development.

14           (b) *Employe transfers.*

15           1. All incumbent employes holding positions in the department of industry,  
16 labor and human relations performing duties primarily related to the functions of  
17 the division of safety and buildings, as determined by the secretary of  
18 administration, are transferred on the effective date of this subdivision to the  
19 department of development.

20           2. Upon final determination of the personnel to be transferred to the  
21 department of development under subdivision 1. , the secretary of industry, labor  
22 and human relations and the secretary of development shall, by the date that is  
23 established for submittal of requests for consideration at the 4th quarterly meeting  
24 for 1995 of the joint committee on finance under section 13.10 of the statutes, request  
25 the joint committee on finance to transfer moneys between the general purpose

1 revenue appropriations for the department of industry, labor and human relations  
2 and the department of development, between the program revenue appropriations  
3 for the department of industry, labor and human relations and the department of  
4 development, between the program revenue-service appropriations for the  
5 department of industry, labor and human relations and the department of  
6 development and between the federal revenues appropriations for the department  
7 of industry, labor and human relations and the department of development, if  
8 necessary to adjust previously allocated costs in accordance with the transfer of  
9 personnel.

10 (c) *Employe status.* Employes transferred under paragraph (b) 1. have all the  
11 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
12 statutes in the department of development that they enjoyed in the department of  
13 industry, labor and human relations before the transfer. Notwithstanding section  
14 230.28 (4) of the statutes, no employe so transferred who has attained permanent  
15 status in class is required to serve a probationary period.

16 (d) *Tangible personal property.* On the effective date of this paragraph, all  
17 tangible personal property, including records, of the department of industry, labor  
18 and human relations that is primarily related to the functions of the division of safety  
19 and buildings, as determined by the secretary of administration, is transferred to the  
20 department of development.

21 (e) *Contracts.* All contracts entered into by the department of industry, labor  
22 and human relations in effect on the effective date of this paragraph that are  
23 primarily related to the functions of the division of safety and buildings, as  
24 determined by the secretary of administration, remain in effect and are transferred  
25 to the department of development. The department of development shall carry out

1 any such contractual obligations until modified or rescinded by the department of  
2 development to the extent allowed under the contracts.

3 (f) *Rules and orders.* All rules promulgated by the department of industry,  
4 labor and human relations that are in effect on the effective date of this paragraph  
5 and that are primarily related to the functions of the division of safety and buildings  
6 remain in effect until their specified expiration date or until amended or repealed by  
7 the department of development. All orders issued by the department of industry,  
8 labor and human relations that are in effect on the effective date of this paragraph  
9 and that are primarily related to the functions of the division of safety and buildings  
10 remain in effect until their specified expiration date or until modified or rescinded  
11 by the department of development.

12 (g) *Pending matters.* Any matter pending with the department of industry,  
13 labor and human relations on the effective date of this paragraph that is primarily  
14 related to the division of safety and buildings is transferred to the department of  
15 development and all materials submitted to or actions taken by the department of  
16 industry, labor and human relations with respect to any pending matter are  
17 considered as having been submitted to or taken by the department of development.

18 (2q) TRANSFER OF RELOCATION ASSISTANCE PROGRAM FUNCTIONS.

19 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets  
20 and liabilities of the department of industry, labor and human relations primarily  
21 related to the functions of the relocation assistance program, as determined by the  
22 secretary of administration, shall become the assets and liabilities of the department  
23 of development.

24 (b) *Employe transfers.* All incumbent employes holding positions in the  
25 department of industry, labor and human relations performing duties primarily

1 related to the functions of the relocation assistance program, as determined by the  
2 secretary of administration, are transferred on the effective date of this paragraph  
3 to the department of development.

4 (c) *Employe status.* Employes transferred under paragraph (b) have all the  
5 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
6 statutes in the department of development that they enjoyed in the department of  
7 industry, labor and human relations before the transfer. Notwithstanding section  
8 230.28 (4) of the statutes, no employe so transferred who has attained permanent  
9 status in class is required to serve a probationary period.

10 (d) *Tangible personal property.* On the effective date of this paragraph, all  
11 tangible personal property, including records, of the department of industry, labor  
12 and human relations that is primarily related to the functions of the relocation  
13 assistance program, as determined by the secretary of administration, is transferred  
14 to the department of development.

15 (e) *Contracts.* All contracts entered into by the department of industry, labor  
16 and human relations in effect on the effective date of this paragraph that are  
17 primarily related to the functions of the relocation assistance program, as  
18 determined by the secretary of administration, remain in effect and are transferred  
19 to the department of development. The department of development shall carry out  
20 any such contractual obligations until modified or rescinded by the department of  
21 development to the extent allowed under the contracts.

22 (f) *Rules and orders.* All rules promulgated by the department of industry,  
23 labor and human relations that are in effect on the effective date of this paragraph  
24 and that are primarily related to the functions of the relocation assistance program  
25 remain in effect until their specified expiration date or until amended or repealed by

1 the department of development. All orders issued by the department of industry,  
2 labor and human relations that are in effect on the effective date of this paragraph  
3 and that are primarily related to the functions of the relocation assistance program  
4 remain in effect until their specified expiration date or until modified or rescinded  
5 by the department of development.

6 (g) *Pending matters.* Any matter pending with the department of industry,  
7 labor and human relations on the effective date of this paragraph that is primarily  
8 related to the relocation assistance program is transferred to the department of  
9 development and all materials submitted to or actions taken by the department of  
10 industry, labor and human relations with respect to any pending matter are  
11 considered as having been submitted to or taken by the department of development.

12 (3) TRANSFER OF MATERIALS RELATING TO COUNCILS BEING TRANSFERRED TO  
13 DEPARTMENT OF DEVELOPMENT.

14 (a) *Dwelling code council.*

15 1. 'Tangible personal property.' On the effective date of this subdivision, all  
16 tangible personal property, including records, of the department of industry, labor  
17 and human relations that is primarily related to the dwelling code council, as  
18 determined by the secretary of administration, is transferred to the department of  
19 development.

20 2. 'Contracts.' All contracts entered into by the department of industry, labor  
21 and human relations in effect on the effective date of this subdivision that are  
22 primarily related to the functions of the dwelling code council, as determined by the  
23 secretary of administration, remain in effect and are transferred to the department  
24 of development. The department of development shall carry out any such

1 contractual obligations unless modified or rescinded by the department of  
2 development to the extent allowed under the contract.

3 (b) *Contractor financial responsibility council.*

4 1. 'Tangible personal property.' On the effective date of this subdivision, all  
5 tangible personal property, including records, of the department of industry, labor  
6 and human relations that is primarily related to the contractor financial  
7 responsibility council, as determined by the secretary of administration, is  
8 transferred to the department of development.

9 2. 'Contracts.' All contracts entered into by the department of industry, labor  
10 and human relations in effect on the effective date of this subdivision that are  
11 primarily related to the functions of the contractor financial responsibility council,  
12 as determined by the secretary of administration, remain in effect and are  
13 transferred to the department of development. The department of development shall  
14 carry out any such contractual obligations unless modified or rescinded by the  
15 department of development to the extent allowed under the contract.

16 (c) *Fire prevention council.*

17 1. 'Tangible personal property.' On the effective date of this subdivision, all  
18 tangible personal property, including records, of the department of industry, labor  
19 and human relations that is primarily related to the fire prevention council, as  
20 determined by the secretary of administration, is transferred to the department of  
21 development.

22 2. 'Contracts.' All contracts entered into by the department of industry, labor  
23 and human relations in effect on the effective date of this subdivision that are  
24 primarily related to the functions of the fire prevention council, as determined by the  
25 secretary of administration, remain in effect and are transferred to the department

1 of development. The department of development shall carry out any such  
2 contractual obligations unless modified or rescinded by the department of  
3 development to the extent allowed under the contract.

4 (d) *Plumbers council.*

5 1. 'Tangible personal property.' On the effective date of this subdivision, all  
6 tangible personal property, including records, of the department of industry, labor  
7 and human relations that is primarily related to the plumbers council, as determined  
8 by the secretary of administration, is transferred to the department of development.

9 2. 'Contracts.' All contracts entered into by the department of industry, labor  
10 and human relations in effect on the effective date of this subdivision that are  
11 primarily related to the functions of the plumbers council, as determined by the  
12 secretary of administration, remain in effect and are transferred to the department  
13 of development. The department of development shall carry out any such  
14 contractual obligations unless modified or rescinded by the department of  
15 development to the extent allowed under the contract.

16 (e) *Automatic fire sprinkler system contractors and journeymen council.*

17 1. 'Tangible personal property.' On the effective date of this subdivision, all  
18 tangible personal property, including records, of the department of industry, labor  
19 and human relations that is primarily related to the automatic fire sprinkler system  
20 contractors and journeymen council, as determined by the secretary of  
21 administration, is transferred to the department of development.

22 2. 'Contracts.' All contracts entered into by the department of industry, labor  
23 and human relations in effect on the effective date of this subdivision that are  
24 primarily related to the functions of the automatic fire sprinkler system contractors  
25 and journeymen council, as determined by the secretary of administration, remain

1 in effect and are transferred to the department of development. The department of  
2 development shall carry out any such contractual obligations unless modified or  
3 rescinded by the department of development to the extent allowed under the  
4 contract.

5 (f) *Petroleum storage environmental cleanup council.*

6 1. 'Tangible personal property.' On the effective date of this subdivision, all  
7 tangible personal property, including records, of the department of industry, labor  
8 and human relations that is primarily related to the petroleum storage  
9 environmental cleanup council, as determined by the secretary of administration, is  
10 transferred to the department of development.

11 2. 'Contracts.' All contracts entered into by the department of industry, labor  
12 and human relations in effect on the effective date of this subdivision that are  
13 primarily related to the functions of the petroleum storage environmental cleanup  
14 council, as determined by the secretary of administration, remain in effect and are  
15 transferred to the department of development. The department of development shall  
16 carry out any such contractual obligations unless modified or rescinded by the  
17 department of development to the extent allowed under the contract.

18 (g) *Multifamily dwelling code council.*

19 1. 'Tangible personal property.' On the effective date of this subdivision, all  
20 tangible personal property, including records, of the department of industry, labor  
21 and human relations that is primarily related to the multifamily dwelling code  
22 council, as determined by the secretary of administration, is transferred to the  
23 department of development.

24 2. 'Contracts.' All contracts entered into by the department of industry, labor  
25 and human relations in effect on the effective date of this subdivision that are

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1 primarily related to the functions of the multifamily dwelling code council, as  
2 determined by the secretary of administration, remain in effect and are transferred  
3 to the department of development. The department of development shall carry out  
4 any such contractual obligations unless modified or rescinded by the department of  
5 development to the extent allowed under the contract.

6 (4) AGENCY NAME CHANGE.

7 (a) Wherever the term "industry, labor and human relations" appears in the  
8 statutes, as affected by the acts of 1995, the term "industry, labor and job  
9 development" is substituted.

10 (b) Beginning on July 1, 1996, the department of industry, labor and job  
11 development has the powers and duties granted or assigned the department of  
12 industry, labor and human relations by SECTIONS 9101 to 9159 of this act that do not  
13 terminate before paragraph (a) takes effect. Beginning on July 1, 1996, the  
14 secretary of industry, labor and job development has the powers and duties granted  
15 or assigned the secretary of industry, labor and human relations by SECTIONS 9101  
16 to 9159 of this act that do not terminate before paragraph (a) takes effect.

17 (5) PLAN FOR THE TERMINATION OF DUPLICATIVE EMPLOYMENT AND TRAINING  
18 BODIES. No later than January 15, 1996, the governor's council on workforce  
19 excellence under section 15.227 (24) of the statutes, as created by this act, shall  
20 submit to the secretary of administration, to the lieutenant governor and to the  
21 cochairpersons of the joint committee on finance a plan for the termination of each  
22 council created in chapter 14 or 15 of the statutes, as affected by this act, and each  
23 commission or board created in or attached to an office, department or independent  
24 agency under chapter 14 or 15 of the statutes, as affected by this act, whose duties  
25 and responsibilities duplicate the duties and responsibilities of the governor's

1 council on workforce excellence under section 101.262 of the statutes, as created by  
2 this act, or whose duties and responsibilities can be taken over by the council. The  
3 secretary of administration and lieutenant governor shall evaluate the plan and  
4 shall consider whether to recommend the termination of any council, commission or  
5 board specified in the plan under this subsection. If the secretary or lieutenant  
6 governor determines that a council, commission or board should be terminated, the  
7 secretary or lieutenant governor shall, no later than April 15, 1996, submit a report  
8 to the cochairpersons of the joint committee on finance containing proposed  
9 legislation providing for such termination effective on July 1, 1996. If the secretary  
10 and the lieutenant governor both determine that a council, commission or board  
11 should be terminated, the secretary and lieutenant governor shall submit the report  
12 jointly. This subsection does not apply to any council, commission or board that is  
13 created or terminated under any act of the 1995-96 legislature regardless of the  
14 effective date of that creation or termination.

15 (6) EMPLOYMENT AND EDUCATION PROGRAM BOUNDARY PLAN. No later than  
16 January 15, 1996, the governor's council on workforce excellence under section  
17 15.227 (24) of the statutes, as created by this act, shall submit to the secretary of  
18 administration a plan that realigns the boundaries of the service delivery areas  
19 under 29 USC 1511, the public employment office districts under 29 USC 49 to 49n  
20 and any other substate boundaries for the local administration of employment and  
21 education programs so that those boundaries are contiguous with the boundaries of  
22 the technical college districts under section 38.06 of the statutes. Under the plan,  
23 a substate employment and education boundary may not split a technical college  
24 district but may, however, include more than one technical college district.

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1           (7) DEPARTMENTAL REORGANIZATION PLAN. No later than February 15, 1996, the  
2 secretary of industry, labor and human relations shall submit to the secretary of  
3 administration, for review, a proposed plan of reorganization, beginning on July 1,  
4 1996, that structures the functions and personnel of the department of industry,  
5 labor and human relations including the division of workforce excellence under  
6 section 15.223 (2) of the statutes, as created by this act, so as to give effect to the  
7 intent of this act. After reviewing the proposed reorganization plan, the secretary  
8 of administration shall submit the plan, including any suggested modifications to the  
9 plan, no later than May 1, 1996, to the joint committee on finance. If the  
10 cochairpersons of the committee do not notify the secretary of administration within  
11 14 working days after the date of the plan's submittal that the committee has  
12 scheduled a meeting to take place no later than June 30, 1996, for the purpose of  
13 reviewing the plan, the secretary of administration shall proceed with the  
14 reorganization plan, including the secretary's suggested modifications. If, within 14  
15 working days after the date of the plan's submittal, the cochairpersons of the  
16 committee notify the secretary of administration that the committee has scheduled  
17 a meeting for the purpose of reviewing the plan, the secretary of administration shall  
18 proceed with the plan, after incorporating any changes to the plan that are made by  
19 the joint committee on finance at the meeting.

20           (14g) EFFICIENCY MEASURES. Before the first quarterly meeting in 1996 of the  
21 joint committee on finance, the department of industry, labor and human relations  
22 shall submit a plan to the joint committee on finance for providing budgetary  
23 efficiency measures by combining new and existing career counseling centers with  
24 job centers.

25           (14t) OPTICAL IMAGING PROJECT.

1 (a) Of the moneys appropriated to the department of industry, labor and  
2 human relations under section 20.445 (1) (ha) of the statutes, \$619,900 for fiscal year  
3 1995-96 and \$101,700 for fiscal year 1996-97 is allocated for a worker's  
4 compensation optical imaging project and may not be encumbered or expended until  
5 the secretary of administration submits to the cochairpersons of the joint committee  
6 on finance and the cochairpersons of the joint committee on information policy a  
7 report which includes all of the following:

8 1. The results of a review of the project by the division of technology  
9 management in the department of administration.

10 2. The specific objectives of the optical imaging project.

11 3. The schedule for implementation of the project, including a projection of the  
12 effect, during the period of the actual records conversion to the optical imaging  
13 system, on the ability of the department to process affected records received prior to  
14 and during the conversion, and any expected backlogs in processing.

15 4. An evaluation of the effectiveness of the project activities, if any, to date.

16 5. The additional funding requirements, if any, for the project in the 1995-97  
17 fiscal biennium, including any additional costs such as overtime or other personnel  
18 costs likely to be incurred as a result of any projected processing backlog.

19 6. The funding requirements for the completion of the project and operation of  
20 the optical imaging system in future fiscal biennia.

21 (b) Notwithstanding section 16.50 (1) and (2) of the statutes, the secretary of  
22 administration shall not waive submission of expenditure estimates for the project  
23 identified in paragraph (a) and shall not approve such estimates for the amounts  
24 specified in paragraph (a) until 14 working days after the secretary submits the  
25 report required under paragraph (a) and until the secretary has responded in writing

1 to any concerns that are communicated to the secretary prior to the end of the 14-day  
2 period by the cochairpersons of the joint committee on finance or the cochairpersons  
3 of the joint committee on information policy.

4 (15g) VOCATIONAL REHABILITATION REPORT. The department of industry, labor  
5 and human relations shall report to the joint committee on finance, at the  
6 committee's 2nd quarterly meeting in 1997 under section 13.10 of the statutes, on all  
7 of the following:

8 (a) The extent of the waiting list, if any, for vocational rehabilitation services  
9 and the measures taken by the department of industry, labor and human relations  
10 to minimize the waiting list in order to comply with the provision under section 47.02  
11 (3) (f) of the statutes to make vocational rehabilitation services available in every  
12 county to all handicapped persons who are present in this state regardless of  
13 residency.

14 (b) The amount of 3rd-party funding that will be available as a match to  
15 federal funds under 29 USC 701 to 796i in federal fiscal year 1997-98.

16 (c) Whether additional funding is necessary to fully capture available federal  
17 matching funds and the sources of funding that could be reallocated within the  
18 budget of the department of industry, labor and human relations.

19 (16gg) TRANSFER OF CHILD SUPPORT AND PATERNITY PROGRAMS; POSITION  
20 AUTHORIZATIONS.

21 (a) The authorized FTE positions for the department of industry, labor and  
22 human relations funded from the appropriation under section 20.445 (3) (a) of the  
23 statutes, as affected by this act, are decreased by 9.13 GPR positions on July 1, 1996,  
24 for general program operations related to child support and paternity programs.

1 (b) The authorized FTE positions for the department of industry, labor and  
2 human relations funded from the appropriation under section 20.445 (3) (cd) of the  
3 statutes, as affected by this act, are decreased by 10.03 GPR positions on July 1, 1996,  
4 for administering child support and paternity establishment programs.

5 (c) The authorized FTE positions for the department of industry, labor and  
6 human relations funded from the appropriation under section 20.445 (3) (ja) of the  
7 statutes, as affected by this act, are decreased by 6.12 PR positions on July 1, 1996,  
8 for administering child support and paternity establishment programs.

9 (d) The authorized FTE positions for the department of industry, labor and  
10 human relations funded from the appropriation under section 20.445 (3) (n), as  
11 affected by this act, are decreased by 46.72 FED positions on July 1, 1996, for  
12 administering child support and paternity establishment programs.

13 **SECTION 9131. Nonstatutory provisions; insurance.**

14 (1g) OFFICE OF HEALTH CARE INFORMATION PERFORMANCE MEASURES. After the  
15 office of health care information in the office of the commissioner of insurance has  
16 developed performance measures for health care plans and health care providers,  
17 the office of health care information shall submit to the joint committee on finance  
18 a report concerning the results of this development. The office of health care  
19 information may, at the time of the report submittal, request funding, under section  
20 16.515 of the statutes, for demonstrating the feasibility of collecting, analyzing and  
21 distributing information on the performance measures.

22 (1t) OPTICAL IMAGING PROJECT.

23 (a) Of the moneys appropriated to the office of the commissioner of insurance  
24 under section 20.145 (1) (g) of the statutes, as affected by this act, \$113,000 for fiscal  
25 year 1995-96 and \$24,000 for fiscal year 1996-97 is allocated for optical imaging

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1 technology projects for complaints and insurance policy forms and rate filings, and  
2 may not be encumbered or expended until the secretary of administration submits  
3 to the cochairpersons of the joint committee on finance and the cochairpersons of the  
4 joint committee on information policy a report which includes all of the following:

5 1. The results of a review of the project by the division of technology  
6 management in the department of administration.

7 2. The specific objectives of the optical imaging project.

8 3. The schedule for implementation of the project, including a projection of the  
9 effect, during the period of the actual records conversion to the optical imaging  
10 system, on the ability of the office to process affected records received prior to and  
11 during the conversion, and any expected backlogs in processing.

12 4. An evaluation of the effectiveness of the project activities, if any, to date.

13 5. The additional funding requirements, if any, for the project in the 1995-97  
14 fiscal biennium, including any additional costs such as overtime or other personnel  
15 costs likely to be incurred as a result of any projected processing backlog.

16 6. The funding requirements for the completion of the project and operation of  
17 the optical imaging system in future fiscal biennia.

18 (b) Notwithstanding section 16.50 (1) and (2) of the statutes, the secretary of  
19 administration shall not waive submission of expenditure estimates for the project  
20 identified in paragraph (a) and shall not approve such estimates for the amounts  
21 specified in paragraph (a) until 14 working days after the secretary submits the  
22 report required under paragraph (a) and until the secretary has responded in writing  
23 to any concerns that are communicated to the secretary prior to the end of the 14-day  
24 period by the cochairpersons of the joint committee on finance or the cochairpersons  
25 of the joint committee on information policy.

**SECTION 9132. Nonstatutory provisions; investment board.**

(1g) DISTRIBUTION OF BONUS COMPENSATION FOR PERFORMANCE IN 1994-95 AND 1995-96 FISCAL YEARS. Prior to awarding any bonus compensation under section 25.156 (6) of the statutes for performance in the 1994-95 or 1995-96 fiscal year, the investment board shall submit to the cochairpersons of the joint committee on finance a revised plan for distribution of such compensation which incorporates necessary changes required to address any findings of the legislative audit bureau in any audit report issued concerning such compensation during the 1995 calendar year. Notwithstanding section 25.156 (6) of the statutes, the investment board shall not award any bonus compensation for performance in the 1994-95 or 1995-96 fiscal year until the joint committee on finance approves the revised plan.

**SECTION 9136. Nonstatutory provisions; justice.**

(1) PUBLIC INTERVENOR; PENDING MATTERS. Within 30 days after the effective date of this subsection, the public intervenor shall withdraw from any action or proceeding in which the public intervenor is a party. Within 30 days after the effective date of this subsection, the public intervenor shall submit written notification to the department of natural resources, and any other state agency, withdrawing any pending request made by the public intervenor for an investigation, study, report or other information.

(2) EFFICIENCY MEASURES. By September 1, 1995, the department of justice shall submit a request to the governor and the joint committee on finance indicating how savings in fiscal year 1995-96 of \$144,900 and in fiscal year 1996-97 of \$611,400 resulting from budgetary efficiency measures should be allocated among the department's general purpose revenue appropriations. The request shall include a specific plan for implementing the reductions that identifies the programs, positions

1 and expenditure categories to be eliminated or reduced. If the cochairpersons of the  
2 committee do not notify the department of justice that the committee has scheduled  
3 a meeting for the purpose of reviewing the request within 14 working days after the  
4 date of the department's submittal, the request may be implemented as proposed by  
5 the department. If, within 14 working days after the date of the department's  
6 submittal, the cochairpersons of the committee notify the department that the  
7 committee has scheduled a meeting for the purpose of reviewing the proposed  
8 request, the request may be implemented only upon approval of the committee.

9 (3q) TRANSFER OF CONSUMER PROTECTION FUNCTION.

10 (a) *Assets and liabilities.* On July 1, 1996, all assets and liabilities of the  
11 department of justice primarily related to its consumer protection investigation and  
12 enforcement functions in chapters 100, 134, 136, 344, 704, 707 and 779 of the  
13 statutes, as affected by this act, shall become the assets and liabilities of the  
14 department of agriculture, trade and consumer protection. The departments of  
15 justice and agriculture, trade and consumer protection shall jointly determine these  
16 assets and liabilities and shall jointly develop and implement a plan for the orderly  
17 transfer thereof. In the event of any disagreement between the departments, the  
18 secretary of administration shall decide the question.

19 (b) *Employe transfers.* On July 1, 1996, 13.8 FTE positions in the department  
20 of justice that are primarily related to its consumer protection investigation and  
21 enforcement functions in chapters 100, 134, 136, 344, 704, 707 and 779 of the  
22 statutes, as affected by this act, and the incumbents holding these positions, as  
23 determined by the secretary of administration, are transferred to the department of  
24 agriculture, trade and consumer protection.

1           (c) *Employee status.* Employees transferred under paragraph (b) have all the  
2 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
3 statutes in the department of agriculture, trade and consumer protection that they  
4 enjoyed in the department of justice immediately before the transfer.  
5 Notwithstanding section 230.28 (4) of the statutes, no employe so transferred who  
6 has attained permanent status in class is required to serve a probationary period.

7           (d) *Supplies and equipment.* On July 1, 1996, all tangible personal property,  
8 including records, of the department of justice primarily related to its consumer  
9 protection investigation and enforcement functions in chapters 100, 134, 136, 344,  
10 704, 707 and 779 of the statutes, as affected by this act, are transferred to the  
11 department of agriculture, trade and consumer protection. The departments of  
12 justice and agriculture, trade and consumer protection shall jointly identify the  
13 tangible personal property, including records, and shall jointly develop and  
14 implement a plan for the orderly transfer thereof. In the event of any disagreement  
15 between the departments, the secretary of administration shall decide the question.

16           (e) *Pending matters.* On July 1, 1996, any matter pending with the department  
17 of justice primarily related to its consumer protection investigation and enforcement  
18 functions in chapters 100, 134, 136, 344, 704, 707 and 779 of the statutes, as affected  
19 by this act, is transferred to the department of agriculture, trade and consumer  
20 protection. All materials submitted or actions taken by the department of justice  
21 with respect to the pending matter are considered as having been submitted to or  
22 taken by the department of agriculture, trade and consumer protection.

23           (f) *Contracts.* On July 1, 1996, all contracts entered into by the department of  
24 justice primarily related to its consumer protection investigation and enforcement  
25 functions in chapters 100, 134, 136, 344, 704, 707 and 779 of the statutes, as affected

1 by this act, which are in effect on the effective date of this paragraph, remain in effect  
2 and are transferred to the department of agriculture, trade and consumer protection.  
3 The departments of justice and agriculture, trade and consumer protection shall  
4 jointly identify these contracts and shall jointly develop and implement a plan for the  
5 orderly transfer thereof. In the event of any disagreement between the departments,  
6 the secretary of administration shall decide the question. The department of  
7 agriculture, trade and consumer protection shall carry out any such contractual  
8 obligations until modified or rescinded by the department of agriculture, trade and  
9 consumer protection to the extent allowed under the contract.

10 (g) *Rules and orders.* All rules promulgated by the department of justice that  
11 are in effect on the effective date of this paragraph and that are primarily related to  
12 its consumer protection investigation and enforcement functions in chapter 344 of  
13 the statutes remain in effect until their specified expiration date or until amended  
14 or repealed by the department of agriculture, trade and consumer protection. All  
15 orders issued by the department of justice that are in effect on the effective date of  
16 this paragraph and that are primarily related to its consumer protection  
17 investigation and enforcement functions in chapter 344 of the statutes, as affected  
18 by this act, remain in effect until their specified expiration date or until modified or  
19 rescinded by the department of agriculture, trade and consumer protection.

20 **SECTION 9137. Nonstatutory provisions; legislature.**

21 (1g) RELIEF BLOCK GRANT PROGRAM STUDY. If a relief block grant is paid under  
22 section 49.025 of the statutes, as created by this act, in 1996, the joint legislative  
23 audit committee is requested to direct the legislative audit bureau to perform a  
24 financial and performance evaluation of that relief block grant program. If the  
25 committee directs the legislative audit bureau to perform an audit, the bureau shall

1 file its report as described under section 13.94 (1) (b) of the statutes no later than  
2 December 31, 1997. The bureau shall consider all of the following in conducting its  
3 audit:

4 (a) The degree to which a county that receives a relief block grant provides a  
5 range of health care services, including primary, secondary and tertiary care, and  
6 emergency care in community hospitals and at any trauma centers that meet the  
7 criteria established by the American College of Surgeons for classification as a Level  
8 I trauma center.

9 (b) The adequacy of reimbursement to health care providers providing health  
10 care services funded by the relief block grant program.

11 (c) The degree to which the health care services funded by the relief block  
12 grant program are successful in improving the geographic accessibility of primary  
13 care, including the availability of care provided in community-based clinics.

14 (d) The degree to which the relief block grant program encourages health care  
15 providers to contribute uncompensated care, or care at compensation levels below  
16 normal charges, to the patient population served by a relief block grant.

17 (e) The effect of the relief block grant program on medical education and  
18 residency training programs offered by the Medical College of Wisconsin, and the  
19 effect of any possible future changes that may be under consideration by the county  
20 to the delivery of services funded under the relief block grant program.

21 (2v) INITIAL LEGISLATIVE DOCUMENT DISTRIBUTION SERVICE SUBSCRIPTIONS. No  
22 later than December 1, 1996, the chief of the legislative reference bureau shall  
23 recommend to the joint committee on legislative organization specified portions of  
24 the legislative document distribution service to be provided separately under section

1 35.87 of the statutes, as affected by this act, and the initial biennial fees to be charged  
2 for each portion so provided.

3 **SECTION 9139. Nonstatutory provisions; lower Wisconsin state**  
4 **riverway board.**

5 (1g) TRANSFER OF LOWER WISCONSIN STATE RIVERWAY BOARD TO DEPARTMENT OF  
6 TOURISM.

7 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets  
8 and liabilities of the department of natural resources that are primarily related to  
9 the functions of the lower Wisconsin state riverway board, as determined by the  
10 secretary of administration, shall become the assets and liabilities of the department  
11 of tourism, as created by this act.

12 (b) *Employee transfers.* All incumbent employees holding positions in the  
13 department of natural resources performing duties that are primarily related to the  
14 functions of the lower Wisconsin state riverway board, as determined by the  
15 secretary of administration, are transferred on the effective date of this paragraph  
16 to the department of tourism.

17 (c) *Employee status.* Employees transferred under paragraph (b) have all the  
18 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
19 statutes in the department of tourism that they enjoyed in the department of natural  
20 resources immediately before the transfer. Notwithstanding section 230.28 (4) of the  
21 statutes, no employee so transferred who has attained permanent status in class is  
22 required to serve a probationary period.

23 (d) *Tangible personal property.* On the effective date of this paragraph, all  
24 tangible personal property, including records, of the department of natural resources  
25 that is primarily related to the functions of the lower Wisconsin state riverway board,

1 as determined by the secretary of administration, is transferred to the department  
2 of tourism.

3 (e) *Contracts.* All contracts entered into 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 lower Wisconsin state riverway board, as determined by the  
6 secretary of administration, remain in effect and are transferred to the department  
7 of tourism. The department of tourism shall carry out any such contractual  
8 obligations unless modified or rescinded by the department of tourism to the extent  
9 allowed under the contract.

10 **SECTION 9141. Nonstatutory provisions; military affairs.**

11 (2b) NATIONAL GUARD TUITION GRANTS. The treatment of section 21.49 (3) (a) of  
12 the statutes by Section 1220t of this act is effective only if 1995 Assembly Bill 73, as  
13 shown by senate substitute amendment 2, as affected by senate amendment 1, is  
14 enacted without change as it affects section 21.49 (3) (a) of the statutes.

15 **SECTION 9142. Nonstatutory provisions; natural resources.**

16 (1) TRANSFER OF STATE PROPERTY. On July 1, 1996, the department of natural  
17 resources shall convey to the state historical society title to Old Wade House state  
18 park, including the Wesley W. Jung Carriage Museum, in the town of Greenbush,  
19 Sheboygan County.

20 (1g) REPORT ON USE OF WOOD ASH. No later than November 1, 1995, the  
21 department of natural resources shall submit a report to the legislature, in the  
22 manner provided under section 13.172 (2) of the statutes, on how it will facilitate the  
23 use of wood ash and coordinate activities related to the use of wood ash by producers  
24 of wood ash, farmers and the department.

1           (2t) ALLOCATION OF EXPENDITURE REDUCTIONS. The department of natural  
2 resources shall submit, to the joint committee on finance for consideration at its 3rd  
3 quarterly meeting in 1995 under section 13.10 of the statutes, a plan for allocating  
4 reductions of \$475,000 in fiscal year 1995-96 and \$475,000 in fiscal year 1996-97  
5 among the department's appropriations from the environmental fund.

6           (6) PETROLEUM STORAGE TANK TRANSFER.

7           (b) *Assets and liabilities.* On the effective date of this paragraph, the assets  
8 and liabilities of the department of natural resources primarily related to the  
9 responsibilities that are given to the department of development by this act  
10 concerning discharges from petroleum storage tanks, as determined by the secretary  
11 of administration, shall become the assets and liabilities of the department of  
12 development.

13           (c) *Employe transfers.* On the effective date of this paragraph, the employes  
14 of the department of natural resources that perform primarily activities associated  
15 with the responsibilities that are given to the department of development by this act  
16 concerning discharges from petroleum storage tanks, as determined by the secretary  
17 of administration, are transferred to the department of development.

18           (d) *Employe status.* Employes transferred under paragraph (b) to the  
19 department of development have all of the rights and the same status under  
20 subchapter V of chapter 111 and chapter 230 of the statutes in the department of  
21 development that they enjoyed in the department of natural resources immediately  
22 before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employe  
23 so transferred who has attained permanent status in class is required to serve a  
24 probationary period.

1           (e) *Tangible personal property.* On the effective date of this paragraph, all  
2 tangible personal property, including records, of the department of natural resources  
3 primarily used in relation to the responsibilities that are given to the department of  
4 development by this act concerning discharges from petroleum storage tanks, as  
5 determined by the secretary of administration, are transferred to the department of  
6 development.

7           (f) *Contracts.* All contracts entered into by the department of natural  
8 resources relating to the responsibilities that are given to the department of  
9 development by this act concerning discharges from petroleum storage tanks that  
10 are in effect on the effective date of this paragraph remain in effect and are  
11 transferred to the department of development. The department of development shall  
12 carry out any obligations under those contracts until they are modified or rescinded  
13 by the department of development to the extent allowed under the contracts.

14           (g) *Orders.* All orders issued by the department of natural resources that are  
15 in effect on the effective date of this paragraph relating to the responsibilities that  
16 are given to the department of development by this act concerning discharges from  
17 petroleum storage tanks remain in effect until their specified expiration dates or  
18 until modified or rescinded by the department of development.

19           (h) *Pending matters.* Any matter pending with the department of natural  
20 resources on the effective date of this paragraph relating to the responsibilities that  
21 are given to the department of development by this act concerning discharges from  
22 petroleum storage tanks is transferred to the department of development and all  
23 materials submitted to or actions taken by the department of natural resources with  
24 respect to the pending matter are considered to have been submitted to or taken by  
25 the department of development.

1           (i) *Federal approval.* The secretary of natural resources, the secretary of  
2 industry, labor and human relations and the secretary of development shall work  
3 together to ensure that the changes in this state's program for underground storage  
4 tank regulation that result from this act are approved by the federal environmental  
5 protection agency under 42 USC 6991c no later than January 1, 1997.

6           (j) *Memorandum of understanding.* The department of development and the  
7 department of natural resources shall submit a memorandum of understanding, as  
8 required under section 101.144 (3m) of the statutes, as created by this act, to the  
9 secretary of administration no later than October 15, 1995.

10           (6g) CLEAN WATER FUND EMERGENCY RULES. Before July 1, 1996, using the  
11 procedure under section 227.24 of the statutes, the department of natural resources  
12 shall promulgate rules required under section 144.241 (9m) (fm) of the statutes, as  
13 created by this act, for the period before permanent rules take effect, but not to  
14 exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes.  
15 Notwithstanding section 227.24 of the statutes, the department need not provide  
16 evidence of the necessity of preservation of the public peace, health, safety or welfare  
17 in promulgating rules under this subsection.

18           (6t) RULES ON REUSE OF HIGH-VOLUME INDUSTRIAL WASTE.

19           (a) The department of natural resources shall create a committee under  
20 section 227.13 of the statutes to advise the department with respect to the  
21 promulgation of rules under section 144.435 (5) of the statutes, as created by this act.  
22 The advisory committee shall consist of the following members:

23           1. Two representatives of the Wisconsin Cast Metals Association, designated  
24 by the association.

1           2. One representative of the Wisconsin Paper Council, designated by the  
2 council.

3           3. One representative of the Wisconsin Utilities Association, designated by the  
4 association.

5           4. One employe each of the department of administration, the department of  
6 development and the department of transportation, designated by the secretaries of  
7 the respective departments.

8           5. Two employes of the department of natural resources, designated by the  
9 secretary of natural resources.

10          6. One member designated by the secretary of natural resources from a list of  
11 nominees submitted by private environmental protection groups.

12          7. One representative of the construction industry, designated by the secretary  
13 of development.

14          (b) The department of natural resources shall submit the proposed rules  
15 required under section 144.435 (5) of the statutes, as created by this act, to the  
16 legislative council staff for review under section 227.15 (1) of the statutes, no later  
17 than July 1, 1996.

18          (7) CLEAN WATER FUND HARDSHIP ASSISTANCE.

19          (a) In this subsection, "adjusted gross income" means Wisconsin adjusted  
20 gross income, as defined in section 71.01 (13) of the statutes.

21          (b) Notwithstanding section 144.241 (13) (b) of the statutes, as affected by this  
22 act, a municipality with a project on a priority list established under section 144.241  
23 (8e) of the statutes, as affected by this act, for the 1995-97 biennium is eligible for  
24 assistance in the form specified in section 144.241 (13) (c) of the statutes, as affected  
25 by this act, for all project costs eligible for financial assistance under sections 144.241

1 and 144.2415 of the statutes, as affected by this act, except those costs to which  
2 section 144.241 (8) (b), (c) or (f) of the statutes or section 144.241 (8) (h) of the  
3 statutes, as affected by this act, applies, if all of the following apply:

4 1. The municipality received a clean water fund planning and design financial  
5 hardship assistance agreement for the project during the 1991 to 1995 fiscal years  
6 or the municipality's construction project appeared on the 1993, 1994 or 1995 clean  
7 water fund hardship funding list.

8 2. Total charges imposed on residential users in the municipality that relate  
9 to wastewater treatment exceed 1.5% of the total adjusted gross income of residents  
10 of the municipality.

11 3. The municipality is in the top 25% of municipalities for total charges  
12 imposed on residential users that relate to wastewater treatment as a percentage of  
13 the total equalized value of property in the municipality.

14 4. The per capita adjusted gross income of residents of the municipality does  
15 not exceed the per capita adjusted gross income of residents of this state.

16 5. The equalized value of the improved residential property in the  
17 municipality divided by the number of improved residential parcels in the  
18 municipality does not exceed the equalized value of the improved residential  
19 property in this state divided by the number of improved residential parcels in this  
20 state, as reported by the department of revenue.

21 6. The municipality satisfies section 144.2415 (9) (b) 2. of the statutes and all  
22 other requirements for clean water fund assistance that are not inconsistent with  
23 this subsection.

24 (7g) CLEAN WATER FUND HARDSHIP ASSISTANCE FOR VILLAGE OF WAUSAUKEE.  
25 Notwithstanding rules promulgated under section 144.241 (13) of the statutes, the

1 department of natural resources and the department of administration shall amend  
2 the clean water fund financial assistance agreement with the village of Wausaukee  
3 so that the village receives a no-interest loan for the amount of its cost overruns up  
4 to \$480,000. The department may not decrease the amount of the grant, or increase  
5 the interest rate on any portion of any other loan, to the village under the clean water  
6 fund financial assistance agreement. Notwithstanding section 144.2415 (3) (e) and  
7 (f) of the statutes, the present value for the assistance under this subsection shall be  
8 allocated from the percentage of the amount approved by the legislature under  
9 section 144.2415 (3) (d) of the statutes for financial assistance other than hardship  
10 assistance.

11 (8p) COUNCIL ON RECYCLING. The governor shall specify which 7 of the  
12 individuals who are members of the council on recycling immediately prior to the  
13 effective date of this subsection shall continue to serve on the council on recycling.

14 (9g) DEBT SERVICE FOR PROGRAM FOR LOCAL AIDS FOR DAMS. Notwithstanding any  
15 project enumeration in an authorized state building program, for the 1995-97 fiscal  
16 biennium any payments for principal and interest incurred in financing the aid  
17 program for dams under section 20.866 (2) (tx) of the statutes shall be paid from the  
18 appropriation under section 20.370 (7) (ar) of the statutes, as renumbered and  
19 amended by this act.

20 (9p) FUNDING FOR LICENSING AUTOMATION. During fiscal year 1995-96, the  
21 department of natural resources may not encumber or expend moneys from the  
22 appropriation under section 20.370 (1) (mu) of the statutes for the purpose of  
23 automating the department's system for issuing approvals under chapter 29 of the  
24 statutes unless the department first notifies the joint committee on finance in  
25 writing of the proposed encumbrance or expenditure. If the cochairpersons of the

1 joint committee on finance do not notify the department of natural resources within  
2 14 working days after the date of the department's notification that the committee  
3 has scheduled a meeting to review the proposed encumbrance or expenditure, the  
4 moneys may be encumbered or expended as proposed by the department. If, within  
5 14 working days after the date of the department's notification, the cochairpersons  
6 of the committee notify the department that the committee has scheduled a meeting  
7 to review the proposed encumbrance or expenditure, the moneys may be encumbered  
8 or expended only upon approval of the committee. This subsection does not apply  
9 after the department has encumbered or expended a total of \$100,000 from this  
10 appropriation for this purpose or June 30, 1996, whichever occurs first.

11 (9x) SNOWMOBILE SUPPLEMENTAL TRAIL AIDS. Of the moneys appropriated under  
12 section 20.370 (5) (cs) of the statutes, as affected by this act, the department of  
13 natural resources shall make available in fiscal year 1995-96 \$259,300 to make  
14 payments for supplemental trail aid payments to the department of natural  
15 resources or to a county for trail maintenance costs that were incurred in the winter  
16 season of 1992-93 and that exceed the maximum specified under section 350.12 (4)  
17 (b) 1. of the statutes.

18 (9z) PERMITS FOR DRAINAGE WORK IN NAVIGABLE WATERS. Any drainage board that  
19 has an application pending on the effective date of this subsection with the  
20 department of natural resources for a permit under section 30.20 of the statutes or  
21 chapter 31 of the statutes as provided under section 88.62 (3) of the statutes may  
22 continue with the applicable procedures for obtaining that permit or may withdraw  
23 the application and subsequently apply for a permit under section 88.31 of the  
24 statutes. This subsection does not apply after June 30, 1998.

1           (10g) AID PROGRAM FOR DAMS. Notwithstanding section 31.385 (2) of the  
2 statutes and any rules promulgated by the department of natural resources under  
3 section 31.385 (1) of the statutes:

4           (a) The department of natural resources shall provide financial assistance in  
5 the amount of \$200,000 in fiscal year 1995-96 from the appropriation under section  
6 20.866 (2) (tL) of the statutes, as affected by this act, to the town of Spider Lake for  
7 a dam in Sawyer County.

8           (b) The department of natural resources shall provide financial assistance in  
9 the amount of \$55,400 in fiscal year 1995-96 from the appropriation under section  
10 20.866 (2) (tL) of the statutes, as affected by this act, to the town of Douglas for a dam  
11 in Marquette County.

12           (10h) FISH AND WILDLIFE EXPENDITURES. Before September 1, 1995, the  
13 department of natural resources shall submit to the joint committee on finance a  
14 plan that will reduce expenditures from the conservation fund that relate to fish and  
15 wildlife management so that the expenditures will not have exceeded during the  
16 1995-97 biennium the revenues deposited in the conservation fund during the  
17 biennium that relate to fish and wildlife management. If the cochairpersons of the  
18 joint committee on finance do not notify the department of natural resources that the  
19 committee has scheduled a meeting to review the plan within 14 working days after  
20 the date of the department's submittal of the plan, the plan may be implemented as  
21 proposed by the department. If, within 14 working days after the date of the  
22 submittal of the plan, the cochairpersons of the committee notify the department  
23 that the committee has scheduled a meeting to review the proposed plan, the plan  
24 may be implemented only upon approval of the committee.

1           (10j) RECREATIONAL BOATING PROJECTS; DAM RENOVATION AND REPAIR. Of the  
2 amounts appropriated under section 20.370 (5) (cq) of the statutes, as affected by this  
3 act, and before applying the percentages under section 30.92 (4) (b) 6. of the statutes,  
4 the department of natural resources shall expend in fiscal year 1995-96 the amount  
5 that is necessary for the renovation and repair of the Chair Factory Dam in Grafton,  
6 but the amount shall not exceed \$264,000. Notwithstanding section 30.92 (1) (c) of  
7 the statutes, the dam project specified under this subsection is a recreational boating  
8 facility for the purpose of expending moneys under this subsection. The dam project  
9 specified under this subsection is exempt from being placed on the priority list under  
10 section 30.92 (3) (a) of the statutes.

11           (11g) RECREATIONAL BOATING PROJECT AIDS. In the information that the  
12 department of natural resources submits under section 16.42 of the statutes for  
13 purposes of the 1997-99 biennial budget bill, the amount in the schedule under the  
14 appropriation account under section 20.370 (5) (cq) of the statutes, as affected by this  
15 act, for fiscal year 1996-97 shall be considered to be \$200,000 more than the total  
16 amount appropriated under that appropriation account for that fiscal year.

17           (11z) STEWARDSHIP FUNDING.

18           (a) In this subsection, “qualifying local unit of government” means a local unit  
19 of government that has submitted an application before May 1, 1995, for funding  
20 from the appropriation under section 20.866 (2) (tz) of the statutes, as affected by this  
21 act, for the acquisition of land for a golf course.

22           (b) Notwithstanding any deadline promulgated by rule by the department of  
23 natural resources, a qualifying local unit of government may submit an application  
24 for funding for land acquisition from the appropriation under section 20.866 (2) (tz)  
25 of the statutes, as affected by this act, and the application shall be considered to have

1 been submitted before May 1, 1995, if the application is submitted within 30 days of  
2 the effective date of this paragraph.

3 (12b) ELIMINATION OF VIDEO TAPING FUNCTIONS. The department of natural  
4 resources shall transfer to the department of administration the equipment used by  
5 the department of natural resources in performing video taping functions for public  
6 information and education purposes. The department of administration shall sell or  
7 otherwise dispose of the equipment before June 30, 1997. Any proceeds from the sale  
8 or disposal shall be deposited into the general fund.

9 **SECTION 9143. Nonstatutory provisions; personnel commission.**

10 (1) ADJUDICATION OF CLAIMS ARISING BEFORE TERMINATION OF COVERAGE.  
11 Notwithstanding the repeal of section 230.44 (1) (g) of the statutes by this act and  
12 SECTION 9459 (2) (c) of this act, any employe of the University of Wisconsin Hospitals  
13 and Clinics Authority who held a position with the authority during the period  
14 beginning on the effective date of this subsection and ending on June 30, 1997, may  
15 commence or continue to pursue under section 230.44 (1) (g) of the statutes, as  
16 created by this act, any appeal arising from a personnel decision made prior to July  
17 1, 1997, until the appeal is appropriately adjudicated and any appropriate relief is  
18 granted.

19 (1m) EFFICIENCY STUDY. The personnel commission shall study its current  
20 procedures in all areas of its responsibility, identify areas that could become more  
21 efficient, develop recommendations to streamline its procedures and improve its  
22 operations and identify any positions that could be eliminated as a result of the  
23 efficiencies and improved procedures identified in the study. The personnel  
24 commission shall submit its findings and recommendations to the secretary of  
25 administration and the joint committee on finance by October 31, 1996.

1           (2) APPEALS FILING FEE SCHEDULE. The personnel commission shall submit in  
2 proposed form the rules required under section 230.45 (3) of the statutes, as created  
3 by this act, to the legislative council staff under section 227.15 (1) of the statutes no  
4 later than the first day of the 6th month beginning after the effective date of this  
5 subsection.

6           **SECTION 9144. Nonstatutory provisions; public defender board.**

7           (1) TRANSFER OF POSITIONS AND EMPLOYEES. On the effective date of this  
8 subsection, 4.5 FTE GPR positions having duties primarily related to the  
9 information technology implementation, support and management of the public  
10 defender board, as determined by the secretary of administration, are transferred  
11 from the public defender board to the department of administration. Employees  
12 transferred under this subsection have all the rights and the same status under  
13 subchapter V of chapter 111 and chapter 230 of the statutes in the department of  
14 administration that they enjoyed in the public defender board immediately before  
15 the transfer. Notwithstanding section 230.28 (4) of the statutes, no employe so  
16 transferred who has attained permanent status in class is required to serve a  
17 probationary period.

18           (2) VERIFICATION AND COLLECTION SYSTEM. Before October 1, 1995, the state  
19 public defender shall report to the department of administration on the plan of the  
20 state public defender in exercising the public defender's duties under section 977.06  
21 (1) of the statutes, as created by this act.

22           (2m) PREPAYMENT FOR COUNSEL. Using the procedure under section 227.24 of  
23 the statutes, the state public defender board may promulgate rules under section  
24 977.075 of the statutes, as created by this act, for the period before the effective date  
25 of the permanent rules promulgated under section 977.075 of the statutes, as created

1 by this act, but not to exceed the period authorized under section 227.24 (1) (c) and  
2 (2) of the statutes. Notwithstanding section 227.24 (1) and (3) of the statutes, the  
3 board is not required to make a finding of emergency.

4 (2md) PRIVATE LOCAL ATTORNEYS; CASE ASSIGNMENT. Using the procedure under  
5 section 227.24 of the statutes, the state public defender board may promulgate rules  
6 under section 977.03 (3) of the statutes, as created by this act, for the period before  
7 the effective date of the permanent rules promulgated under section 977.03 (3) of the  
8 statutes, as created by this act, but not to exceed the period authorized under section  
9 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) and (3) of  
10 the statutes, the board is not required to make a finding of emergency.

11 (4) COST-EFFECTIVENESS OF PARALEGAL POSITIONS. By October 1, 1996, the state  
12 public defender shall submit a report to the legislature in the manner provided in  
13 section 13.172 (2) of the statutes and to the governor evaluating the  
14 cost-effectiveness of the use of the paralegal project positions for the state public  
15 defender that are authorized in this act.

16 **SECTION 9145. Nonstatutory provisions; public instruction.**

17 (1) AGENCY NAME CHANGE.

18 (a) Wherever the term “department of public instruction” appears in the  
19 statutes, as affected by the acts of 1995, the term “department of education” is  
20 substituted.

21 (b) Wherever the term “state superintendent” appears in chapters 115 to 121  
22 of the statutes, as affected by the acts of 1995, except section 118.40 (1) of the  
23 statutes, as affected by this act, and except section 118.43 (5) (b) of the statutes, as  
24 created by this act, the term “department” is substituted.

1           (c) Wherever the term “state superintendent of public instruction” or  
2 “superintendent of public instruction” appears in the statutes, as affected by the acts  
3 of 1995, other than in chapters 14, 15, 20, 39 and 230 of the statutes, as affected by  
4 the acts of 1995, the term “secretary of education” is substituted.

5           (2) PUPIL ASSESSMENT. Except as provided in section 118.30 (2) of the statutes,  
6 as affected by this act, in the 1995-96 school year a school board may administer the  
7 4th grade examination adopted or approved by the state superintendent of public  
8 instruction under section 118.30 (1) of the statutes, as affected by this act, to all  
9 pupils enrolled in the school district, including pupils enrolled in charter schools  
10 located in the school district, in the 4th grade.

11           (3) SCHOOL DISTRICT REVENUE LIMITS.

12           (a) For the purpose of calculating a school district’s revenue limit for the  
13 1995-96 school year under section 121.91 (2m) of the statutes, as affected by this act,  
14 the school district’s revenue limit for the 1994-95 school year shall be recalculated  
15 using the definition of state aid in section 121.90 (2) of the statutes, as affected by  
16 this act, in section 121.91 (2) (a) 1. and (b) 1. of the statutes.

17           (b) For the purpose of calculating the revenue limit for the 1995-96 school year  
18 under section 121.91 (2m) of the statutes, as affected by this act, for the school district  
19 operating under chapter 119 of the statutes, the number of pupils used to calculate  
20 the school district’s revenue limit for the 1994-95 school year shall be recomputed  
21 using the definition of “number of pupils” in section 121.90 (1) of the statutes, as  
22 affected by this act.

23           (7) EFFICIENCY MEASURES. By September 1, 1995, the department of public  
24 instruction shall submit a report to the joint committee on finance recommending  
25 how savings in fiscal year 1995-96 of \$904,800 and in fiscal year 1996-97 of

1 \$3,524,000 resulting from budgetary efficiency measures should be allocated among  
2 the department's general purpose revenue appropriations, excluding local  
3 assistance appropriations and the appropriation under section 20.255 (3) (ea) of the  
4 statutes, as created by this act. If the cochairpersons of the committee do not notify  
5 the department that the committee has scheduled a meeting for the purpose of  
6 reviewing the report within 14 working days after the date of the submittal, the  
7 recommendation may be implemented as proposed by the department. If, within 14  
8 working days after the date of the submittal, the cochairpersons of the committee  
9 notify the department that the committee has scheduled a meeting for the purpose  
10 of reviewing the report, the recommendation may be implemented only upon  
11 approval of the committee.

12 (8g) INITIAL TERMS OF EDUCATION COMMISSION MEMBERS. Notwithstanding  
13 section 15.37 (1) (b) to (f) of the statutes, as affected by this act, the initial terms of  
14 the members of the education commission appointed under that section expire on  
15 January 20, 1997.

16 (8h) OFFICE OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION. The state  
17 superintendent of public instruction shall submit to the joint committee on finance  
18 a plan for the expenditure of the moneys appropriated under section 20.265 (1) of the  
19 statutes, as created by this act, during the 1995-97 biennium. The state  
20 superintendent may not encumber any of the moneys appropriated under that  
21 section of the statutes in the 1995-97 biennium without the approval of the plan by  
22 the committee.

23 (12v) COOPERATIVE EDUCATIONAL SERVICE AGENCY BYLAWS. The department of  
24 public instruction shall draft sample bylaws for the use of cooperative educational

1 service agencies and by January 1, 1996, distribute a copy of the sample bylaws to  
2 the board of control of each cooperative educational service agency.

3 (12w) COOPERATIVE EDUCATIONAL SERVICE AGENCY ANNUAL CONVENTION.  
4 Notwithstanding section 116.02 of the statutes, as affected by this act, the board of  
5 control of each cooperative educational service agency shall hold its 1996 annual  
6 convention on June 12, 1996.

7 (12x) MILWAUKEE PARENTAL CHOICE PROGRAM. Notwithstanding section 119.23  
8 (2) (a) 3. of the statutes, as affected by this act, a private school shall notify the  
9 department of public instruction of the school's intent to participate in the program  
10 under that section of the statutes in the 1995-96 school year by July 15, 1995.

11 (13q) ACHIEVEMENT GUARANTEE CONTRACTS. Notwithstanding section 20.255 (2)  
12 (cu) of the statutes, as created by this act, the department of public instruction and,  
13 beginning on January 1, 1996, the department of education, shall allocate \$196,000  
14 from that appropriation in the 1995-96 school year to design the evaluation required  
15 under section 118.43 (7) of the statutes, as created by this act.

16 (15e) VOCATIONAL EDUCATION CONSULTANTS. Of the amount appropriated under  
17 section 20.255 (1) (a) of the statutes, as affected by the acts of 1995, in the 1996-97  
18 fiscal year, \$741,100 is allocated to fund the positions specified in section 115.28 (30)  
19 of the statutes.

20 **SECTION 9146. Nonstatutory provisions; public service commission.**

21 (1t) FENCING, FARM CROSSING AND CATTLE GUARD COSTS. The commissioner of  
22 railroads and the chairperson of the public service commission shall jointly develop  
23 a plan for phasing in state reimbursement of 100% of the costs incurred by railroads  
24 for fencing, farm crossings and cattleguards, and shall submit a report containing

1 their findings, conclusions and recommendations, including recommended statutory  
2 changes, to the joint committee on finance by January 1, 1996.

3 **SECTION 9147. Nonstatutory provisions; regulation and licensing.**

4 (1) CHARITABLE ORGANIZATION CERTIFICATE OF REGISTRATION EXPIRATION DATES.  
5 Notwithstanding section 440.08 (2) (a) 23m. of the statutes, as created by this act,  
6 and section 440.42 (1) (c) of the statutes, as affected by this act, the expiration date  
7 of a certificate of registration that was issued to a charitable organization under  
8 section 440.42 (1) (c), 1993 stats., before the effective date of this subsection and that  
9 expires after August 1, 1995, shall be extended to August 1, 1996.

10 (2) RENEWAL OF PROFESSIONAL FUND-RAISER AND FUND-RAISING COUNSEL  
11 CREDENTIALS.

12 (a) *Credentials renewed on September 1, 1994.* Notwithstanding section  
13 440.43 (1) (c), 1993 stats., and section 440.44 (1) (c), 1993 stats., a certificate of  
14 registration for a professional fund-raiser or for a fund-raising counsel that was  
15 renewed on September 1, 1994, shall be valid until and renewable on September 1,  
16 1996.

17 (b) *Credentials issued on or after September 1, 1994.* Notwithstanding section  
18 440.43 (1) (c), 1993 stats., and section 440.44 (1) (c), 1993 stats., an initial certificate  
19 of registration for a professional fund-raiser or for a fund-raising counsel that was  
20 issued on or after September 1, 1994, and before the effective date of this paragraph  
21 shall be valid until and renewable on September 1, 1996.

22 (3) MORTGAGE BANKING TRANSFER.

23 (a) On the effective date of this paragraph, the assets and liabilities of the  
24 department of regulation and licensing primarily related to mortgage bankers, loan

1 originators and loan solicitors, as determined by the secretary of administration,  
2 shall become the assets and liabilities of the department of financial institutions.

3 (b) One FTE PR position in the department of regulation and licensing  
4 performing duties primarily related to mortgage bankers, loan originators and loan  
5 solicitors, as determined by the secretary of administration, and the incumbent  
6 employe holding that position are transferred on the effective date of this paragraph  
7 to the department of financial institutions.

8 (c) The employe transferred under paragraph (b) has all the rights and the  
9 same status under subchapter V of chapter 111 and chapter 230 of the statutes in the  
10 department of financial institutions that the employe enjoyed in the department of  
11 regulation and licensing immediately before the transfer. Notwithstanding section  
12 230.28 (4) of the statutes, no employe so transferred who has attained permanent  
13 status in class is required to serve a probationary period.

14 (d) On the effective date of this paragraph, all tangible personal property,  
15 including records, of the department of regulation and licensing that is primarily  
16 related to mortgage bankers, loan originators and loan solicitors, as determined by  
17 the secretary of administration, is transferred to the department of financial  
18 institutions.

19 (e) All contracts entered into by the department of regulation and licensing in  
20 effect on the effective date of this paragraph that are primarily related to mortgage  
21 bankers, loan originators and loan solicitors, as determined by the secretary of  
22 administration, remain in effect and are transferred to the department of financial  
23 institutions. The department of financial institutions shall carry out any such  
24 contractual obligations until modified or rescinded by the department of financial  
25 institutions to the extent allowed under the contract.

1 (f) All rules promulgated by the department of regulation and licensing that  
2 are in effect on the effective date of this paragraph and that are primarily related to  
3 mortgage bankers, loan originators and loan solicitors, as determined by the  
4 secretary of administration, remain in effect until their specified expiration date or  
5 until amended or repealed by the department of financial institutions. All orders  
6 issued by the department of regulation and licensing that are in effect on the effective  
7 date of this paragraph and that are primarily related to mortgage bankers, loan  
8 originators and loan solicitors, as determined by the secretary of administration,  
9 remain in effect until their specified expiration date or until modified or rescinded  
10 by the secretary of financial institutions.

11 (g) All matters pending with the department of regulation and licensing on the  
12 effective date of this paragraph that are primarily related to mortgage bankers, loan  
13 originators and loan solicitors, as determined by the secretary of administration, are  
14 transferred to the department of financial institutions and all materials submitted  
15 to or actions taken by the department of regulation and licensing with respect to the  
16 pending matter are considered as having been submitted to or taken by the  
17 department of financial institutions.

18 **SECTION 9148. Nonstatutory provisions; revenue.**

19 (1) **AUDIT REPORT.** On or before November 15, 1996, the department of revenue  
20 shall report to the department of administration on the net gain to the general fund  
21 and to counties due to the audit program under section 73.03 (28m) of the statutes,  
22 as created by this act, compared to previous auditing of occasional sales of motor  
23 vehicles.

24 (1x) **RULES.** On or before May 1, 1996, the department of revenue shall submit  
25 to the legislative council staff under section 227.15 (1) of the statutes proposed rules

1 to implement use-value assessment of agricultural land. The rules shall define  
2 “agricultural use” and shall designate categories of agricultural land based upon  
3 agricultural use, soil productivity and location. The rules shall also include  
4 guidelines to be used by property tax assessors in classifying land as agricultural  
5 land, including guidelines on ways to distinguish, particularly with respect to small  
6 acreage parcels, land devoted primarily to agricultural use from land devoted  
7 primarily to residential, recreational or commercial use. The rules shall provide a  
8 capitalization rate based on the federal land bank’s 5-year average capitalization  
9 rate for, and the per-acre values based on the income that is or could be generated  
10 from renting for agricultural use of, each category of land. The rules shall provide  
11 a method for calculating capitalization rates for each municipality by adding to the  
12 5-year average of federal land bank short-term adjustable rate mortgages for this  
13 state’s agricultural marketplace the municipality’s net property tax rate for the  
14 previous year. After they are promulgated, the rules shall be incorporated into the  
15 assessment manual under section 73.03 (2a) of the statutes.

16 (2) DELINQUENT ACCOUNTS. Notwithstanding section 73.03 (33m) of the  
17 statutes, as affected by this act, the fee on accounts that are delinquent on December  
18 31, 1995, is the fee as calculated under section 73.03 (33m), 1993 stats., plus 2% of  
19 the taxes, fees, other than the fee under that subsection, interest and penalties owed  
20 on December 31, 1995, or plus \$10, whichever is greater.

21 (2gg) TRANSFER OF CHILD SUPPORT AND PATERNITY PROGRAMS; POSITION  
22 AUTHORIZATIONS.

23 (a) The authorized FTE positions for the department of revenue are increased  
24 by 9.13 GPR positions on July 1, 1996, to be funded from the appropriation under

1 section 20.566 (4) (a) of the statutes, as affected by this act, for general program  
2 operations related to child support and paternity programs.

3 (b) The authorized FTE positions for the department of revenue are increased  
4 by 10.03 GPR positions on July 1, 1996, to be funded from the appropriation under  
5 section 20.566 (4) (cd) of the statutes, as affected by this act, for administering child  
6 support and paternity establishment programs.

7 (c) The authorized FTE positions for the department of revenue are increased  
8 by 6.12 PR positions on July 1, 1996, to be funded from the appropriation under  
9 section 20.566 (4) (ja) of the statutes, as affected by this act, for administering child  
10 support and paternity establishment programs.

11 (d) The authorized FTE positions for the department of revenue are increased  
12 by 46.72 FED positions on July 1, 1996, to be funded from the appropriation under  
13 section 20.566 (4) (n) of the statutes, as affected by this act, for administering child  
14 support and paternity establishment programs.

15 (3x) PROPERTY TAX BILL. The department of revenue shall form a committee  
16 composed of employees of that department and local officials and shall hire an expert  
17 in the design of billing forms. The committee and the expert shall design a property  
18 tax bill that will fulfill the requirements under section 74.09 of the statutes, as  
19 affected by this act, and that is at least 8.5 inches by 11 inches. On or before January  
20 15, 1996, the department of revenue shall submit to the joint committee on finance  
21 the department's proposal for a new property tax bill and its recommendations for  
22 statutory changes that are needed to assist implementation of the proposed property  
23 tax bill. If the cochairpersons of the committee do not notify the secretary of revenue  
24 within 14 working days after the date of the department's submittal that the  
25 committee intends to schedule a meeting to review the proposed tax bill, the

1 department may require taxation districts to use the bill. If, within 14 working days  
2 after the date of the department's submittal, the cochairpersons notify the secretary  
3 that the committee intends to schedule a meeting to review the proposed tax bill, the  
4 department may not require its use without the committee's approval.

5 (3z) BUSINESS TAX REGISTRATION.

6 (a) The department of revenue shall submit to the joint committee on finance,  
7 at the committee's first meeting under section 13.10 of the statutes during the  
8 1995-96 fiscal year, a proposal for the fees under section 73.03 (50) of the statutes,  
9 as created by this act. The department shall propose a fee for original registration  
10 of at least \$20, and a fee for renewal of at least \$10. The department shall propose  
11 a registration fee schedule that reflects traditional differentials between fees and  
12 costs for the business. At that time the department shall also estimate the date when  
13 the revenue that those fees generate will exceed the cost of administering the  
14 certificate. The fee for original registration that the committee approves first applies  
15 on January 1, 1996. The fee for renewal that the committee approves first applies  
16 on January 1, 1998.

17 (b) Any person who holds a permit, license or certificate issued by the  
18 department of revenue that expires on or after December 31, 1995, for an activity for  
19 which a business tax registration certificate is required on or after January 1, 1996,  
20 shall, upon application, be issued at no charge a business tax registration certificate  
21 under section 73.03 (50) of the statutes, as created by this act, that expires on  
22 January 1, 1998.

23 **SECTION 9149. Nonstatutory provisions; savings and loan.**

24 (1) TRANSFER OF FUNCTIONS TO DIVISION OF SAVINGS AND LOAN.

1           (a) On the effective date of this paragraph, the assets and liabilities of the  
2 office of the commissioner of savings and loan shall become the assets and liabilities  
3 of the division of savings and loan.

4           (b) On the effective date of this paragraph, 10.0 FTE PR positions in the office  
5 of the commissioner of savings and loan and the incumbent employes holding those  
6 positions are transferred to the division of savings and loan.

7           (c) Employes transferred under paragraph (b) have all the rights and the same  
8 status under subchapter V of chapter 111 and chapter 230 of the statutes in the  
9 division of savings and loan that they enjoyed in the office of commissioner of savings  
10 and loan immediately before the transfer. Notwithstanding section 230.28 (4) of the  
11 statutes, no employe so transferred who has attained permanent status in class is  
12 required to serve a probationary period.

13           (d) On the effective date of this paragraph, 6.0 FTE PR positions in the office  
14 of the commissioner of savings and loan are deauthorized.

15           (e) On the effective date of this paragraph, all tangible personal property,  
16 including records, of the office of the commissioner of savings and loan is transferred  
17 to the division of savings and loan.

18           (f) All contracts entered into by the office of the commissioner of savings and  
19 loan in effect on the effective date of this paragraph remain in effect and are  
20 transferred to the division of savings and loan. The division of savings and loan shall  
21 carry out any such contractual obligations until modified or rescinded by the division  
22 of savings and loan to the extent allowed under the contract.

23           (g) All rules promulgated by the office of the commissioner of savings and loan  
24 that are in effect on the effective date of this paragraph remain in effect until their  
25 specified expiration date or until amended or repealed by the division of savings and

1 loan. All orders issued by the office of the commissioner of savings and loan that are  
2 in effect on the effective date of this paragraph remain in effect until their specified  
3 expiration date or until modified or rescinded by the administrator of the division of  
4 savings and loan.

5 (h) All matters pending with the office of the commissioner of savings and loan  
6 on the effective date of this paragraph are transferred to the division of savings and  
7 loan and all materials submitted to or actions taken by the office of the commissioner  
8 of savings and loan with respect to the pending matter are considered as having been  
9 submitted to or taken by the division of savings and loan.

10 **SECTION 9150. Nonstatutory provisions; secretary of state.**

11 (1bt) TRANSFER OF FUNCTIONS TO DEPARTMENT OF FINANCIAL INSTITUTIONS.

12 (a) On the effective date of this paragraph, the assets and liabilities of the office  
13 of the secretary of state primarily related to business organization record-keeping  
14 and filing functions, as determined by the secretary of administration, shall become  
15 the assets and liabilities of the department of financial institutions.

16 (am) On the effective date of this paragraph, 17.0 FTE PR positions in the office  
17 of the secretary of state performing duties primarily related to business organization  
18 record-keeping and filing functions, as determined by the secretary of  
19 administration, and the incumbent employes holding those positions are transferred  
20 to the department of financial institutions.

21 (as) Employes transferred under paragraph (am) have all the rights and the  
22 same status under subchapter V of chapter 111 and chapter 230 of the statutes in the  
23 department of financial institutions that they enjoyed in the office of the secretary  
24 of state immediately before the transfer. Notwithstanding section 230.28 (4) of the

1 statutes, no employe so transferred who has attained permanent status in class is  
2 required to serve a probationary period.

3 (b) On the effective date of this paragraph, all tangible personal property,  
4 including records, of the office of the secretary of state that is primarily related to  
5 business organization record-keeping and filing functions, as determined by the  
6 secretary of administration, is transferred to the department of financial  
7 institutions.

8 (c) All contracts entered into by the office of the secretary of state in effect on  
9 the effective date of this paragraph that are primarily related to business  
10 organization record-keeping and filing functions, as determined by the secretary of  
11 administration, remain in effect and are transferred to the department of financial  
12 institutions. The department of financial institutions shall carry out any such  
13 contractual obligations until modified or rescinded by the department of financial  
14 institutions to the extent allowed under the contract.

15 (d) All rules promulgated by the office of the secretary of state that are in effect  
16 on the effective date of this paragraph and that are primarily related to business  
17 organization record-keeping and filing functions, as determined by the secretary of  
18 administration, remain in effect until their specified expiration date or until  
19 amended or repealed by the department of financial institutions. All orders issued  
20 by the office of the secretary of state that are in effect on the effective date of this  
21 paragraph and that are primarily related to business organization record-keeping  
22 and filing functions, as determined by the secretary of administration, remain in  
23 effect until their specified expiration date or until modified or rescinded by the  
24 secretary of financial institutions.

1 (e) All matters pending with the office of the secretary of state on the effective  
2 date of this paragraph that are primarily related to business organization  
3 record-keeping and filing functions, as determined by the secretary of  
4 administration, are transferred to the department of financial institutions and all  
5 materials submitted to or actions taken by the office of the secretary of state with  
6 respect to the pending matter are considered as having been submitted to or taken  
7 by the department of financial institutions.

8 (2bt) TRANSFER OF UNIFORM COMMERCIAL CODE FILING FUNCTIONS TO DEPARTMENT  
9 OF FINANCIAL INSTITUTIONS.

10 (a) On the effective date of this paragraph, the assets and liabilities of the office  
11 of the secretary of state primarily related to uniform commercial code filings and  
12 federal lien filings, as determined by the secretary of administration, shall become  
13 the assets and liabilities of the department of financial institutions.

14 (b) On the effective date of this paragraph, 14.0 FTE PR positions in the office  
15 of the secretary of state performing duties primarily related to uniform commercial  
16 code filings and federal lien filings, as determined by the secretary of administration,  
17 and the incumbent employes holding those positions are transferred to the  
18 department of financial institutions.

19 (c) Employes transferred under paragraph (b) have all the rights and the same  
20 status under subchapter V of chapter 111 and chapter 230 of the statutes in the  
21 department of financial institutions that they enjoyed in the office of the secretary  
22 of state immediately before the transfer. Notwithstanding section 230.28 (4) of the  
23 statutes, no employe so transferred who has attained permanent status in class is  
24 required to serve a probationary period.

1           (d) On the effective date of this paragraph, all tangible personal property,  
2 including records, of the office of the secretary of state that is primarily related to  
3 uniform commercial code filings and federal lien filings, as determined by the  
4 secretary of administration, is transferred to the department of financial  
5 institutions.

6           (e) All contracts entered into by the office of the secretary of state in effect on  
7 the effective date of this paragraph that are primarily related to uniform commercial  
8 code filings and federal lien filings, as determined by the secretary of administration,  
9 remain in effect and are transferred to the department of financial institutions. The  
10 department of financial institutions shall carry out any such contractual obligations  
11 until modified or rescinded by the department of financial institutions to the extent  
12 allowed under the contract.

13           (f) All rules promulgated by the office of the secretary of state that are in effect  
14 on the effective date of this paragraph and that are primarily related to uniform  
15 commercial code filings and federal lien filings, as determined by the secretary of  
16 administration, remain in effect until their specified expiration date or until  
17 amended or repealed by the department of financial institutions. All orders issued  
18 by the office of the secretary of state that are in effect on the effective date of this  
19 paragraph and that are primarily related to uniform commercial code filings and  
20 federal lien filings, as determined by the secretary of administration, remain in effect  
21 until their specified expiration date or until modified or rescinded by the secretary  
22 of financial institutions.

23           (g) All matters pending with the office of the secretary of state on the effective  
24 date of this paragraph that are primarily related to uniform commercial code filings  
25 and federal lien filings, as determined by the secretary of administration, are

1 transferred to the department of financial institutions and all materials submitted  
2 to or actions taken by the office of the secretary of state with respect to the pending  
3 matter are considered as having been submitted to or taken by the department of  
4 financial institutions.

5 **SECTION 9151. Nonstatutory provisions; securities.**

6 (1) TRANSFER OF FUNCTIONS TO DIVISION OF SECURITIES.

7 (a) On the effective date of this paragraph, the assets and liabilities of the  
8 office of the commissioner of securities shall become the assets and liabilities of the  
9 division of securities.

10 (b) On the effective date of this paragraph, 22.0 FTE PR positions in the office  
11 of the commissioner of securities and the incumbent employes holding those  
12 positions are transferred to the division of securities.

13 (c) Employes transferred under paragraph (b) have all the rights and the same  
14 status under subchapter V of chapter 111 and chapter 230 of the statutes in the  
15 division of securities that they enjoyed in the office of the commissioner of securities  
16 immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,  
17 no employe so transferred who has attained permanent status in class is required to  
18 serve a probationary period.

19 (d) On the effective date of this paragraph, 8.0 FTE PR positions in the office  
20 of the commissioner of securities are deauthorized.

21 (e) On the effective date of this paragraph, all tangible personal property,  
22 including records, of the office of the commissioner of securities is transferred to the  
23 division of securities.

24 (f) All contracts entered into by the office of the commissioner of securities in  
25 effect on the effective date of this paragraph remain in effect and are transferred to

1 the division of securities. The division of securities shall carry out any such  
2 contractual obligations until modified or rescinded by the division of securities to the  
3 extent allowed under the contract.

4 (g) All rules promulgated by the office of the commissioner of securities that  
5 are in effect on the effective date of this paragraph remain in effect until their  
6 specified expiration date or until amended or repealed by the division of securities.  
7 All orders issued by the office of the commissioner of securities that are in effect on  
8 the effective date of this paragraph remain in effect until their specified expiration  
9 date or until modified or rescinded by the administrator of the division of securities.

10 (h) All matters pending with the office of the commissioner of securities on the  
11 effective date of this paragraph are transferred to the division of securities and all  
12 materials submitted to or actions taken by the office of the commissioner of securities  
13 with respect to the pending matter are considered as having been submitted to or  
14 taken by the division of securities.

15 **SECTION 9152. Nonstatutory provisions; state fair park board.**

16 (1t) LEASE BETWEEN STATE FAIR PARK BOARD AND DEPARTMENT OF NATURAL  
17 RESOURCES.

18 (a) The state fair park board and the department of natural resources shall  
19 terminate the lease under which the department leases from the board real property  
20 located at state fair park. The department of natural resources shall transfer to the  
21 state fair park board without receipt of any consideration from the state fair park  
22 board all of the department's buildings, appurtenances, fixtures, exhibits and other  
23 structures and facilities that are located on the real property. The department and  
24 the board shall terminate the lease only after the procedures under paragraphs (b)  
25 and (c) have been complied with.

1           (b) The state fair park board and the department of natural resources shall  
2 enter into a memorandum of understanding that will implement the termination of  
3 the lease. The memorandum of understanding shall include terms and conditions  
4 to be followed by the department and the board in complying with section 42.09 (2)  
5 of the statutes, as created by this act, and shall include language that allows the  
6 department and the board to address any other issues that arise from the  
7 termination of the lease and from the use of the property by the department after the  
8 lease is terminated.

9           (c) The state fair park board and the department of natural resources shall  
10 submit the memorandum of understanding in writing to the joint committee on  
11 finance before January 1, 1996. If the cochairpersons of the committee do not notify  
12 the department and the board within 14 working days after the submittal of the  
13 memorandum of understanding that the committee has scheduled a meeting to  
14 review the memorandum of understanding, the department and the board shall  
15 terminate the lease in compliance with the memorandum of understanding. If,  
16 within 14 working days after the date of the submittal of the memorandum of  
17 understanding, the cochairpersons of the committee notify the department and the  
18 board that the committee has scheduled a meeting to review the memorandum of  
19 understanding, the lease will be terminated only if this memorandum of  
20 understanding has been approved by the committee.

21           (1x) YOUTH AND ATHLETE FACILITY CONSTRUCTION OPTIONS. The state fair park  
22 board and the department of administration jointly shall submit to the joint  
23 committee on finance a review of the most cost-effective construction options for the  
24 youth and athlete facility at state fair park, which may include construction by a  
25 private contractor and a lease to the state with the option by the state to purchase.

1 The state fair park board may not proceed with construction of the youth and athlete  
2 facility without approval of the construction option report by the joint committee on  
3 finance.

4 (1z) INDEPENDENT REPORT ANALYZING FINANCIAL VIABILITY OF BUILDING PROJECTS.  
5 The state fair park board shall contract for an independent written report analyzing  
6 the financial viability of the building projects identified under SECTION 9108 (1) (i)  
7 of this act as the “Youth and athlete facility” and the “Coliseum renovation”. The  
8 board shall submit a copy of the report to each member of the building commission.

9 **SECTION 9154. Nonstatutory provisions; technical college system.**

10 (1) ELIMINATION OF EDUCATIONAL APPROVAL BOARD.

11 (a) Wherever the term “educational approval board” appears in the statutes,  
12 as affected by the acts of 1995, the term “department of education” is substituted.

13 (c) On the effective date of this paragraph, the assets and liabilities of the  
14 technical college system board that are primarily related to the functions of the  
15 educational approval board, as determined by the secretary of administration, shall  
16 become the assets and liabilities of the department of education.

17 (d) All incumbent employes holding positions in the technical college system  
18 board performing duties primarily related to the functions of the educational  
19 approval board, as determined by the secretary of administration, except the  
20 executive secretary of the board, are transferred on the effective date of this  
21 paragraph to the department of education.

22 (e) Employes transferred under paragraph (b) have all the rights and the same  
23 status under subchapter V of chapter 111 and chapter 230 of the statutes in the  
24 department of education that they enjoyed in the educational approval board  
25 immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,

1 no employe so transferred who has attained permanent status in class is required to  
2 serve a probationary period.

3 (f) On the effective date of this paragraph, all tangible personal property,  
4 including records, of the technical college system board that is primarily related to  
5 the functions of the educational approval board, as determined by the secretary of  
6 administration, is transferred to the department of education.

7 (g) All contracts entered into by the technical college system board that are  
8 primarily related to the functions of the educational approval board, as determined  
9 by the secretary of administration, in effect on the effective date of this paragraph,  
10 and all contracts entered into by the educational approval board in effect on the  
11 effective date of this paragraph, remain in effect and are transferred to the  
12 department of education. The department of education shall carry out any such  
13 contractual obligations until modified or rescinded by the department of education  
14 to the extent allowed under the contract.

15 (h) All rules promulgated by the educational approval board that are in effect  
16 on the effective date of this paragraph remain in effect until their specified expiration  
17 date or until amended or repealed by the department of education. All orders issued  
18 by the educational approval board that are in effect on the effective date of this  
19 paragraph remain in effect until their specified expiration date or until modified or  
20 rescinded by the secretary of education.

21 (i) Any matter pending with the educational approval board on the effective  
22 date of this paragraph is transferred to the department of education and all  
23 materials submitted to or actions taken by the board with respect to the pending  
24 matter are considered as having been submitted to or taken by the department of  
25 education.

1           **SECTION 9155. Nonstatutory provisions; transportation.**

2           (1g) DISTRICT ATTORNEY COMPUTER NETWORK. The department of transportation  
3 shall make a grant of \$250,000 in fiscal year 1995-96 from the appropriation under  
4 section 20.395 (4) (ax) of the statutes, as created by this act, to the department of  
5 justice for the purchase of equipment for the district attorney computer network.

6           (1mt) COST-EFFICIENCY STANDARDS.

7           (a) In promulgating rules under section 85.20 (7) (b) of the statutes, as created  
8 by this act, the department of transportation shall establish a transit committee to  
9 assist the department in developing the cost-efficiency standards for the purposes  
10 of section 85.20 (7) (a) of the statutes, as created by this act. The membership of the  
11 transit committee shall include the chairpersons of all of the following standing  
12 committees of the legislature:

- 13           1. The highways and transportation committee of the assembly.
- 14           2. The transportation, agriculture and local affairs of committee of the senate.
- 15           3. The natural resources committee of the assembly.
- 16           4. The environment and energy committee of the senate.

17           (b) This subsection does not apply after December 31, 1996.

18           (1t) EAST-WEST FREEWAY. The department of transportation may not conduct  
19 any construction activities relating to highway resurfacing or bridge repair on the  
20 East-West Freeway from downtown Milwaukee to Waukesha until calendar year  
21 1997.

22           (2mt) SURPLUS LAND SALE. The department of transportation shall sell  
23 sufficient surplus land, as defined in section 84.09 (8) (a) of the statutes, during the  
24 1995-97 fiscal biennium to deposit not less than \$4,500,000 in the transportation  
25 fund from such sales.

1           (2t) ENTITLEMENT TO SUPPLEMENTS FOR UNBUDGETED COMPENSATION  
2 ADJUSTMENTS. Notwithstanding section 20.928 of the statutes, the department of  
3 transportation is not entitled to any supplements for unbudgeted compensation  
4 adjustments under section 20.928 of the statutes for the 1995-97 fiscal biennium for  
5 any position funded from the appropriations under section 20.395 (2) (eq) or (3) (bq),  
6 (cq) or (eq) of the statutes, as affected by this act, except for any supplement that  
7 exceeds an adjustment increase for that position of 3%, as determined by the  
8 secretary of administration.

9           (3mt) HIGHWAY PROJECTS.

10           (a) Notwithstanding section 84.013 of the statutes, as affected by this act, the  
11 department of transportation may not expend more than \$25,000,000 in the 1995-97  
12 fiscal biennium for the major highway project specified under section 84.013 (3) (yf)  
13 of the statutes in the 1995-97 fiscal biennium from the appropriations listed under  
14 section 84.013 (2) (a) of the statutes.

15           (b) Notwithstanding section 84.013 of the statutes, as affected by this act, the  
16 department of transportation may not expend more than \$25,000,000 in the 1995-97  
17 fiscal bienniu for the major highway project specified under section 84.013 (3) (wg)  
18 of the statutes from the appropriations listed under section 84.013 (2) (a) of the  
19 statutes.

20           (c) No moneys may be expended by the department of transportation for the  
21 reconditioning, reconstruction or resurfacing of Pennsylvania Avenue beginning at  
22 College Avenue and extending to Layton Avenue in Milwaukee County in the  
23 1995-97 fiscal biennium from the appropriations listed under section 84.013 (2) (b)  
24 of the statutes.

1           (3t) EFFICIENCY MEASURES. By September 1, 1995, the department of  
2 transportation shall submit recommendations to the joint committee on finance if  
3 the department wishes to reallocate reductions resulting from budgetary efficiency  
4 measures and position vacancy reductions among the segregated fund revenue  
5 appropriations of the department of transportation for state operations. If the  
6 department submits recommendations under this subsection, the recommendations  
7 shall be implemented if the committee approves the recommendations, or does not  
8 schedule a meeting for the purpose of reviewing the recommendations within 14  
9 working days after their receipt.

10           (4mt) AGENCY REQUEST. Notwithstanding section 16.42 (1) (e) of the statutes,  
11 in submitting information under section 16.42 of the statutes for purposes of the  
12 1997-99 biennial budget bill, the department of transportation shall submit  
13 information as follows:

14           (a) A dollar amount for each fiscal year of the 1997-99 fiscal biennium for the  
15 appropriation account under section 20.395 (5) (cq) of the statutes, as affected by this  
16 act, that is \$430,600 less than the total amount appropriated under section 20.395  
17 (5) (cq) of the statutes for the 1996-97 fiscal year, before submitting any information  
18 relating to any increase or decrease in the dollar amount for that appropriation for  
19 the 1997-99 fiscal biennium.

20           (b) A number for the authorized FTE positions for the department of  
21 transportation, to be funded from the appropriation under section 20.395 (5) (cq) of  
22 the statutes, as affected by this act, that is 24.2 SEG positions less than the number  
23 of authorized FTE positions funded from that appropriation for the 1996-97 fiscal  
24 year, before submitting any information relating to any increase or decrease in FTE

1 position authorizations to be funded from that appropriation for the 1997-99 fiscal  
2 biennium.

3 (4t) ELDERLY AND DISABLED TRANSPORTATION EXPENDITURES STUDY. The  
4 department of transportation shall conduct a study to determine the total amount  
5 and sources of all funds expended in this state on transportation services for the  
6 elderly and disabled. On or before July 1, 1996, the department of transportation  
7 shall report the results of its study to the governor, and to the chief clerk of each house  
8 of the legislature for distribution in the manner provided under section 13.172 (2) of  
9 the statutes, as affected by this act. All other state agencies shall cooperate with the  
10 department of transportation in conducting the study.

11 (5mt) REPAVING OF I 43. The department of transportation shall repave that  
12 portion of I 43 with a tined surface beginning before Henry Clay Street and extending  
13 beyond Bender and Devon streets in Milwaukee County, no later than 6 months after  
14 the effective date of this subsection, for the purpose of eliminating the tined surface.  
15 The department shall expend funds not to exceed \$650,000 from the appropriation  
16 under section 20.395 (3) (cq) or (cx) of the statutes, as affected by this act, for the  
17 repaving project.

18 (5t) URBAN RAIL TRANSIT SYSTEMS.

19 (a) The department of transportation shall prepare a report that identifies the  
20 amounts of moneys that the department of transportation intended to expend in the  
21 1995-97 fiscal biennium for the study of any urban rail transit system, including any  
22 light rail transit system, and the appropriations from which the moneys were to be  
23 expended, and shall submit the report to the cochairpersons of the joint committee  
24 on finance by August 30, 1995.

1 (b) Upon receiving the report under paragraph (a), the joint committee on  
2 finance may transfer all or part of the moneys from the appropriation accounts  
3 identified in the report to any of the appropriation accounts under section 20.395 (1)  
4 (bq) or (bu) of the statutes, as affected by this act. Upon transfer of any moneys to  
5 the appropriation account under section 20.395 (1) (bq) or (bu) of the statutes, the  
6 amounts in the schedule are increased by the amount transferred for the fiscal year  
7 in which the transfer is made.

8 (6mt) CALCULATION OF RATE. The department of transportation shall determine  
9 the rate for calculating the amount due under section 341.45 (1g) (a) of the statutes,  
10 as affected by this act, for the 3rd quarter of 1995 and the 4th quarter of 1995, 1996  
11 and 1997 by adding the rates for the taxes under chapter 78 of the statutes and the  
12 fee under section 168.12 of the statutes for each of the months in the quarter, by  
13 adding the 3 total rates and by dividing that total by 3.

14 (6t) UNFAIR SALES ACT STUDY. The department of transportation and the  
15 department of agriculture, trade and consumer protection shall jointly develop a  
16 plan for strengthening the enforcement of this state's unfair sales act, particularly  
17 as it relates to the sale of motor vehicle fuel and other petroleum products, and shall  
18 submit a report containing their findings, conclusions and recommendations,  
19 including recommended statutory changes, to the joint committee on finance by  
20 September 30, 1995.

21 **SECTION 9156. Nonstatutory provisions; treasurer.**

22 (2e) GENERAL PROGRAM OPERATIONS. The authorized FTE positions for the office  
23 of state treasurer, funded from the appropriation under section 20.585 (1) (kb) of the  
24 statutes, are increased by 6.13 PR positions for services for general program  
25 operations of the office of state treasurer.

1           **SECTION 9157. Nonstatutory provisions; University of Wisconsin**  
2           **System.**

3           (1) TELECOMMUNICATIONS EQUIPMENT INSTALLATION. By June 30, 1996, the board  
4 of regents of the University of Wisconsin System shall submit to the secretary of  
5 administration for his or her approval a report specifying how the board of regents  
6 plans to use the funds appropriated under section 20.285 (1) (kc) of the statutes, as  
7 created by this act, in the 1996-97 fiscal year to install video conferencing and 2-way  
8 interactive telecommunications equipment at institutions within the system. The  
9 board of regents may not encumber funds appropriated under section 20.285 (1) (kc)  
10 of the statutes, as created by this act, in the 1996-97 fiscal year until the secretary  
11 of administration approves the plan.

12           (2at) STUDY OF MAINFRAME COMPUTER SERVICES AT UNIVERSITY OF  
13 WISCONSIN-MADISON.

14           (a) In this subsection:

15           1. "Board of regents" means the board of regents of the University of Wisconsin  
16 System.

17           2. "Mainframe" has the meaning given in section 36.05 (9s) of the statutes, as  
18 created by this act.

19           (b) Upon consultation with the department of administration, the board of  
20 regents shall, no later than October 1, 1995, submit to the cochairpersons of the joint  
21 committee on finance and the cochairpersons of the joint committee on information  
22 policy a plan to contract with an independent consultant for a study concerning  
23 mainframe computer services provided by the board of regents at the University of  
24 Wisconsin-Madison. The purposes of the study shall be:

1           1. To identify numerical measures of the efficiency and effectiveness of the  
2 mainframe computer services provided by the board of regents at the University of  
3 Wisconsin-Madison, including measures of the productivity of such services; of  
4 system, hardware and software performance; and procurement activities, including  
5 the sharing of software licenses.

6           2. To identify the data necessary to calculate these measures.

7           3. To compute an initial set of values of these measures for the board of regents  
8 and to develop a comparison of these measures between the University of  
9 Wisconsin-Madison and a representative sample of similar computer services  
10 provided at comparable institutions of higher education.

11           4. To identify the services provided at comparable institutions that have the  
12 highest ranking under each measure and the reasons for this ranking.

13           (c) If the cochairpersons of the joint committee on finance do not notify the  
14 board of regents that the committee has scheduled a meeting for the purpose of  
15 reviewing the plan within 14 working days after the date of submittal of the plan,  
16 the board of regents shall enter into a contract for the study in accordance with  
17 paragraph (d). If, within 14 working days after the date of submittal of the plan, the  
18 cochairpersons of the committee notify the board of regents that the committee has  
19 scheduled a meeting for the purpose of reviewing the plan, the board of regents may  
20 enter into a contract for the study only upon approval of the committee.

21           (d) Prior to entering into a contract for the study under paragraph (b), the  
22 board of regents shall submit the contract to the secretary of administration for his  
23 or her approval.

24           (e) No later than January 1, 1996, the board of regents shall provide a report  
25 of the results of the study under paragraph (b), including findings and

1 recommendations of the consultant, to the cochairpersons of the joint committee on  
2 finance, the cochairpersons of the joint committee on information policy and the state  
3 auditor.

4 (2p) TRANSFER OF RECYCLING MARKET DEVELOPMENT BOARD.

5 (a) On the effective date of this paragraph, the assets and liabilities of the  
6 board of regents of the University of Wisconsin System primarily related to the  
7 functions of the recycling market development board, as determined by the secretary  
8 of administration, shall become the assets and liabilities of the department of  
9 development.

10 (b) On the effective date of this paragraph, the tangible personal property,  
11 including records, of the board of regents of the University of Wisconsin System  
12 primarily used by the recycling market development board, as determined by the  
13 secretary of administration, are transferred to the department of development.

14 (c) All contracts entered into by the board of regents of the University of  
15 Wisconsin System in effect on the effective date of this paragraph that are related  
16 primarily to the functions of the recycling market development board, as determined  
17 by the secretary of administration, remain in effect and are transferred to the  
18 department of development. The department of development shall carry out any  
19 obligations under those contracts unless modified or rescinded by the department of  
20 development to the extent allowed under the contract.

21 (3) RADIOACTIVE WASTE REVIEW BOARD.

22 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets  
23 and liabilities of the board of regents of the University of Wisconsin System primarily  
24 related to the functions of the radioactive waste review board, as determined by the

1 secretary of administration, shall become the assets and liabilities of the public  
2 service commission.

3 (b) *Tangible personal property.* On the effective date of this paragraph, all  
4 tangible personal property, including records, of the board of regents of the  
5 University of Wisconsin System that is primarily related to the functions of the  
6 radioactive waste review board, as determined by the secretary of administration,  
7 is transferred to the public service commission.

8 (c) *Contracts.* All contracts entered into by the board of regents of the  
9 University of Wisconsin System in effect on the effective date of this paragraph that  
10 are primarily related to the functions of the radioactive waste review board, as  
11 determined by the secretary of administration, and all contracts entered into by the  
12 radioactive waste review board in effect on the effective date of this paragraph  
13 remain in effect and are transferred to the public service commission. The public  
14 service commission shall carry out any obligations under those contracts unless  
15 modified or rescinded by the public service commission to the extent allowed under  
16 the contract.

17 (d) *Rules and orders.* All rules promulgated by the radioactive waste review  
18 board that are in effect on the effective date of this paragraph remain in effect until  
19 their specified expiration dates or until amended or repealed by the public service  
20 commission. All orders issued by the radioactive waste review board that are in  
21 effect on the effective date of this paragraph remain in effect until their specified  
22 expiration date or until rescinded or modified by the public service commission.

23 (e) *Pending matters.* Any matter pending with the radioactive waste review  
24 board on the effective date of this paragraph is transferred to the public service  
25 commission and all materials submitted to or actions taken by the radioactive waste

1 review board with respect to the pending matter are considered to have been  
2 submitted to or taken by the public service commission.

3 (4) TEMPORARY SALARY LIMITATION FOR ADMINISTRATIVE POSITIONS.

4 (a) Notwithstanding section 20.923 of the statutes, as affected by this act, and  
5 sections 36.09 (1) (e) and (j) and 230.12 of the statutes or any action of the board of  
6 regents of the University of Wisconsin System or the joint committee on employment  
7 relations, no employe of the University of Wisconsin System whose position is  
8 identified in section 20.923 (4) (j), (4m) or (5) of the statutes may be paid a salary  
9 during the period beginning on the effective date of this paragraph and ending on  
10 June 30, 1997, at an annualized rate which equals or exceeds \$100,000 per year or  
11 the annualized salary paid to the incumbent in the position occupied by the employe  
12 on January 1, 1995, whichever is greater.

13 (b) Paragraph (a) does not apply to that portion of the annualized salary of an  
14 employe equivalent to any salary increase that was granted to the incumbent in the  
15 position occupied by the employe pursuant to the compensation plan for executive  
16 salary group positions under section 230.12 of the statutes prior to July 1, 1995, or  
17 pursuant to any documented action of the board of regents of the University of  
18 Wisconsin System under section 20.923 (1), (4m) or (5) or 36.09 (1) (e) or (j) of the  
19 statutes prior to February 1, 1995.

20 (c) Notwithstanding section 16.50 (1) (a) of the statutes, the secretary of  
21 administration shall not waive submission of expenditure estimates under that  
22 paragraph for any salary expenditures to which this subsection applies and shall not  
23 approve any estimate for a proposed expenditure to be made contrary to this  
24 subsection.

1           (5) EFFICIENCY MEASURES. By September 1, 1995, the University of Wisconsin  
2 System shall submit a report to the joint committee on finance recommending how  
3 savings in fiscal year 1995-96 of \$8,049,000 and in fiscal year 1996-97 of  
4 \$15,700,900 resulting from budgetary efficiency measures should be allocated  
5 among the system's general purpose revenue appropriations. The recommendation  
6 shall include a specific plan that identifies the programs, positions and expenditure  
7 categories to be eliminated or reduced; and does not include reductions in financial  
8 aid programs or energy costs or reestimates of debt service payments. If the  
9 cochairpersons of the committee do not notify the University of Wisconsin System  
10 that the committee has scheduled a meeting for the purpose of reviewing the report  
11 within 14 working days after the date of the submittal, the recommendation may be  
12 implemented as proposed by the system. If, within 14 working days after the date  
13 of the submittal, the cochairpersons of the committee notify the system that the  
14 committee has scheduled a meeting for the purpose of reviewing the report, the  
15 recommendation may be implemented only upon approval of the committee.

16           (6) REPORT ON STAFF REDUCTIONS. By October 1, 1995, the president of the  
17 University of Wisconsin System shall submit to the secretary of administration a  
18 plan identifying his or her intended reductions to system capital budget staff.

19           (8g) ADMINISTRATIVE REDUCTIONS. During the 1995-97 fiscal biennium, the  
20 board of regents of the University of Wisconsin System shall allocate its  
21 administrative reductions to all activities except instruction. By September 1, 1995,  
22 the board shall submit a report on such reductions to the joint committee on finance  
23 for the committee's approval.

24           (9h) CAPITAL PLANNING. During the 1995-97 fiscal biennium, the board of  
25 regents of the University of Wisconsin System shall submit a report to the

1 department of administration and the joint committee on finance on the source of any  
2 funds that the board plans to reallocate to capital planning. The board may  
3 implement its reallocation if the committee approves the report, or does not schedule  
4 a meeting for the purpose of reviewing the report within 14 working days after  
5 receipt of the report.

6 (11t) TUITION INCREASES. In the 1995-96 and 1996-97 academic years, the  
7 board of regents of the University of Wisconsin System shall allocate tuition  
8 increases to offset base funding reductions as an across-the-board percentage  
9 increase.

10 **SECTION 9158. Nonstatutory provisions; veterans affairs.**

11 (1g) TUITION AND FEE REIMBURSEMENT. Notwithstanding section 45.25 (4) (d) of  
12 the statutes, as created by this act, the department of veterans affairs may provide  
13 tuition and fee reimbursement under section 45.25 (2) of the statutes from the  
14 appropriation under section 20.485 (2) (tf) of the statutes, as affected by this act,  
15 during the 1995-96 fiscal year for a course that was completed in the spring semester  
16 of the 1994-95 school year.

17 **SECTION 9159. Nonstatutory provisions; other.**

18 (2) UNIVERSITY OF WISCONSIN HOSPITALS AND CLINICS AUTHORITY; TRANSITIONAL  
19 PROVISIONS.

20 (a) *Definitions.* In this subsection:

21 1. "Authority" means the University of Wisconsin Hospitals and Clinics  
22 Authority.

23 2. "Board of regents" means the board of regents of the University of Wisconsin  
24 System.

1           (b) *Assets and liabilities.*     The chancellor of the University of  
2     Wisconsin-Madison and the chairperson of the authority, acting jointly, shall  
3     identify from the assets and liabilities of the board of regents those assets and  
4     liabilities that primarily relate to the University of Wisconsin Hospitals and Clinics  
5     and related services. On June 29, 1996, the assets and liabilities so identified shall  
6     become the assets and liabilities of the authority, except that assets and liabilities  
7     that primarily relate to employees identified under subsection (4) (c) shall become the  
8     assets and liabilities of the University of Wisconsin Hospitals and Clinics Board.

9           (c) *Tangible personal property.*     The chancellor of the University of  
10    Wisconsin-Madison and the chairperson of the authority, acting jointly, shall  
11    identify the tangible personal property, including records, of the board of regents that  
12    primarily relates to the University of Wisconsin Hospitals and Clinics and related  
13    services. On June 29, 1996, the tangible personal property so identified shall become  
14    the tangible personal property of the authority, except that the tangible personal  
15    property that primarily relates to employees identified under subsection (4) (c) shall  
16    become the tangible personal property of the University of Wisconsin Hospitals and  
17    Clinics Board.

18           (d) *Contracts.*

19           1. The chancellor of the University of Wisconsin-Madison and the chairperson  
20    of the authority, acting jointly, shall determine which contracts entered into by the  
21    board of regents in effect on June 29, 1996, primarily relate to the University of  
22    Wisconsin Hospitals and Clinics and related services. Except as provided in  
23    subdivision 2., all such contracts remain in effect and the authority shall, beginning  
24    on June 29, 1996, carry out any such contractual obligations until modified or  
25    rescinded to the extent allowed under the contract.

1           2. All contracts determined under subdivision 1. that primarily relate to  
2 employes identified under subsection (4) (c) remain in effect and the University of  
3 Wisconsin Hospitals and Clinics Board shall, beginning on June 29, 1996, carry out  
4 any such contractual obligations until modified or rescinded to the effect allowed  
5 under the contract.

6           (e) *Rules.*

7           1. The chancellor of the University of Wisconsin-Madison and the chairperson  
8 of the authority, acting jointly, shall identify all rules promulgated by the board of  
9 regents that are in effect on June 29, 1996, and which relate to the University of  
10 Wisconsin Hospitals and Clinics and related services. Except as provided in  
11 subdivision 2., all such rules shall become bylaws or policies and procedures of the  
12 authority on June 29, 1996, and shall remain in effect until their specified expiration  
13 date or until amended or repealed by the authority.

14           2. All rules identified under subdivision 1. that primarily relate to employes  
15 identified under subsection (4) (c) shall become rules of the University of Wisconsin  
16 Hospitals and Clinics Board on June 29, 1996, and shall remain in effect until their  
17 specified expiration dates or until amended or repealed by the University of  
18 Wisconsin Hospitals and Clinics Board.

19           (f) *Policies and procedures.*

20           1. The chancellor of the University of Wisconsin-Madison and the chairperson  
21 of the authority, acting jointly, shall identify all policies and procedures of the  
22 University of Wisconsin-Madison that are in effect on June 29, 1996, and which  
23 relate to the University of Wisconsin Hospitals and Clinics and related services.  
24 Except as provided in subdivision 2., all such policies and procedures shall become

1 policies and procedures of the authority on June 29, 1996, and shall remain in effect  
2 until their specified expiration date or until modified or rescinded by the authority.

3 2. All policies and procedures under subdivision 1. that primarily relate to  
4 employes identified under subsection (4) (c) shall become policies and procedures of  
5 the University of Wisconsin Hospitals and Clinics Board on June 29, 1996, and shall  
6 remain in effect until their specified expiration date or until modified or rescinded  
7 by the University of Wisconsin Hospitals and Clinics Board.

8 (g) *Pending matters.*

9 1. The chancellor of the University of Wisconsin-Madison and the chairperson  
10 of the authority, acting jointly, shall identify those matters pending with the board  
11 of regents on June 29, 1996, that primarily relate to the University of Wisconsin  
12 Hospitals and Clinics and related services. Except as provided in subdivision 2., on  
13 June 29, 1996, any matter so identified shall become a pending matter of the  
14 authority and all materials submitted to or actions taken by the board of regents with  
15 respect to the pending matter are considered as having been submitted to or taken  
16 by the authority.

17 2. On June 29, 1996, any matter identified under subdivision 1. that primarily  
18 relates to employes identified under subsection (4) (c) shall become a pending matter  
19 of the University of Wisconsin Hospitals and Clinics Board and all materials  
20 submitted to or actions taken by the board of regents with respect to the pending  
21 matter are considered as having been submitted to or taken by the University of  
22 Wisconsin Hospitals and Clinics Board.

23 (h) *Secretary of administration to arbitrate disputes.* In the case of  
24 disagreement with respect to any matter specified in this subsection, the secretary

1 of administration shall determine the matter and shall develop a plan for an orderly  
2 transfer.

3 (i) *Applicability of lease and affiliation agreements.* Paragraphs (b) to (h) do  
4 not apply to any matter specified in the lease agreement under section 233.04 (7) of  
5 the statutes, as created by this act, or the affiliation agreement under section 233.04  
6 (7m) of the statutes, as created by this act.

7 (j) *Applicability of paragraphs (b) to (h).* Paragraphs (b) to (h) do not apply  
8 after June 1, 1996, unless the joint committee on finance approves the proposed  
9 agreements under paragraph (k) 5.

10 (k) *Lease, affiliation and contractual services agreements; governor and joint*  
11 *committee on finance review.*

12 1. The authority and the board of regents shall negotiate and enter into the  
13 lease agreement specified in sections 36.11 (28) and 233.04 (7) of the statutes, as  
14 created by this act, to lease the on-campus facilities, as defined in section 233.01 (7)  
15 of the statutes, as created by this act, beginning on June 29, 1996. The authority and  
16 the board of regents shall submit the proposed lease agreement to the governor and  
17 to the joint committee on finance by January 15, 1996.

18 2. The authority and the board of regents shall negotiate and enter into the  
19 affiliation agreement specified in sections 36.11 (28m) and 233.04 (7m) of the  
20 statutes, as created by this act, to take effect on June 29, 1996. The authority and  
21 the board of regents shall submit the proposed affiliation agreement to the governor  
22 and to the joint committee on finance by January 15, 1996.

23 3. The authority and the University of Wisconsin Hospitals and Clinics Board  
24 shall negotiate and enter into the contractual services agreement specified in  
25 sections 146.59 and 233.04 (4) of the statutes, as created by this act, to take effect on

1 June 29, 1996. The authority and the University of Wisconsin Hospitals and Clinics  
2 Board shall submit the proposed contractual services agreement to the governor and  
3 to the joint committee on finance by January 15, 1996.

4 4. No later than March 1, 1996, the governor shall approve or disapprove each  
5 of the proposed agreements specified under subdivisions 1. to 3. If, by March 1, 1996,  
6 the governor disapproves any of the proposed agreements, or does not approve or  
7 disapprove each of the proposed agreements, the agreements shall not take effect.

8 5. If the governor approves all of the proposed agreements under subdivision  
9 4., the joint committee on finance shall, no later than June 1, 1996, approve or  
10 disapprove each of the proposed agreements. If the committee approves all of the  
11 proposed agreements, the agreements shall take effect on June 29, 1996. If, by June  
12 1, 1996, the joint committee on finance disapproves any of the proposed agreements,  
13 or does not approve or disapprove each of the proposed agreements, the agreements  
14 shall not take effect. Notwithstanding section 13.10 (4) of the statutes, the governor  
15 does not have the authority to approve or object to any committee action under this  
16 subdivision.

17 (L) *Report.* At the time of submission of the proposed agreement under  
18 paragraph (k) 1. or 2., whichever is later, the board of regents shall submit to the  
19 governor and to the joint committee on finance a report on any savings likely to  
20 accrue to the state as a result of the transfer of the operation of the University of  
21 Wisconsin Hospitals and Clinics to the authority.

22 (3) INITIAL TERMS OF APPOINTED MEMBERS OF BOARD OF DIRECTORS OF THE  
23 UNIVERSITY OF WISCONSIN HOSPITALS AND CLINICS AUTHORITY. Notwithstanding the  
24 length of terms of members of the board of directors of the University of Wisconsin  
25 Hospitals and Clinics Authority specified under section 233.02 (1) (a) of the statutes,

1 as created by this act, the members initially appointed under that paragraph shall  
2 be appointed for the following terms:

3 (a) One member for a term that expires on July 1, 1997.

4 (b) One member for a term that expires on July 1, 1998.

5 (c) One member for a term that expires on July 1, 1999.

6 (3m) INITIAL TERMS OF APPOINTED MEMBERS OF THE UNIVERSITY OF WISCONSIN  
7 HOSPITALS AND CLINICS BOARD. Notwithstanding the length of terms of members of  
8 the University of Wisconsin Hospitals and Clinics Board specified under section  
9 15.96 (1) of the statutes, as created by this act, the members initially appointed under  
10 that subsection shall be appointed for the following terms:

11 (a) One member for a term that expires on July 1, 1997.

12 (b) One member for a term that expires on July 1, 1998.

13 (c) One member for a term that expires on July 1, 1999.

14 (4) STATUS OF EMPLOYEES AT UNIVERSITY OF WISCONSIN HOSPITALS AND CLINICS.

15 (a) No later than June 29, 1996, the University of Wisconsin Hospitals and  
16 Clinics Authority shall, if the joint committee on finance approves the agreements  
17 under subsection (2) (k) 5., offer employment to each person who is an employe at the  
18 University of Wisconsin Hospitals and Clinics on June 28, 1996, and who is any of  
19 the following, as determined by the employment relations commission:

20 1. A professional employe.

21 2. A nonprofessional employe who is a supervisor.

22 3. A management employe.

23 4. An employe who is privy to confidential matters affecting the  
24 employe-employer relationship.

1           (b) A person who is offered employment under paragraph (a) is deemed to have  
2           accepted such employment, unless he or she refuses the offer of employment within  
3           10 days of such offer.

4           (c) Subject to joint committee on finance approval of the agreements under  
5           subsection (2) (k) 5., on June 29, 1996, all positions at the University of Wisconsin  
6           Hospitals and Clinics, other than positions occupied by employes described under  
7           paragraph (a), and all incumbent employes in those positions are transferred to the  
8           University of Wisconsin Hospitals and Clinics Board. Employes transferred under  
9           this paragraph have all rights and the same status under subchapter V of chapter  
10          111 and chapter 230 of the statutes that they enjoyed at the University of Wisconsin  
11          Hospitals and Clinics. Notwithstanding section 230.28 (4) of the statutes, no  
12          employe so transferred who has attained permanent status in class may be required  
13          to serve a probationary period.

14          (5) ADJUDICATION OF CLAIMS ARISING BEFORE TERMINATION OF COVERAGE. Any  
15          employe of the University of Wisconsin Hospitals and Clinics Authority who held a  
16          position with the authority during the period beginning on the effective date of this  
17          subsection and ending on June 30, 1997, may commence or continue to pursue under  
18          section 233.10 (3r) (b) 1. of the statutes, as created by this act, any procedural  
19          guarantee arising from a personnel decision made prior to July 1, 1997, until the  
20          procedural guarantee is appropriately adjudicated and any appropriate relief is  
21          granted.

22          (6f) EVALUATION OF CERTAIN STATE BODIES FOR TERMINATION, TRANSFER OF  
23          FUNCTIONS OR CONTINUATION.

1           (a) *Legislative findings.* The legislature finds that many councils, offices,  
2 commissions and boards are not necessary to the functions of state government and  
3 should be eliminated unless they can justify their continued existence.

4           (b) *Definition.* In this subsection, “specified state body” means:

- 5           1. The acid deposition research council.
- 6           2. The adolescent pregnancy prevention and pregnancy services board.
- 7           3. The agricultural chemical cleanup council.
- 8           4. The American Indian language and culture education board.
- 9           5. The animal health and disease research board.
- 10          6. The animal health and disease research council.
- 11          7. The aquatic nuisance control council.
- 12          8. The automatic fire sprinkler system contractors and journeymen council.
- 13          9. The badger board.
- 14          10. The banking review board.
- 15          11. The board of state canvassers.
- 16          12. The board on aging and long-term care.
- 17          13. The board on health care information.
- 18          14. The board on hunger.
- 19          15. The burial sites preservation board.
- 20          16. The certification standards review council.
- 21          17. The child abuse neglect and prevention board.
- 22          18. The claims board.
- 23          19. The consumer credit review board.
- 24          20. The construction wage rate council.
- 25          21. The contractor financial responsibility council.

- 1           22. The controlled substances board.
- 2           23. The council for the hearing impaired.
- 3           24. The council on aeronautics.
- 4           25. The council on affirmative action.
- 5           26. The council on American Indian health.
- 6           27. The council on blindness.
- 7           28. The council on business and education partnerships.
- 8           29. The council on charitable gaming.
- 9           30. The council on child labor.
- 10          31. The council on developmental disabilities.
- 11          32. The council on domestic abuse.
- 12          33. The council on education of the blind.
- 13          34. The council on exceptional education.
- 14          35. The council on financial aids.
- 15          36. The council on fire service training programs.
- 16          37. The council on food protection practices.
- 17          38. The council on highway safety.
- 18          39. The council on information technology.
- 19          40. The council on instructional telecommunications.
- 20          41. The council on library and network development.
- 21          42. The council on main street programs.
- 22          43. The council on mental health.
- 23          44. The council on migrant labor.
- 24          45. The council on municipal collective bargaining.
- 25          46. The council on physical disabilities.

- 1           47. The council on public radio.
- 2           48. The council on public television.
- 3           49. The council on small business, veteran-owned business and minority  
4 business opportunities.
- 5           50. The council on state-local relations.
- 6           51. The council on suicide prevention.
- 7           52. The council on tourism.
- 8           53. The council on traffic law enforcement.
- 9           54. The council on unemployment compensation.
- 10          55. The council on uniformity of traffic citations and complaints.
- 11          56. The council on veterans programs.
- 12          57. The council on worker's compensation.
- 13          58. The credit union review board.
- 14          59. The crime victims council.
- 15          60. The deferred compensation board.
- 16          61. The depository selection board.
- 17          62. The development finance board.
- 18          63. The disability board.
- 19          64. The dwelling code council.
- 20          65. The elections advisory council.
- 21          66. The emergency medical services board.
- 22          67. The environmental education board.
- 23          68. The equal rights council.
- 24          69. The farm mediation and arbitration board.
- 25          70. The fertilizer research council.

- 1 71. The fire prevention council.
- 2 72. The Fox River management commission.
- 3 73. The gang violence prevention council.
- 4 74. The Great Lakes compact commission.
- 5 75. The groundwater coordinating council.
- 6 76. The group insurance board.
- 7 77. The hazardous pollution prevention board.
- 8 78. The historic preservation review board.
- 9 79. The historical markers council.
- 10 80. The housing advisory council.
- 11 81. The inland lakes protection and rehabilitation council.
- 12 82. The investment and local impact fund board.
- 13 83. The labor and management council.
- 14 84. The labor standards council.
- 15 85. The laboratory of hygiene board.
- 16 86. The Lake Superior commercial fishing board.
- 17 87. The land and water conservation board.
- 18 88. The land information board.
- 19 89. The law enforcement standards board.
- 20 90. The low-level radioactive waste council.
- 21 91. The lower Wisconsin state riverway board.
- 22 92. The Kickapoo Valley governing board.
- 23 93. The metallic mining council.
- 24 94. The midwest low-level radioactive waste commission.
- 25 95. The midwestern higher education commission.

- 1 96. The Milwaukee River revitalization council.
- 2 97. The Minnesota-Wisconsin boundary area commission.
- 3 98. The minority business development board.
- 4 99. The Mississippi River parkway commission.
- 5 100. The multifamily dwelling code council.
- 6 101. The national and community service board.
- 7 102. The natural areas preservation council.
- 8 103. The nonmetallic mining council.
- 9 104. The office of health care information.
- 10 105. The office of justice assistance.
- 11 106. The off-the-road vehicle council.
- 12 107. The parole commission.
- 13 108. The pesticide review board.
- 14 109. The petroleum storage environmental cleanup council.
- 15 110. The pharmacy internship board.
- 16 111. The plumbers council.
- 17 112. The prison industries board.
- 18 113. The public records and forms board.
- 19 114. The radiation protection council.
- 20 115. The recycling market development board.
- 21 116. The rural economic development board.
- 22 117. The rural health development council.
- 23 118. The rustic roads board.
- 24 119. The savings and loan review board.
- 25 120. The savings bank review board.

- 1 121. The school district boundary appeal board.
- 2 122. The self-insurers council.
- 3 123. The small business environmental council.
- 4 124. The small employer insurance board.
- 5 125. The snowmobile recreational council.
- 6 126. The state capitol and executive residence board.
- 7 127. The state council on alcohol and other drug abuse.
- 8 128. The state emergency response board.
- 9 129. The state trails council.
- 10 130. The state use board.
- 11 131. The submerged cultural resources council.
- 12 132. The tax appeals commission.
- 13 133. The teachers retirement board.
- 14 134. The telecommunications retraining board.
- 15 135. The uniform commercial code statewide lien system council.
- 16 136. The university and crime laboratories cooperation council.
- 17 137. The waste facility siting board.
- 18 138. The Wisconsin apprenticeship council.
- 19 139. The Wisconsin conservation corps board.
- 20 140. The Wisconsin retirement board.
- 21 141. The Wisconsin sesquicentennial commission.
- 22 142. The Wisconsin waterways commission.
- 23 143. The Women's council.
- 24 144. The youth apprenticeship council.

1           (c) *Reporting requirements; evaluation; recommendations.* No later than  
2           October 1, 1995, each specified state body shall submit to the lieutenant governor a  
3           report on a form prescribed by the lieutenant governor describing its functions and  
4           the justification, if any, for continuation of those functions. The lieutenant governor  
5           shall evaluate the information contained in the reports and shall consider whether  
6           to recommend continuation of each specified state body that is required to submit a  
7           report under this subsection or transfer of the functions of that body to another state  
8           body. The department of administration shall assist the lieutenant governor in  
9           performing this evaluation upon request of the lieutenant governor. The lieutenant  
10          governor shall, no later than January 1, 1996, submit a report to the cochairpersons  
11          of the joint committee on finance containing a single piece of proposed legislation  
12          providing for termination of all specified state bodies and their functions, effective  
13          on April 1, 1996, except that if a specified state body demonstrates to the satisfaction  
14          of the lieutenant governor that the functions of the body should be continued after  
15          March 31, 1996, the lieutenant governor may include in the proposed legislation  
16          provision for transfer of the functions of the body to another state body. In the report,  
17          the lieutenant governor shall also include any findings, recommendations or  
18          conclusions that he reaches as a result of his evaluation. If the lieutenant governor  
19          recommends continuation of any specified state body after March 31, 1996, the  
20          lieutenant governor shall also submit with the report a single piece of proposed  
21          legislation providing for termination or transfer of the functions of all specified state  
22          bodies except those bodies which the lieutenant governor recommends to be  
23          continued.

24           (7x) TRANSFER OF MUNICIPAL BOUNDARY REVIEW.

1           (a) *Assets and liabilities.* On the effective date of this paragraph, the assets  
2 and liabilities of the department of administration primarily related to the functions  
3 of municipal boundary review, as determined by the secretary of administration,  
4 shall become the assets and liabilities of the department of development.

5           (b) *Employe transfers.* All incumbent employes holding positions in the  
6 department of administration having duties primarily related to the functions of  
7 municipal boundary review, as determined by the secretary of administration, are  
8 transferred on the effective date of this paragraph to the department of development.

9           (c) *Employe status.* Employes transferred under paragraph (b) have all the  
10 rights and the same status under subchapter V of chapter 111 and chapter 230 of the  
11 statutes in the department of development that they enjoyed in the department of  
12 administration immediately before the transfer. Notwithstanding section 230.28 (4)  
13 of the statutes, no employe so transferred who has attained permanent status in  
14 class is required to serve a probationary period.

15           (d) *Tangible personal property, records.* On the effective date of this paragraph,  
16 all tangible personal property, including records, of the department of  
17 administration primarily related to the functions of municipal boundary review, as  
18 determined by the secretary of administration, is transferred to the department of  
19 development.

20           (e) *Contracts.* All contracts entered into by the department of administration  
21 primarily related to the functions of municipal boundary review, as determined by  
22 the secretary of administration, in effect on the effective date of this paragraph  
23 remain in effect and are transferred to the department of development. The  
24 department of development shall carry out any such contractual obligations until

1 modified or rescinded by the department of development to the extent allowed under  
2 the contract.

3 (f) *Rules and orders.* All rules promulgated by the department of  
4 administration primarily related to the functions of municipal boundary review, as  
5 determined by the secretary of administration, that are in effect on the effective date  
6 of this paragraph remain in effect until their specified expiration date or until  
7 amended or repealed by the department of development. All orders issued by the  
8 department of administration primarily related to the functions of municipal  
9 boundary review, as determined by the secretary of administration, that are in effect  
10 on the effective date of this paragraph remain in effect until their specified expiration  
11 date or until modified or rescinded by the department of development.

12 (g) *Pending matters.* Any matter pending with the department of  
13 administration primarily related to the functions of municipal boundary review, as  
14 determined by the secretary of administration, on the effective date of this  
15 paragraph is transferred to the department of development and all materials  
16 submitted to or actions taken by the department of administration with respect to  
17 the pending matter are considered as having been submitted to or taken by the  
18 department of development.

19 (11g) EDUCATIONAL TECHNOLOGY TRANSFERS; LOAN AND GRANT PROCEDURES.

20 (a) No later than November 1, 1995, the department of administration and  
21 educational technology board, as created by this act, shall jointly report to the  
22 cochairpersons of the joint committee on finance concerning:

23 1. A request to transfer not more than 4.0 full-time equivalent positions and  
24 the funding for those positions to the educational technology board from any other  
25 state agency, as defined in section 20.001 (1) of the statutes, including a

1 recommendation concerning whether any incumbent in a position to be transferred  
2 should be transferred with his or her position.

3 2. A plan which sets forth deadlines, procedures and criteria that the  
4 educational technology board will use in reviewing and approving applications for  
5 grants and loans under section 16.992 (3) of the statutes, as created by this act.

6 (b) The joint committee on finance may approve a request submitted under  
7 paragraph (a) 1. in accordance with section 13.101 (2) and (4) of the statutes and may  
8 authorize transfer of any incumbent in a position being transferred. If the committee  
9 authorizes the transfer of an incumbent, the incumbent shall have all the rights and  
10 the same status under subchapter V of chapter 111 and chapter 230 of the statutes  
11 that he or she enjoyed in the state agency by which he or she was employed  
12 immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,  
13 no such incumbent who is authorized by the committee to be transferred and who has  
14 permanent status in class is required to serve a probationary period.

15 (c) No portion of the plan submitted by the educational technology board under  
16 paragraph (a) 2. may be implemented until the plan is approved by the joint  
17 committee on finance.

18 (12g) PLAN FOR ENHANCEMENT OF TRANSACTION INFORMATION FOR THE  
19 MANAGEMENT OF ENFORCEMENT SYSTEM. The departments of administration and  
20 justice shall jointly develop a plan for the enhancement of the transaction  
21 information for the management of enforcement system under section 165.827 of the  
22 statutes, as affected by this act. The objectives of the plan shall be to convert the  
23 system to a client-server system and to enhance the capabilities of the system to  
24 interrelate with the capabilities of systems operated by the federal government and  
25 other jurisdictions. The departments shall submit the plan to the cochairpersons of

1 the joint committee on finance no later than January 1, 1996. The plan may include  
2 provision for changes in authorized full-time equivalent positions and funding  
3 required to provide adequate maintenance, technical support and development for  
4 the system. If the cochairpersons of the committee do not notify the secretary of  
5 administration and attorney general that the committee has scheduled a meeting for  
6 the purpose of reviewing the plan within 14 working days after the date of submittal,  
7 the departments may implement any portion of the plan not requiring approval of  
8 the committee under section 13.101 of the statutes or the legislature. If, within 14  
9 working days after the date of submittal, the cochairpersons of the committee notify  
10 the secretary of administration and attorney general that the committee has  
11 scheduled a meeting for the purpose of reviewing the plan, no portion of the plan may  
12 be implemented without the approval of the committee.

13 (13b) COMMISSION ON PRIVATIZATION.

14 (a) *Creation; duties.*

15 1. In this subsection:

16 a. "Commission" means the commission on privatization created under  
17 subdivision 2.

18 b. "State agency" has the meaning given in section 20.001 (1) of the statutes.

19 2. There is created a special committee to be called the commission on  
20 privatization consisting of the following:

21 a. The governor or his or her designee.

22 b. The secretary of administration or his or her designee.

23 c. Two senators and 2 representatives to the assembly, representing the  
24 majority and minority parties in each house, appointed in the same manner as  
25 members of standing committees.

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1           d. One employe of the department of administration designated by the  
2 secretary of administration to serve as the nonvoting secretary of the commission.

3           e. Nine members appointed by the governor who are not public officers or  
4 employes. In making these appointments, the governor shall include one or more  
5 business owners and managers, employes who are not owners or managers,  
6 representatives of labor organizations, and theoreticians or consultants in the fields  
7 of business organization or management, personnel management or employment  
8 relations.

9           3. All members of the commission shall be designated or appointed within 10  
10 days after the effective date of this subdivision.

11           4. The governor shall designate one of the members of the commission to serve  
12 as the chairperson of the commission and shall call the first meeting of the  
13 commission. At the first meeting, the commission shall select 2 vice chairpersons.  
14 The commission shall hold meetings at the call of the chairperson or upon the written  
15 request of 5 members of the commission. A majority of the members of the  
16 commission who are entitled to vote constitutes a quorum to do business. Each  
17 member of the commission shall serve without compensation for his or her services,  
18 but shall be reimbursed for his or her actual and necessary expenses incurred in the  
19 performance of his or her duties.

20           5. The commission may accept gifts, grants, bequests and devises that are  
21 made to fund the expenses of the commission. All moneys received under this  
22 paragraph shall be credited to the appropriation account under section 20.505 (3)  
23 (gb) of the statutes, as created by this act.

1           6. a.    The commission shall study and evaluate all functions of state  
2 government that may be delegated to the private sector at a cost savings to state  
3 taxpayers.

4           b.    The commission may appoint subcommittees, which may be assigned by the  
5 commission to develop recommendations for inclusion in specific reports.

6           c.    The commission shall submit reports of its findings and any  
7 recommendations to the competitive enterprise review board, as created by this act.

8           d.    The commission may propose legislation to carry out its recommendations  
9 by submitting its legislative proposals to the competitive enterprise review board, as  
10 created by this act. The commission may hold public hearings on its legislative  
11 proposals.

12          7.    The commission may call upon any state agency to make available the  
13 resources, facilities or data of the state agency for use by the commission. Each state  
14 agency shall cooperate with the commission to the fullest extent possible, including  
15 the provision, if requested by the commission, of staff assistance.

16          8.    The commission shall submit its reports under subdivision 6. c. and all of its  
17 legislative proposals under subdivision 6. d. no later than the first day of the 7th  
18 month beginning after the effective date of this subsection. Upon submittal of its  
19 reports, the commission ceases to exist.

20           (14g) LIMITATION ON FILLING OF CERTAIN VACANT POSITIONS.

21           (a) In this subsection:

22           1.    “Executive branch agency” has the meaning given in section 16.70 (4) of the  
23 statutes.

24           1m. “General purpose revenues” has the meaning given in section 20.001 (2)  
25 (a) of the statutes.

1           2. "Position" has the meaning given in section 230.03 (11) of the statutes.

2           (b) For each fiscal year in the 1995-97 fiscal biennium, the secretary of  
3 administration shall require each executive branch agency to identify each position  
4 for that agency funded in whole or in part from general purpose revenues that  
5 became vacant during the preceding fiscal year. In each fiscal year in the 1995-97  
6 fiscal biennium, the secretary shall ensure that no executive branch agency fills a  
7 number of full-time equivalent positions funded from general purpose revenues that  
8 become vacant exceeding 75% of the total full-time equivalent positions for that  
9 agency funded from general purpose revenues that are identified under this  
10 paragraph for the preceding fiscal year. Notwithstanding section 16.50 (1) (a) of the  
11 statutes, the secretary shall require each executive branch agency to submit  
12 expenditure estimates for the filling of all vacant full-time equivalent positions  
13 funded in whole or in part from general purpose revenues during the 1995-97 fiscal  
14 biennium and shall withhold approval of any expenditure estimate for the filling of  
15 a position that is inconsistent with this subsection.

16           (14h) REPORTS CONCERNING POTENTIAL SPONSORSHIP OF STATE PUBLICATIONS.

17           (a) In this subsection, "executive branch agency" has the meaning given in  
18 section 16.70 (4) of the statutes.

19           (b) No later than January 1, 1996, each executive branch agency shall submit  
20 to the secretary of administration a report which describes the documents and other  
21 materials published by the agency and the mailings by the agency of substantially  
22 similar materials in bulk quantities. The report shall address the appropriateness  
23 and feasibility of securing sponsorship for such documents, materials and mailings,  
24 if the agency were authorized by law to do so, including specific types of sponsorship  
25 for specific documents, materials and mailings. An executive branch agency may

1 conduct such surveys as may be required to obtain necessary data for the report  
2 prepared by the agency.

3 (c) The secretary of administration shall examine the reports received under  
4 paragraph (b) and shall report to the legislature in the manner prescribed under  
5 section 13.172 (2) of the statutes, concerning any legislative proposals that may be  
6 required to implement recommendations of the secretary concerning sponsorship for  
7 documents, materials or mailings of executive branch agencies.

8 **SECTION 9201. Appropriation changes; administration.**

9 (1) FUNDING OF COMMISSION ON PRIVATIZATION. If the moneys appropriated under  
10 section 20.505 (3) (a) of the statues are not sufficient to fund the operation of the  
11 commission on privatization, as created by this act, in conformity with the budget for  
12 the commission approved by the joint committee on finance under section 16.40 (14)  
13 of the statutes the secretary of administration shall transfer sufficient moneys from  
14 the appropriation account under section 20.505 (1) (a) of the statues to the  
15 appropriation account under section 20.505 (3) (a) of the statues to provide for the  
16 operation of the commission. Upon such transfer, the amount in the schedule for the  
17 appropriation under section 20.505 (3) (a) of the statutes is increased by the amount  
18 transferred during the fiscal year for which the transfer is made.

19 **SECTION 9204. Appropriation changes; agriculture, trade and**  
20 **consumer protection.**

21 (1) GRAIN INSPECTION FUNDS. The unencumbered balance of the appropriation  
22 account of the department of agriculture, trade and consumer protection under  
23 section 20.115 (3) (j), 1993 stats., immediately before the effective date of this  
24 subsection, is transferred to the appropriation account under section 20.115 (3) (h)  
25 of the statutes, as affected by this act.

1           (2g) AGRICULTURAL CHEMICAL CLEANUP LAPSE. Notwithstanding section 20.001  
2           (3) (c) of the statutes, on the effective date of this subsection, there is lapsed to the  
3           general fund \$3,100,000 from the appropriation account to the department of  
4           agriculture, trade and consumer protection under section 20.115 (7) (e) of the  
5           statutes.

6           **SECTION 9205.   Appropriation changes; arts board.**

7           (1m) TRANSFER OF BALANCES.

8           (a) The unencumbered balance in the appropriation account under section  
9           20.215 (1) (k) of the statutes, as affected by this act, immediately before the effective  
10          date of this paragraph is transferred to the appropriation account under section  
11          20.505 (1) (ks) of the statutes, as created by this act.

12          (b) The unencumbered balance in the appropriation account under section  
13          20.215 (1) (ka) of the statutes, as affected by this act, immediately before the effective  
14          date of this paragraph is transferred to the appropriation account under section  
15          20.505 (1) (kt) of the statutes, as created by this act.

16          (c) The unencumbered balance in the appropriation account under section  
17          20.215 (1) (m) of the statutes, as affected by this act, immediately before the effective  
18          date of this paragraph is transferred to the appropriation account under section  
19          20.505 (1) (ma) of the statutes.

20          (d) The unencumbered balance in the appropriation account under section  
21          20.215 (1) (o) of the statutes, as affected by this act, immediately before the effective  
22          date of this paragraph is transferred to the appropriation account under section  
23          20.505 (1) (ma) of the statutes.

24          **SECTION 9206.   Appropriation changes; banking.**

1           (1) GENERAL PROGRAM OPERATIONS FUNDS. The unencumbered balance in the  
2           appropriation account under section 20.124 (1) (g) of the statutes immediately before  
3           the effective date of this subsection is transferred to the appropriation account under  
4           section 20.144 (1) (g) of the statutes, as created by this act.

5           **SECTION 9211. Appropriation changes; conservation corps board.**

6           (1z) APPROPRIATION TRANSFERS.

7           (a) The unencumbered balance in the appropriation account under section  
8           20.399 (1) (a) of the statutes immediately before the effective date of this paragraph  
9           is transferred to the appropriation account under section 20.399 (1) (b) of the  
10          statutes, as created by this act.

11          (b) The unencumbered balance in the appropriation account under section  
12          20.399 (1) (q) of the statutes immediately before the effective date of this paragraph  
13          is transferred to the appropriation account under section 20.399 (1) (u) of the  
14          statutes, as created by this act.

15          (c) The unencumbered balance in the appropriation account under section  
16          20.399 (1) (r) of the statutes immediately before the effective date of this paragraph  
17          is transferred to the appropriation account under section 20.399 (1) (v) of the  
18          statutes, as created by this act.

19          (d) The unencumbered balance in the appropriation account under section  
20          20.399 (1) (s) of the statutes immediately before the effective date of this paragraph  
21          is transferred to the appropriation account under section 20.399 (1) (w) of the  
22          statutes, as created by this act.

23          (e) The unencumbered balance in the appropriation account under section  
24          20.399 (1) (t) of the statutes immediately before the effective date of this paragraph

1 is transferred to the appropriation account under section 20.399 (1) (x) of the  
2 statutes, as created by this act.

3 **SECTION 9216. Appropriation changes; development.**

4 (2b) DEVELOPMENT FUND REPAYMENTS LAPSE. Notwithstanding section 20.001 (3)  
5 (c) of the statutes, on July 1, 1996, there is lapsed to the general fund \$250,000 from  
6 the appropriation account of the department of development under section 20.143 (1)  
7 (ie) of the statutes, as affected by the acts of 1995.

8 **SECTION 9223. Appropriation changes; gaming commission.**

9 (1) CHARITABLE AND CRANE GAME RECEIPTS. Notwithstanding section 20.197 (1)  
10 (g) of the statutes, as affected by this act, the secretary of administration shall  
11 transfer on the effective date of this subsection from the appropriation account under  
12 section 20.197 (1) (g) of the statutes, as affected by this act, to the appropriation  
13 account under section 20.197 (1) (j) of the statutes, as created by this act, an amount  
14 equivalent to the amount of revenue in the account under section 20.197 (1) (g), 1993  
15 stats., that is attributable to moneys received by the gaming commission under  
16 chapter 563 of the statutes, as affected by this act, except section 563.80 of the  
17 statutes, and under section 564.02 (2) of the statutes, as affected by this act, for  
18 general program operations under chapters 563 and 564 of the statutes, as affected  
19 by this act, as determined by the secretary.

20 **SECTION 9226. Appropriation changes; health and social services.**

21 (1) CHILD SUPPORT ORDER REVISION PROGRAM. Notwithstanding section 20.001  
22 (3) (a) of the statutes, on the effective date of this subsection, there is lapsed to the  
23 general fund \$312,700 from the appropriation account to the department of health  
24 and social services under section 20.435 (4) (c) of the statutes, as affected by the acts  
25 of 1995.

1           (1x) SECURED JUVENILE CORRECTIONAL FACILITY START-UP COSTS. There is  
2 transferred, on the effective date of this subsection, from the appropriation to the  
3 department of health and social services under section 20.435 (3) (hm) of the  
4 statutes, as affected by this act, sections 829 and 830, to the appropriation to the  
5 department of corrections under section 20.410 (1) (kx) of the statutes, as affected by  
6 this act, \$200,000 for the start-up costs of the secured correctional facility, as defined  
7 in section 48.02 (15m) of the statutes, as affected by this act, established under  
8 SECTION 9126 (1t) of this act.

9           (1y) YOUTH CORRECTIONAL SERVICES. The unencumbered balances of the  
10 following appropriations to the department of health and social services, as affected  
11 by the acts of 1995, immediately before the effective date of this subsection, are  
12 transferred to the following appropriations to the department of corrections:

13           (a) Section 20.435 (3) (i) of the statutes to section 20.410 (3) (i) of the statutes,  
14 as created by this act.

15           (b) Section 20.435 (3) (jk) of the statutes, as affected by this act, to section  
16 20.410 (3) (jk) of the statutes, as created by this act.

17           (c) Section 20.435 (3) (kx) of the statutes to section 20.410 (3) (kx) of the  
18 statutes, as created by this act.

19           (d) Section 20.435 (3) (ky) of the statutes to section 20.410 (3) (ky) of the  
20 statutes, as created by this act.

21           (e) Section 20.435 (3) (kz) of the statutes to section 20.410 (3) (kz) of the  
22 statutes, as created by this act.

23           (f) Section 20.435 (3) (m) of the statutes to section 20.410 (3) (m) of the statutes,  
24 as created by this act.

1 (g) Section 20.435 (3) (n) of the statutes to section 20.410 (3) (n) of the statutes,  
2 as created by this act.

3 (h) Section 20.435 (3) (o) of the statutes to section 20.410 (3) (o) of the statutes,  
4 as created by this act.

5 (i) Section 20.435 (3) (oo) of the statutes to section 20.410 (3) (oo) of the statutes,  
6 as created by this act.

7 **SECTION 9230. Appropriation changes; industry, labor and human**  
8 **relations.**

9 (1t) PETROLEUM INSPECTION PROGRAM BALANCE. On the effective date of this  
10 subsection, there is transferred from the appropriation account to the department  
11 of industry, labor and human relations under section 20.445 (1) (j) of the statutes, as  
12 affected by the acts of 1995, to the petroleum inspection fund, the balance in that  
13 appropriation account on June 30, 1995, that is related to the petroleum inspection  
14 program, as determined by the secretary of industry, labor and human relations, but  
15 not less than \$3,279,900.

16 **SECTION 9236. Appropriation changes; justice.**

17 (1) HANDGUN PURCHASER RECORD CHECK. On the effective date of this subsection,  
18 \$100,000 is lapsed to the general fund from the appropriation account of the  
19 department of justice under section 20.455 (2) (gr) of the statutes, as affected by the  
20 acts of 1995.

21 **SECTION 9242. Appropriation changes; natural resources.**

22 (1t) WASTE TIRE REMOVAL AND RECOVERY. On the effective date of this subsection,  
23 \$1,250,000 is transferred from the appropriation account to the department of  
24 natural resources under section 20.370 (2) (dj), of the statutes, as affected by the acts  
25 of 1995, to the environmental fund.

1           (2) TRANSFER FROM RECYCLING FUND. There is transferred from the recycling  
2 fund to the general fund \$21,100,000.

3           (2g) LAKE MANAGEMENT GRANT LAPSE. Notwithstanding section 20.001 (3) (c) of  
4 the statutes, on the effective date of this subsection, there is lapsed to the  
5 conservation fund \$1,400,000 from the appropriation account to the department of  
6 natural resources under section 20.370 (6) (ar) of the statutes, as affected by this act.

7           (2mt) STATEWIDE PUBLIC SAFETY RADIO MANAGEMENT PROGRAM. There is  
8 transferred from the appropriation account to the department of natural resources  
9 under section 20.370 (9) (mr) of the statutes, as affected by the acts of 1995, to the  
10 appropriation account to the department of transportation under section 20.395 (5)  
11 (dk) of the statutes, as affected by the acts of 1995, \$47,500 in fiscal year 1996-97.

12           **SECTION 9248. Appropriation changes; revenue.**

13           (1) COUNTY SALES TAX DISBURSEMENT. On June 30, 1997, there is lapsed to the  
14 general fund \$1,150,000, plus all amounts that are requested by, but not granted to,  
15 the department of revenue for reimbursement to the department of natural  
16 resources for its county sales tax activities, for postage, for data processing and for  
17 computers as a result of the department's December 1994, January 1995 and  
18 February 1995 requests made to the department of administration under section  
19 16.515 of the statutes, from the appropriation account to the department of revenue  
20 under section 20.566 (1) (g) of the statutes, as affected by the acts of 1995.

21           (2x) BADGER FUND LAPSE. On June 30, 1997, there is transferred to the general  
22 fund the balance in the fund under section 25.28 of the statutes.

23           **SECTION 9249. Appropriation changes; savings and loan.**

24           (1) GENERAL PROGRAM OPERATIONS FUNDS. The unencumbered balance in the  
25 appropriation account under section 20.175 (1) (g) of the statutes immediately before

1 the effective date of this subsection is transferred to the appropriation account under  
2 section 20.144 (1) (g) of the statutes, as created by this act.

3 (2) INFORMATION TECHNOLOGY DEVELOPMENT FUNDS. The unencumbered balance  
4 in the appropriation account under section 20.124 (1) (ka) of the statutes  
5 immediately before the effective date of this subsection is transferred to the  
6 appropriation account under section 20.144 (1) (ka) of the statutes.

7 **SECTION 9250. Appropriation changes; secretary of state.**

8 (3t) PROGRAM FEE LAPSE. The unencumbered balance in the appropriation  
9 account under section 20.575 (1) (g) of the statutes on July 1, 1996, shall lapse to the  
10 general fund.

11 **SECTION 9251. Appropriation changes; securities.**

12 (1) GENERAL PROGRAM OPERATIONS FUNDS. The unencumbered balance in the  
13 appropriation account under section 20.185 (1) (g) of the statutes immediately before  
14 the effective date of this subsection is transferred to the appropriation account under  
15 section 20.144 (1) (g) of the statutes, as created by this act.

16 (2) INFORMATION TECHNOLOGY DEVELOPMENT FUNDS. The unencumbered balance  
17 in the appropriation account under section 20.185 (1) (ka) of the statutes  
18 immediately before the effective date of this subsection is transferred to the  
19 appropriation account under section 20.144 (1) (ka) of the statutes.

20 (3g) INVESTOR EDUCATION APPROPRIATION LAPSE. Notwithstanding section 20.001  
21 (3) (a) of the statutes, there is lapsed to the general fund \$500,000 from the  
22 appropriation account under section 20.185 (1) (h) of the statutes, as affected by this  
23 act, on the effective date of this subsection or August 15, 1995, whichever is later.

24 **SECTION 9255. Appropriation changes; transportation.**

1           (1m) POSITION AUTHORIZATION. In the schedule under section 20.005 (3) of the  
2 statutes for the appropriation to the department of transportation under section  
3 20.395 (4) (aq) of the statutes, as affected by the acts of 1995, the dollar amount is  
4 decreased by \$97,800 for fiscal year 1995-96 and the dollar amount is decreased by  
5 \$97,800 for fiscal year 1996-97 to decrease the authorized FTE positions for the  
6 department by 1.0 SEG executive assistant position appointed under section 15.05  
7 (3) of the statutes, as affected by this act.

8           (2mt) STATEWIDE PUBLIC SAFETY RADIO MANAGEMENT PROGRAM.

9           (a) There is transferred from the appropriation account to the department of  
10 transportation under section 20.395 (5) (dq) of the statutes, as affected by the acts  
11 of 1995, to the appropriation account to the department of transportation under  
12 section 20.395 (5) (dk) of the statutes, as affected by the acts of 1995, \$32,400 in fiscal  
13 year 1996-97.

14           (b) There is transferred from the appropriation account to the department of  
15 transportation under section 20.395 (3) (cq) of the statutes, as affected by the acts of  
16 1995, to the appropriation account to the department of transportation under section  
17 20.395 (5) (dk) of the statutes, as affected by the acts of 1995, \$15,100 in fiscal year  
18 1996-97.

19           (2mu) HAZARDOUS MATERIALS TRANSPORTATION FEES. Notwithstanding section  
20 20.001 (3) (b) of the statutes, the unencumbered balance in the appropriation account  
21 under section 20.395 (4) (bh) of the statutes, as affected by this act, immediately  
22 before the effective date of this subsection shall lapse to the transportation fund.

23           **SECTION 9257. Appropriation changes; University of Wisconsin**  
24 **System.**

1 (2g) LAPSE TO GENERAL FUND. On the effective date of this subsection, there is  
2 lapsed \$15,000,000 from the appropriation account under section 20.285 (1) (kb) of  
3 the statutes, as affected by this act, to the general fund.

4 **SECTION 9301. Initial applicability; administration.**

5 (4g) INFORMATION TECHNOLOGY DEVELOPMENT PROJECT GRANT PROCEDURE. The  
6 treatment of section 16.971 (5) (b) to (bt) of the statutes first applies to the award of  
7 grants for information technology development projects to be conducted in fiscal year  
8 1996-97.

9 **SECTION 9306. Initial applicability; banking.**

10 (1) LICENSE FEES. The treatment of sections 138.09 (1), 138.12 (3) (b) and (4)  
11 (a) and (am), 217.05 (5) (c) and (d), 218.01 (2) (b) and (dr), 218.02 (2) (b), 218.04 (3)  
12 (b) and (c) and 218.05 (3) (b) and (11) of the statutes first applies to applications for  
13 or renewals that are filed on the effective date of this subsection.

14 **SECTION 9310. Initial applicability; circuit courts.**

15 (1) SUPPORT OR MAINTENANCE FILING FEE. The treatment of section 814.61 (13)  
16 of the statutes first applies to petitions filed on the effective date of this subsection.

17 (1g) FEES INVOLVING STIPULATED SUPPORT ORDERS. The treatment of section  
18 814.61 (7) (a) of the statutes (by SECTION 7154r) first applies to petitions and motions  
19 filed on the effective date of this subsection.

20 (3) COURT DOCUMENT REIMBURSEMENT. The treatment of sections 814.61 (10),  
21 814.66 (1) (h) and 814.70 (6) of the statutes and the creation of sections 814.61 (10)  
22 (b), 814.66 (1) (h) 2. and 814.70 (6) (b) of the statutes first apply to documents copied  
23 on the effective date of this subsection.

**SECTION 9310**

1           (3x) EXHAUSTION OF ADMINISTRATIVE REMEDIES. The treatment of section 801.02  
2           (7) of the statutes first applies to acts or omissions occurring on the effective date of  
3           this subsection.

4           (4) CIRCUIT COURT FEES. The treatment of sections 80.38 (2), 94.29, 814.61 (1)  
5           (a) 1. and 2., (3) (a) and (b) and (8) (a), (am) (intro.) and (b), 814.62 (1) (a) and (b) and  
6           (3) (a) 1. and 2. and (d) 1., 2. and 3. and 814.63 (1) (a) and (b) (by SECTION 7172) and  
7           (5) (a) and (b) (by SECTION 7174) of the statutes first applies to actions commenced  
8           on the effective date of this subsection.

9           (4x) CIRCUIT COURT FORFEITURE FEES. The treatment of section 814.63 (1) (b) (by  
10          SECTION 7172d) and (5) (by SECTION 7172f) of the statutes first applies to actions  
11          commenced on the effective date of this subsection.

12          (5) AGE OF ADULT CRIMINAL JURISDICTION. The treatment of sections 48.02 (1),  
13          (2) and (3m), 48.12 (1) and (2), 48.255 (1) (intro.), 48.34 (10) (a), 48.35 (1) (c), 48.355  
14          (4) (b), 48.39, 48.45 (1) (a) and (3), 161.455 (1), 161.46 (1), (2) and (3), 161.573 (2),  
15          161.574 (2), 161.575 (1) and (2), 302.31, 948.01 (1), 948.35 (1) (a), 948.36 (1), 948.45  
16          (1), 948.60 (title), (2) and (3), 948.61 (4) and 990.01 (3) and (20) of the statutes first  
17          applies to violations that occur on the effective date of this subsection.

18          (6d) SERIOUS JUVENILE OFFENDER PROGRAM. The treatment of sections 48.18 (2r),  
19          48.33 (1) (intro.) and (3r) and 48.34 (2) and (4h) of the statutes and the repeal and  
20          recreation of sections 48.18 (5) (c), 48.23 (1) (a) and 48.34 (2m) and (4n) (intro.) and  
21          (a) of the statutes first apply to violations committed on the effective date of this  
22          subsection.

23          (7) EXTENDED JURISDICTION OF JUVENILE COURT. The treatment of sections  
24          48.243 (1) (b) and 48.366 (1) (a) (intro.), (b) and (c) of the statutes first applies to  
25          violations committed on the effective date of this subsection.

1 (7f) UNCLAIMED PROPERTY. The treatment of sections 177.13 and 800.095 (7m)  
2 of the statutes first applies to money received by the municipality on the effective  
3 date of this subsection.

4 (8) JURIES IN TRAFFIC REGULATION CASES. The treatment of section 756.096 (3)  
5 (b) of the statutes and the creation of section 756.096 (3) (b) 2. of the statutes first  
6 apply to traffic regulation actions commenced on the effective date of this subsection.

7 (8e) MUNICIPAL COURT SUMMONS AND COMPLAINT OR CITATION. The treatment of  
8 section 800.01 (2) (a) of the statutes first applies to the service of a summons and  
9 complaint or citation on the effective date of this subsection.

10 (9q) SMALL CLAIMS COURT JURISDICTION. The treatment of section 799.01 (1) (c)  
11 and (d) (intro.) and (2) of the statutes first applies to actions commenced on the  
12 effective date of this subsection.

13 **SECTION 9311. Initial applicability; conservation corps board.**

14 (1x) EDUCATION VOUCHERS. The renumber and amendment of section 16.20 (10)  
15 (g) 1. of the statutes first applies to education vouchers issued on the effective date  
16 of this subsection.

17 **SECTION 9312. Initial applicability; corrections.**

18 (1) ADDITIONAL PAYMENT, PROBATION AND PAROLE HOLDS. The treatment of section  
19 302.33 (2) (a) 3. and 4. of the statutes first applies to payments made on the effective  
20 date of this subsection.

21 (2) MEDICAL AND DENTAL SERVICES FOR PRISONERS. The treatment of section  
22 302.386 (3) and (4) (a) and (b) of the statutes and the creation of section 302.386 (3)  
23 (b) and (d) of the statutes first apply to services provided on the effective date of this  
24 subsection.

1           (2g) MEDICAL AND DENTAL SERVICES; COLLECTIONS FROM 3RD PARTIES. The  
2 treatment of section 302.386 (2m) of the statutes first applies to payments provided  
3 on the effective date of this subsection, regardless of the date the services were  
4 provided.

5           (2h) WORK RELEASE ROOM AND BOARD PAYMENTS. The treatment of section  
6 303.065 (6) of the statutes first applies to payments made on the effective date of this  
7 subsection.

8           (3g) PRISONER REIMBURSEMENT. The treatment of sections 301.135 (2), 301.325,  
9 302.386 (6) and 303.065 (7) of the statutes first applies to costs incurred on the  
10 effective date of this subsection.

11           **SECTION 9313. Initial applicability; cost containment commission.**

12           (1) REVIEW AND APPROVAL ACTIVITIES AND GENERAL PROGRAM OPERATIONS FUNDING.  
13 The amendment of section 20.488 (1) (h) of the statutes first applies to applications  
14 for review under subchapter III of chapter 150 of the statutes, as affected by this act,  
15 submitted on July 1, 1995.

16           **SECTION 9316. Initial applicability; development.**

17           (1g) PHYSICIAN LOAN ASSISTANCE PROGRAM. The treatment of section 560.183 (2)  
18 (b) of the statutes first applies to applications to participate in the program under  
19 section 560.183 of the statutes, as affected by this act, that are submitted on the  
20 effective date of this subsection.

21           (1x) ENTERPRISE DEVELOPMENT ZONES. The treatment of section 49.193 (5) (a)  
22 and (b) (intro.), 1., 2. and 3. of the statutes and the creation of section 560.795 (3) (e)  
23 of the statutes first apply to development opportunity zones that are in existence on  
24 the effective date of this subsection.

1           **SECTION 9320. Initial applicability; employment relations**  
2           **commission.**

3           (1) SCHOOL DISTRICTS; PROHIBITED SUBJECTS OF BARGAINING. The treatment of  
4           section 111.70 (1) (a) (as it relates to the cross-reference to section 111.70 (4) (m) of  
5           the statutes) and (4) (m) of the statutes first applies to employees who are affected by  
6           a collective bargaining agreement that contains provisions inconsistent with that  
7           treatment on the day on which the collective bargaining agreement expires or is  
8           extended, modified or renewed.

9           (2g) MUNICIPAL EMPLOYERS; PERMISSIVE SUBJECTS OF BARGAINING. The treatment  
10          of section 111.70 (1) (a) (as it relates to the cross-reference to section 111.70 (4) (n)  
11          of the statutes) and (4) (n) of the statutes first applies to employees who are affected  
12          by a collective bargaining agreement that contains provisions inconsistent with that  
13          treatment on the day on which the collective bargaining agreement expires or is  
14          extended, modified or renewed, whichever occurs first.

15          (2h) DISPUTE SETTLEMENT FOR NONPROTECTIVE COUNTY EMPLOYEES. The treatment  
16          of section 111.70 (1) (nm), (3) (a) 4. and (b) 3. and 7., (4) (ce) and (cm) 9. b. and (7m)  
17          (f) of the statutes first applies with respect to collective bargaining agreements  
18          entered into on the effective date of this subsection.

19          (2i) LOCAL GOVERNMENT INTEREST ARBITRATION FACTORS. The treatment of section  
20          111.70 (4) (cm) 7. hm. of the statutes first applies with respect to petitions for  
21          arbitration filed under section 111.70 (4) (cm) 6. of the statutes on the effective date  
22          of this subsection.

23           **SECTION 9323. Initial applicability; gaming commission.**

1           (1) LOTTERY RETAILER COMPENSATION. The treatment of section 565.10 (14) (b)  
2 of the statutes first applies to lottery tickets or lottery shares sold on the first day of  
3 the 2nd month beginning after publication.

4           **SECTION 9326. Initial applicability; health and social services.**

5           (2) FINANCIAL INFORMATION AS A REQUIREMENT OF COMMUNITY-BASED RESIDENTIAL  
6 FACILITY ADMISSION. The treatment of section 50.035 (7) of the statutes first applies  
7 to an application for initial admission to a community-based residential facility on  
8 the effective date of this subsection.

9           (3) NOTICE OF CERTAIN ASSIGNED OR SUBROGATED CLAIMS. The creation of section  
10 49.65 (3m) (c) of the statutes first applies to events that occur on the effective date  
11 of this subsection.

12           (4) ASSIGNMENT OF CERTAIN CLAIMS OF PUBLIC ASSISTANCE RECIPIENTS. The  
13 amendment of section 49.65 (3) of the statutes first applies to applications for public  
14 assistance made on the effective date of this subsection.

15           (5) ASSIGNMENTS OF RIGHTS AGAINST INSURERS BY PUBLIC ASSISTANCE RECIPIENTS.  
16 The treatment of sections 49.493 (1) (a) and (b), (2), (3) (d) and (4) and 632.72 (title),  
17 (1) and (2) of the statutes, the renumbering and amendment of section 49.493 (1) of  
18 the statutes and the creation of section 632.72 (1g) of the statutes first apply with  
19 respect to public assistance provided on the effective date of this subsection.

20           (7) WORK PROGRAMS FOR NONCUSTODIAL PARENTS. The treatment of section  
21 767.295 (2) (a) (intro.) (by SECTION 7105) and 1m. of the statutes first applies to  
22 actions and proceedings commenced on the effective date of this subsection.

23           (8) MENTAL HEALTH AND ALCOHOL AND OTHER DRUG ABUSE TREATMENT SERVICES.  
24 The treatment of section 49.035 (1) (intro.), (2) (intro.) and (3) of the statutes first

1 applies to costs of providing services described in section 51.42 (3) (ar) 4. of the  
2 statutes that are incurred on the effective date of this subsection.

3 (9) AID TO FAMILIES WITH DEPENDENT CHILDREN MATERNITY BENEFITS. The  
4 treatment of section 49.19 (4) (g) 1. and 2. of the statutes first applies to persons who  
5 apply for aid to families with dependent children on the effective date of this  
6 subsection.

7 (10) CEMETERY, FUNERAL AND BURIAL EXPENSES. The treatment of section 49.30  
8 (2) of the statutes first applies to reimbursement of cemetery, funeral and burial  
9 expenses paid by a county or applicable tribal governing body or organization on the  
10 effective date of this subsection.

11 (11) RELIEF OF NEEDY INDIAN PERSONS COUNTY ADMINISTRATION PAYMENTS. The  
12 treatment of section 20.435 (4) (de) of the statutes first applies with respect to  
13 administrative expenses associated with payments of relief of needy Indian persons  
14 that are made on the effective date of this subsection.

15 (12) RELIEF OF NEEDY INDIAN PERSONS BENEFIT REIMBURSEMENT. The treatment  
16 of section 49.046 (3) of the statutes first applies to aid provided on the effective date  
17 of this subsection.

18 (13) GENERAL RELIEF BENEFIT REIMBURSEMENT. The treatment of section 49.035  
19 of the statutes first applies with respect to state reimbursement of benefits paid on  
20 the effective date of this subsection.

21 (14) WILD RICE LICENSE REQUIREMENT EXCEPTIONS. The treatment of section  
22 29.544 (3) of the statutes first applies to recipients of general relief who apply for a  
23 license on the effective date of this subsection.

1           (15) TAX INTERCEPT RECOVERY OF GENERAL RELIEF OVERPAYMENTS. The treatment  
2 of section 46.254 (1), (2) and (3) (a) of the statutes first applies with respect to  
3 recovery of benefits paid on the effective date of this subsection.

4           (16) GENERAL RELIEF REIMBURSEMENT FROM OTHER PROGRAMS OR RESOURCES. The  
5 treatment of section 49.02 (2r) of the statutes first applies with respect to  
6 authorizations to reimburse the county for benefits paid on the effective date of this  
7 subsection.

8           (17) ISSUANCE OF NEW CHECKS FOR LOST GENERAL RELIEF CHECKS. The treatment  
9 of section 49.02 (3) (b) of the statutes first applies with respect reissuance of checks  
10 that were originally issued on the effective date of this subsection.

11           (18) GENERAL RELIEF PROCEDURAL RIGHTS. The treatment of section 49.037 of  
12 the statutes first applies with respect to benefits that are or should have been paid  
13 on the effective date of this subsection.

14           (19) GENERAL RELIEF OFFENSES. The treatment of section 49.12 (2), (4m)  
15 (intro.), (a) and (b), (7) and (11) of the statutes first applies to offenses committed on  
16 the effective date of this subsection.

17           (22) FACILITY LICENSURE PERIOD AND FEE CHANGES. The treatment of sections  
18 48.22 (7), 48.615 (1) (a) and (b), 48.625 (2) (a), 48.65 (3) (a), 48.68 (1), 50.03 (4) (a) 1.  
19 b. and (c), 50.033 (2) and 50.037 (2) (a) and (c) of the statutes and the creation of  
20 sections 48.22 (7) (b) and (c) and 50.03 (4) (c) 2. of the statutes first apply to initial  
21 licensure or renewal of licensure for shelter care facilities, child welfare agencies,  
22 group homes, day care centers, community-based residential facilities and adult  
23 family homes that are issued on January 1, 1996.

1           (23) DENTISTS' SERVICES PROVIDED UNDER MEDICAL ASSISTANCE. The treatment of  
2 section 49.46 (2) (a) 2. and (b) 1. h. and i. of the statutes first applies to dentists'  
3 services provided on the effective date of this subsection.

4           (23x) LONG-TERM SUPPORT COMMUNITY OPTIONS PROGRAM RESIDENCY  
5 REQUIREMENT. The treatment of section 46.27 (6r) (e) of the statutes first applies to  
6 applications for long-term support community options program services that are  
7 made on the effective date of this subsection.

8           (24g) COMMUNITY OPTIONS PROGRAM REIMBURSEMENT LIMITATIONS. The treatment  
9 of section 46.27 (7) (b) 1m. and 1r. and (11) (c) 3m. of the statutes first applies to  
10 long-term community support services provided under section 46.27 of the statutes  
11 on the effective date of this subsection.

12           (24h) COMMUNITY OPTIONS PROGRAM ASSESSMENT AND CASE PLAN FEES. The  
13 treatment of section 46.27 (6) (a) 1., (b) (intro.) and (c) and (7) (am) (by SECTION 2223t)  
14 of the statutes first applies to an assessment that is initially conducted under section  
15 46.27 (6) (a) 1. of the statutes and a case plan that is initially developed under section  
16 46.27 (6) (b) (intro.) of the statutes on the effective date of this subsection.

17           (24i) NURSING HOME RIGHTS OF APPEAL OF DEFICIENCIES UNDER FEDERAL  
18 REGULATIONS. The treatment of sections 49.498 (16m) and 50.04 (4) (e) 1. of the  
19 statutes first applies to a deficiency of a nursing home under federal regulations that  
20 occurs on the effective date of this subsection.

21           (25g) DRIVER IMPROVEMENT SURCHARGE INCREASE. The treatment of sections  
22 20.435 (6) (hx) and (7) (hz) and 346.655 (1) and (2) of the statutes first applies to  
23 offenses committed on the effective date of this subsection.

1 (25h) WAIVER FOR BED AND BREAKFAST ESTABLISHMENT. The treatment of section  
2 254.74 (1m) of the statutes first applies to an application for a permit under section  
3 254.64 (1) (b) of the statutes on the effective date of this subsection.

4 (26g) TRANSFER OF LABORATORY CERTIFICATION. The treatment of sections 20.115  
5 (1) (gb) (by SECTION 476c), 20.435 (1) (gm) (by SECTION 816m), 144.95 (2) (a) and (b)  
6 and (5) (a) and 252.22 (title), (1) to (3), (4), (5), (6), (7), (8) and (9) and SECTION 9126  
7 (31g) of this act of the statutes first apply to initial or interim certificates of approval  
8 or renewals of certificates of approval issued under section 93.12 (4) of the statutes,  
9 as affected by this act, on the effective date of this subsection.

10 **SECTION 9336. Initial applicability; justice.**

11 (1) AVAILABLE REMEDIES. The treatment of sections 20.455 (1) (gh), (gm) and  
12 (hm), 49.49 (6), 100.263, 133.16, 144.98, 144.99 (title) and (2) and 147.21 (5) of the  
13 statutes and the renumbering of section 144.99 of the statutes first apply to actions  
14 pending on the effective date of this subsection.

15 (2g) PENALTY ASSESSMENT INCREASE. The treatment of section 165.87 (2) (a) of  
16 the statutes first applies to penalty assessments imposed on the effective date of this  
17 subsection.

18 (2v) CRIMINAL HISTORY SEARCHES. The treatment of section 165.82 (1) (a), (ag),  
19 (ar) and (b) of the statutes first applies to record checks conducted on the effective  
20 date of this subsection.

21 **SECTION 9337. Initial applicability; legislature.**

22 (1v) SALES OF LEGISLATIVE DOCUMENTS. The treatment of sections 13.90 (1) (L),  
23 13.92 (2) (h) and 35.87 of the statutes and the creation of section 35.87 (3) of the  
24 statutes first apply with respect to subscriptions to legislative documents sold for the  
25 1997-98 legislative session.

1 (2t) INTERIM ALLOWANCES. The repeal of section 13.123 (2) of the statutes first  
2 applies beginning with the month in which this subsection takes effect.

3 **SECTION 9341. Initial applicability; military affairs.**

4 (2) NATIONAL GUARD TUITION GRANTS; PAYMENTS. The treatment of section 21.49  
5 (3) (a), (b) 1. and (d) of the statutes first applies to courses completed on the effective  
6 date of this subsection.

7 **SECTION 9342. Initial applicability; natural resources.**

8 (1) RESIDENT DISABLED PERSON FISHING LICENSE. The treatment of sections  
9 29.092 (3) (f) and 29.145 (1c) (intro.) of the statutes first applies to fishing licenses  
10 issued to disabled persons on the effective date of this subsection.

11 (2) WILD TURKEY HUNTING APPROVALS.

12 (a) The treatment of sections 29.093 (2) (d) and 29.103 (7) of the statutes first  
13 applies to wild turkey hunting approvals that are issued on the effective date of this  
14 paragraph.

15 (3g) DEER HUNTING PERMITS. The treatment of sections 29.09 (9m) (a) 1m. and  
16 (b) and 29.092 (13m) (b) of the statutes, the renumbering of section 29.09 (9m) of the  
17 statutes and the renumbering and amendment of 29.092 (13m) of the statutes first  
18 apply to applications for bonus deer hunting permits and to joint applications for  
19 hunter's choice deer hunting permits and bonus deer hunting permits that are  
20 submitted on the effective date of this subsection.

21 (4) WILD GINSENG HARVEST LICENSES. The treatment of sections 29.092 (11) (g)  
22 and (gm) and 29.547 (6) (a) of the statutes first applies to wild ginseng harvest  
23 licenses issued on the effective date of this subsection.

24 (5) WILD GINSENG DEALER LICENSES. The treatment of sections 29.092 (11) (h),  
25 (i), (j) and (k), 29.093 (11) (c) and 29.547 (1) (a), (am) and (b), (6) (a), (7) (title), (a) 1.,

1 2. and 3. and (b), (8) (title), (a), (b), (bn), (c), (d), (e) and (f) and (9) (b) of the statutes  
2 and the renumbering and amendment of section 29.547 (7) of the statutes first apply  
3 to wild ginseng dealer licenses issued on the effective date of this subsection.

4 (6) FEES FOR CERTIFICATES OF NUMBER FOR BOATS. The treatment of section 30.52  
5 (3) (b), (c), (d), (e), (f) and (i) of the statutes first applies to certificates of number  
6 issued or renewed on the effective date of this subsection.

7 (7) WATER RESOURCES.

8 (a) The treatment of sections 30.28 (title), (1), (2), (2m) and (3) and 31.39 (title),  
9 (1), (2), (2m) and (3) of the statutes and the creation of section 30.28 (3) (title) and (b)  
10 of the statutes first apply to permits or approvals that are applied for or requested  
11 on the effective date of this paragraph.

12 (b) The treatment of section 144.0252 of the statutes first applies to  
13 determinations applied for on the effective date of this paragraph.

14 (10) RECREATIONAL BOATING FACILITIES PROJECT. The treatment of section 30.92  
15 (4) (a) and (b) 2. and 7. of the statutes first applies to applications for funds filed with  
16 the department of natural resources on the effective date of this subsection.

17 (11g) CLEAN WATER FUND INTEREST RATE. The treatment of section 144.241 (12)  
18 (c) 1. of the statutes first applies to projects for which the department of natural  
19 resources approves the facility plan on the day after the effective date of this  
20 subsection.

21 (11h) CLEAN WATER FUND HARDSHIP PRIORITY. The treatment of section 144.241  
22 (13) (e) 2. of the statutes first applies to a project that is in the top 20% of projects on  
23 the priority list under section 144.241 (8e) of the statutes, as affected by this act, for  
24 1996.

1           (11z) STEWARDSHIP FUNDING. The treatment of section 23.0915 (1m) (a) 1. and  
2           (b) of the statutes first applies to moneys encumbered or expended from the  
3           appropriation under section 20.866 (2) (tz) of the statutes, as affected by this act, on  
4           the effective date of this subsection.

5           (14z) PERMITS FOR DRAINAGE WORK IN NAVIGABLE WATERS. The treatment of  
6           sections 88.62 (3) and 88.72 (3) and (4) of the statutes first applies to permits for  
7           drainage work to be undertaken in navigable waters that are applied for on the  
8           effective date of this subsection.

9           **SECTION 9344. Initial applicability; public defender board.**

10          (1) CONDITIONS OF CONFINEMENT. The treatment of sections 20.550 (1) (b),  
11          977.05 (4) (j) and 977.08 (2) (f) of the statutes first applies to actions that are  
12          commenced on the effective date of this subsection.

13          (2q) REPRESENTATION IN PATERNITY ACTIONS. The treatment of sections 767.455  
14          (5) and (5g) (form) 2., 767.52 (1), (2) and (2m) and 977.05 (4) (i) 7. of the statutes first  
15          applies to paternity actions that are commenced on the effective date of this  
16          subsection.

17          (3) REPRESENTATION IN CONTEMPT CASES FOR NONSUPPORT. The treatment of  
18          section 977.05 (6) (title) and (b) of the statutes first applies to contempt of court cases  
19          commenced on the effective date of this subsection.

20          (4d) CONTRACTS WITH PRIVATE BAR. The treatment of section 977.08 (3) (f) and  
21          (4m) and of the statutes first applies to contracts entered into on the effective date  
22          of this subsection.

23          (5g) REPRESENTATION IN JUVENILE PROCEEDINGS. The treatment of sections 48.21  
24          (3) (d), 48.23 (2) (a) and (b) and (3), 48.243 (1) (e) and 48.27 (4) (b) of the statutes and  
25          the amendment of section 48.20 (8) of the statutes first apply to proceedings that are

1 commenced under chapter 48 of the statutes, as affected by this act, on the effective  
2 date of this subsection.

3 (5h) EARLY REPRESENTATION. The treatment of section 977.05 (6) (c) of the  
4 statutes first applies to cases in which the provision of legal services begins or the  
5 assignment of counsel is made on the effective date of this subsection.

6 (5i) REPRESENTATION IN SENTENCE MODIFICATION CASES. The treatment of section  
7 977.05 (6) (e) of the statutes first applies to motions filed under section 973.19 (1) (a)  
8 of the statutes on the effective date of this subsection.

9 (5j) REPRESENTATION IN APPEALS. The treatment of section 977.05 (6) (f) of the  
10 statutes first applies to cases in which the notice of intent to pursue postconviction  
11 relief under section 809.30 (2) of the statutes is filed on the effective date of this  
12 subsection.

13 (5k) REPRESENTATION IN PROBATION MODIFICATION CASES. The treatment of  
14 section 977.05 (6) (g) of the statutes first applies to proceedings to modify probation  
15 that are commenced on the effective date of this subsection.

16 (5L) REPRESENTATION IN PAROLE REVOCATION PROCEEDINGS. The treatment of  
17 section 977.05 (6) (h) of the statutes first applies to parole revocation proceedings  
18 that are commenced on the effective date of this subsection.

19 (5m) REPRESENTATION IN PROBATION REVOCATION PROCEEDINGS. The treatment of  
20 section 977.05 (6) (i) of the statutes first applies to probation revocation proceedings  
21 that are commenced on the effective date of this subsection.

22 **SECTION 9345. Initial applicability; public instruction.**

23 (1x) MILWAUKEE PARENTAL CHOICE PROGRAM. The treatment of section 119.23 (2)  
24 (a) (intro.), 2. and 3. and (b), (3), (4), (5) (d), (7) (am) and (c), (9) (a) and (b) and (10)  
25 of the statutes and the creation of 119.23 (3) (b) of the statutes first apply to the

1 participation of pupils in the Milwaukee parental choice program in the 1995-96  
2 school year.

3 (2) EXEMPTION OF CERTAIN SCHOOL DISTRICTS FROM REVENUE LIMITS. The  
4 treatment of section 121.905 of the statutes first applies to the calculation of school  
5 revenue limits for the 1995-96 school year.

6 (3) ADMINISTRATOR CONTRACTS. The treatment of section 118.24 (1), (6) and (8)  
7 of the statutes first applies to contracts entered into on the effective date of this  
8 subsection.

9 (4) COMPENSATION OF NONREPRESENTED PROFESSIONAL SCHOOL DISTRICT  
10 EMPLOYEES. The treatment of section 118.245 (2), (3) and (4) of the statutes first applies  
11 to contracts entered into on the effective date of this subsection.

12 (5) SCHOOL DISTRICT REVENUE LIMITS. The treatment of sections 121.90 (1) and  
13 (2) and 121.91 (4) (a) 3., (d) and (e) of the statutes first applies to the calculation of  
14 a school district's revenue limit for the 1995-96 school year.

15 (7) CHARTER SCHOOLS. The treatment of section 118.40 (1), (1m) (b) 7., (2) (a)  
16 and (b) (intro.), (2m) (a), (3) (b) and (c), (4) (a) 2. and (7) (title) and (a) of the statutes  
17 first applies to contracts entered into on the effective date of this subsection.

18 (8) SCHOOL AID FORMULA. The treatment of sections 73.03 (46), 121.07 (6) (b),  
19 (c), (d), (dg), (dr) and (e), (7) (b), (bm), (c), (d) and (e), (8) and (10) (a) and (d), 121.08  
20 (1) and (2) and 121.23 (2) (intro.) of the statutes and the repeal and recreation of  
21 section 121.07 (7) (a) of the statutes first apply to the payment of state school aid in  
22 the 1996-97 school year.

23 (9m) INTRADISTRICT TRANSFER AND MERGED ATTENDANCE AREA AID. The treatment  
24 of sections 121.85 (6) (a) 2. and 121.86 (2) (a) 2. and (3) of the statutes first applies  
25 to state aid paid in the 1996-97 school year.

1           (10m) SCHOOL PRINCIPAL LICENSE. The treatment of section 118.19 (11) of the  
2 statutes first applies to applications for the renewal of a school principal license that  
3 are received by the department of public instruction on the effective date of this  
4 subsection.

5           **SECTION 9346. Initial applicability; public service commission.**

6           (1) OFFICE OF THE COMMISSIONER OF RAILROADS. The treatment of section 195.60  
7 (2) of the statutes first applies to fiscal year 1994-95.

8           **SECTION 9347. Initial applicability; regulation and licensing.**

9           (1) RECIPROCAL AND TEMPORARY CREDENTIAL FEES. The treatment of section  
10 440.05 (2) and (6) of the statutes first applies to applications for reciprocal  
11 credentials or for apprentice, journeyman, student or other temporary credentials  
12 received by the department of regulation and licensing on the effective date of this  
13 subsection.

14           (2) REPLACEMENT CREDENTIAL FEE. The treatment of section 440.05 (7) of the  
15 statutes first applies to applications received by the department of regulation and  
16 licensing on the effective date of this subsection for replacement of lost credentials,  
17 for name or address changes on credentials, for issuance of duplicate credentials or  
18 for transfer of credentials.

19           (3) LATE RENEWAL FEE. The consolidation, renumbering and amendment of  
20 section 440.08 (3) (a) (intro.) and 2. of the statutes and the repeal of section 440.08  
21 (3) (a) 1. of the statutes first apply to credential renewal applications received by the  
22 department of regulation and licensing on the effective date of this subsection.

23           (3b) DENIAL OF CREDENTIAL RENEWAL FOR TAX DELINQUENCY. The treatment of  
24 sections 440.03 (7) and 440.08 (2) (c) and (4) of the statutes and the creation of  
25 sections 440.03 (12) and 440.08 (2g), (2r) and (4) (b) of the statutes first apply to

1 applications submitted the department of regulation and licensing or to an  
2 examining board or affiliated credentialing board attached to the department of  
3 regulation and licensing to renew credentials that expire on or after January 1, 1996.

4 **SECTION 9348. Initial applicability; revenue.**

5 (1) **RECYCLING SURCHARGE PAYERS.** The treatment of section 77.93 (1) and (4) of  
6 the statutes first applies to taxable years that begin on January 1, 1995.

7 (2) **ESTATE TAX INSTALMENTS.** The treatment of sections 72.22 (1) and (3), 72.225  
8 and 72.23 of the statutes first applies to transfers because of deaths that occur on the  
9 effective date of this subsection.

10 (4) **PETROLEUM INSPECTION FEES.** The treatment of sections 168.05 (1), 168.07  
11 (3), 168.08 (2), (3), (4) and (5), 168.10, 168.12 (1), (1g), (1r), (2), (3), (4), (6), (7), (8) and  
12 (9), 168.125, 168.13, 168.15 and 168.17 of the statutes first applies to fees for  
13 inspections of petroleum products that are received on January 1, 1996.

14 (4m) The treatment of sections 71.02 (1) (as it relates to pension income) and  
15 71.05 (1) (a) of the statutes first applies to taxable years beginning on January 1,  
16 1996.

17 (4q) **DOMESTIC ABUSE PREVENTION AND AWARENESS.** The treatment of sections  
18 20.435 (1) (hk), 20.566 (1) (hp), 46.95 (4) and 71.10 (5m) of the statutes first applies  
19 to taxable years beginning on January 1, 1995.

20 (4t) **WISCONSIN ELECTION CAMPAIGN FUND.** The treatment of section 71.10 (3) and  
21 (5e) of the statutes first applies to taxable years beginning on January 1, 1995.

22 (4x) **BOND AND NOTE INTEREST INCOME.** The treatment of section 71.26 (1) (g) and  
23 (h) of the statutes first applies to taxable years beginning on January 1, 1995.

24 (5m) **HEALTH MAINTENANCE ORGANIZATIONS.**

1           (a) *Income tax.* The treatment of sections 71.26 (1) (a) and (2) (a), 71.45 (1), (2)  
2           (a) and (5), 185.981 (5) and 614.80 of the statutes first applies to taxable years that  
3           begin on January 1, 1996.

4           (b) *Property tax.* The treatment of sections 70.11 (4) and (4m), 613.81 and  
5           614.80 of the statutes first applies to property taxes based on the assessment as of  
6           January 1, 1996.

7           (6x) NEW DEVELOPMENT ZONES CREDITS. The treatment of sections 71.05 (6) (a)  
8           15., 71.07 (2dd), (2de), (2dj) (d) and (h) and (2ds) (c) and (h), 71.08 (1) (intro.), 71.10  
9           (4) (gd), (ge), (gs), (gt) and (i), 71.26 (2) (a), 71.28 (1dd), (1de), (1dj) (d) and (h) and (1ds)  
10          (c) and (h), 71.30 (3) (eb), (ec), (en), (eo) and (f), 71.34 (1) (g), 71.45 (2) (a) 10., 71.47  
11          (1dd), (1de), (1dj) (d) and (h) and (1ds) (c) and (h), 71.49 (1) (eb), (ec), (en), (eo) and  
12          (f), 73.03 (35), 77.92 (4), 560.70 (7) and 560.797 (1) (d) of the statutes first applies to  
13          taxable years beginning on January 1, 1995.

14          (8) ADMINISTRATION OF LIQUOR TAX APPROPRIATION LAPSE. The treatment of  
15          section 20.566 (1) (ha) of the statutes first applies to the 1995-96 fiscal year.

16          (8g) MAXIMUM SHARED REVENUE PAYMENTS TO COUNTIES. The treatment of section  
17          79.06 (2) (b) of the statutes first applies to payments that are made during 1996.

18          (8x) INTERNAL REVENUE CODE. The treatment of sections 71.01 (7r), 71.05 (6) (b)  
19          21., 71.26 (3) (y), 71.365 (1m) and 71.45 (2) (a) 13. of the statutes first applies to  
20          taxable years beginning on January 1, 1995.

21          (9t) EXPENDITURE RESTRAINT PAYMENTS. The treatment of section 79.05 (1) (am),  
22          (2) (c) and (2m) of the statutes first applies to payments under section 79.05 of the  
23          statutes during 1997.

24          (10j) PENALTIES FOR CERTAIN SALES OF INTOXICATING LIQUOR. The treatment of  
25          sections 125.66 (4) and 125.69 (6) of the statutes and the creation of section 125.69

1 (6) (c) of the statutes first apply to offenses committed on the effective date of this  
2 subsection.

3 (10x) PROPERTY TAX BILL. The treatment of sections 74.09 (1), (3) (b), (c), (e) and  
4 (i), (3m), (4) and (4m) and 79.10 (9) (c) of the statutes first applies to bills for taxes  
5 levied in 1996.

6 (11g) SHARED REVENUE PAYMENTS FOR SPENT NUCLEAR FUEL. The treatment of  
7 section 79.04 (4) (a) of the statutes first applies to payments made during 1996.

8 (11mt) MOTOR VEHICLE FUEL EXEMPTIONS. The treatment of sections 78.005  
9 (13g), 78.01 (2) (e) and (2m) (f), 78.40 (1) and 78.75 (1m) (a) 2. and 3. of the statutes  
10 first applies to fuel purchased on the first day of the first month beginning after  
11 publication.

12 (11mu) GROSS FARM PROFITS CERTIFICATION. The treatment of section 73.03  
13 (29m) of the statutes first applies to taxable years beginning on January 1, 1996.

14 **SECTION 9350. Initial applicability; secretary of state.**

15 (1) REVOCATION OF CERTIFICATE TO TRANSACT BUSINESS. The treatment of  
16 sections 183.0113 (2) (b) 4. and 183.0114 (2) (c) of the statutes and the creation of  
17 sections 183.1020, 183.1021 and 183.1022 of the statutes first apply to a revocation  
18 of a certificate to transact business based on grounds that arise on January 1, 1996.

19 **SECTION 9353. Initial applicability; supreme court.**

20 (1g) JUSTICE INFORMATION SYSTEM FEE. The treatment of section 814.635 (1) (as  
21 it relates to increasing the amount of the justice information system fee) of the  
22 statutes first applies on October 1, 1995.

23 (2m) SEGREGATED FEES. The treatment of section 36.27 (1) (d) of the statutes  
24 first applies to fees charged for the 1996 spring semester.

25 **SECTION 9355. Initial applicability; transportation.**

1           (1) **TRAFFIC ACCIDENTS AND PROPERTY DAMAGE.** The treatment of sections  
2           344.12, 344.14 (2) (e) and 346.70 (1) of the statutes first applies to accidents occurring  
3           on the effective date of this subsection.

4           (2) **COMMERCIAL DRIVER LICENSES.** The treatment of sections 343.10 (2) (a) 1.,  
5           343.245 (4) (b), 343.28 (1) and (2), 343.315 (2) (f) (intro.), (fm), (h) and (i) and 343.44  
6           (4r) of the statutes first applies to offenses and refusals committed on the effective  
7           date of this subsection, but does not preclude the counting of other convictions,  
8           suspensions, revocations, disqualifications or refusals as prior convictions,  
9           suspensions, revocations, disqualifications or refusals for purposes of sentencing a  
10          person, suspending or revoking a person's operating privilege, disqualifying a person  
11          from operating a commercial motor vehicle or determining eligibility for an  
12          occupational license or authorization to operate certain vehicles.

13          (3) **MASS TRANSIT OPERATING ASSISTANCE.** The treatment of sections 20.395 (1)  
14          (bq) and (bu) and 85.20 (4m) (a), (am), (e) and (em) 1. and (4s) of the statutes and the  
15          creation of sections 20.395 (1) (bs) and 85.20 (4m) (a) 1. to 3. of the statutes first apply  
16          to urban mass transit operating assistance payments for calendar year 1996.

17           **SECTION 9357. Initial applicability; University of Wisconsin System.**

18          (1g) **APPLICATION FEES.** The treatment of section 36.11 (3) (d) of the statutes first  
19          applies to applications for enrollment in the 1996 fall semester.

20           **SECTION 9358. Initial applicability; veterans affairs.**

21          (1) **CORRESPONDENCE COURSES AND PART-TIME STUDY.** The treatment of section  
22          45.396 (1), (2) and (3) (intro.) of the statutes and the creation of section 45.396 (1)  
23          (intro.) and (a) of the statutes first apply to applications for reimbursement for the  
24          costs of courses and textbooks received by the department of veterans affairs on the  
25          effective date of this subsection.

1           (2) VETERANS RETRAINING. The treatment of section 45.397 (2) (c) of the statutes  
2 first applies to applications for retraining grants submitted on the effective date of  
3 this subsection.

4           (3v) VETERANS TUITION AND FEE REIMBURSEMENT. The treatment of section 45.25  
5 (3) (a) of the statutes first applies to courses begun after June 30, 1996.

6           **SECTION 9359. Initial applicability; other.**

7           (4g) RESTRICTION ON MISDEMEANOR PENALTIES. The treatment of sections  
8 939.615 and 967.052 of the statutes first applies to offenses committed on the  
9 effective date of this subsection, but does not preclude the counting of convictions for  
10 crimes committed before the effective date of this subsection as prior convictions  
11 under section 939.615 (1) of the statutes, as created by this act.

12           (4mt) COMPARABLE BUSINESS PROPERTY.

13           (a) The treatment of section 32.05 (8) (a) and (c) of the statutes first applies to  
14 transfers of property on the effective date of this paragraph.

15           (b) The treatment of section 32.25 (2) (b) and (c) of the statutes first applies to  
16 plans filed with the department of industry, labor and human relations under section  
17 32.25 of the statutes on the effective date of this paragraph.

18           **SECTION 9400. Effective dates; general.** Except as otherwise provided in  
19 SECTIONS 9401 to 9459 of this act, this act takes effect on July 1, 1995, or on the day  
20 after publication, whichever is later.

21           **SECTION 9401. Effective dates; administration.**

22           (2) KICKAPOO VALLEY RESERVE ADMINISTRATION TRANSFER. The treatment of  
23 sections 15.07 (1) (b) 20., 15.105 (23), 15.445 (title), 16.07, 16.21, 20.370 (3) (mu),  
24 20.380 (2) (title), 20.505 (4) (dq), (ip), (ir) and (qm), 20.923 (6) (ai), 23.50 (1), 23.53 (1),  
25 23.56 (1), 23.57 (1) (intro.), 23.58, 23.62 (1) (intro.), 29.05 (2), 144.85 (5) (a) 1. (intro.)

1 and 227.01 (13) (zq) and subchapter III (title) of chapter 41 of the statutes, the  
2 renumbering of section 20.505 (4) (ms) of the statutes and SECTION 9101 (a) of this  
3 act take effect on July 1, 1996.

4 **SECTION 9402. Effective dates; adolescent pregnancy prevention and**  
5 **pregnancy services board.**

6 (1z) PREGNANCY PREVENTION PROGRAMS. The treatment of sections 20.434 (1) (a)  
7 and 46.93 (2) (intro.) and (2m) of the statutes and SECTION 9102 (1z) of this act take  
8 effect on July 1, 1996.

9 **SECTION 9404. Effective dates; agriculture, trade and consumer**  
10 **protection.**

11 (2) DAIRY TRADE PRACTICE FEE. The treatment of section 100.201 (6) of the  
12 statutes takes effect on July 1, 1995.

13 (3) FOOD REGULATION LAPSE. The treatment of section 20.115 (1) (gb) (by  
14 SECTION 476c) of the statutes and the repeal of section 20.115 (1) (f) of the statutes  
15 take effect on July 1, 1997.

16 (4) PESTICIDE CERTIFICATION AND LICENSING. The treatment of sections 25.465  
17 (7), 94.704 (3) (a) and 94.705 (1) (title) and (d) of the statutes takes effect on  
18 November 1, 1995.

19 (5) PLAT REVIEW TRANSFER. The treatment of sections 20.115 (7) (ig), and (8) (k)  
20 (by SECTION 489), 70.27 (5) and (8), 93.07 (22), 93.60 (by SECTION 3569) and 236.02  
21 (4) of the statutes and SECTION 9104 (3) of this act take effect on July 1, 1996.

22 **SECTION 9405. Effective dates; arts board.**

23 (1) ATTACHMENT OF ARTS BOARD. The treatment of section 20.505 (4) (h) (by  
24 SECTION 1074) of the statutes, the renumbering and amendment of section 15.105 (8)  
25 of the statutes and SECTION 9105 (1) of this act take effect on July 1, 1996.

1 (1m) FUNDING REPORT; ELIMINATION OF ARTS BOARD. The treatment of sections  
2 16.846 and 20.505 (1) (ks) and (kt) of the statutes, the repeal and recreation of section  
3 13.48 (10) (a) of the statutes and SECTIONS 9105 (3g) (b) and 9205 (1m) of this act take  
4 effect on July 1, 1997.

5 **SECTION 9406. Effective dates; banking.**

6 (1) SETTLEMENT APPROPRIATION. The renumbering and amending of section  
7 20.124 (1) (h) of the statutes takes effect on July 1, 1996.

8 **SECTION 9408. Effective dates; building commission.**

9 (1z) BONDING AUTHORITY. The treatment of section 20.866 (2) (s) (by SECTION  
10 1160h) of the statutes takes effect on July 1, 1997.

11 **SECTION 9409. Effective dates; child abuse and neglect prevention**  
12 **board.**

13 (1) RIGHT FROM THE START PROGRAM. The treatment of sections 20.433 (1) (c), (d)  
14 and (h) and 48.982 (7) (a) of the statutes and the amendment of section 69.22 (1) (c)  
15 (by SECTION 3343d) of the statutes takes effect on January 1, 1996.

16 **SECTION 9410. Effective dates; circuit courts.**

17 (1) SUPPORT OR MAINTENANCE FILING FEE. The treatment of section 814.61 (13)  
18 of the statutes and SECTION 9310 (1) of this act take effect on January 1, 1996.

19 (2) COURT SUPPORT SERVICES FEE. The treatment of sections 802.04 (1) and  
20 814.634 (1) of the statutes and the creation of section 814.634 (1) (b), (c) and (d) of the  
21 statutes take effect on October 1, 1995.

22 (3) AGE OF ADULT CRIMINAL JURISDICTION. The treatment of sections 48.02 (1),  
23 (2) and (3m), 48.12 (1) and (2), 48.255 (1) (intro.), 48.34 (10) (a), 48.35 (1) (c), 48.39,  
24 48.396 (1), 48.44 (title) and (1), 48.45 (1) (a) and (3), 48.537 (3) (a) 1. and 1m., 161.455  
25 (1), 161.46 (1), (2) and (3), 161.573 (2), 161.574 (2), 161.575 (1) and (2), 948.01 (1),

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1 948.35 (1) (a), 948.36 (1), 948.45 (1), 948.60 (title), (2) and (3), 948.61 (4) and 990.01  
2 (3) and (20) and subchapter IX (title) of chapter 48 of the statutes, the repeal and  
3 recreation of sections 46.26 (4) (a) and (7) (b) 2. and 48.355 (4) (b) of the statutes, the  
4 amendment of sections 20.410 (1) (hx) (by SECTION 787), 48.355 (4) (a) (by SECTION  
5 2465n), 48.366 (8) (by SECTION 2473), 48.48 (4m) (a) (by SECTION 2529) and (b) (by  
6 SECTION 2530) and (14) (by SECTION 2532) and 302.31 (by SECTION 6367) of the  
7 statutes and SECTION 9310 (5) of this act take effect on January 1, 1996, or on the day  
8 after publication, whichever is later.

9 (3x) EXHAUSTION OF ADMINISTRATIVE REMEDIES. The treatment of section 801.02  
10 (7) of the statutes takes effect on November 1, 1995.

11 (4q) SMALL CLAIMS COURT JURISDICTION. The treatment of section 799.01 (1) (c)  
12 and (d) (intro.) and (2) of the statutes takes effect on October 1, 1995.

13 (4t) YOUTHFUL OFFENDER PROGRAM. The treatment of sections 20.410 (1) (am),  
14 46.26 (4) (dr), 48.18 (2m), 48.33 (3m), 48.34 (4g), 48.537, 301.03 (9m) and 301.28 (1)  
15 of the statutes, the repeal and recreation of section 20.435 (3) (hm) and the  
16 amendment of sections 46.26 (3) (d) (by SECTION 2164m) and (4) (a) (by SECTION  
17 2171m), (b) 1. (by SECTION 2173m), (c) (by SECTION 2176m) and (cm) 1. (by SECTION  
18 2177m), 48.02 (15m) (by SECTION 2426m), 48.18 (5) (c) (by SECTION 2434m), 48.19 (1)  
19 (d) 6. (by SECTION 2435d), 48.205 (1) (c) (by SECTION 2436m), 48.208 (1) (by SECTION  
20 2437m), 48.23 (1) (a) (by SECTION 2442m), 48.34 (2m) (by SECTION 2451p), 48.345 (1)  
21 (a) (by SECTION 2464m), 48.355 (4) (a) (by SECTION 2465m) and (b) (by SECTION 2466d),  
22 48.365 (7) (by SECTION 2469m), 48.38 (3) (a) (by SECTION 2475m), 48.51 (1) (intro.) (by  
23 SECTION 2539m), 48.78 (3) (by SECTION 2614m), 227.03 (4) (by SECTION 6226), 304.06  
24 (1) (b) (by SECTION 6405), 946.42 (1) (a) (by SECTION 7233m), 946.44 (1) (a) (by SECTION

1 7234m) and (2) (d) (by SECTION 7234t) and 946.45 (1) (by SECTION 7235m) and (2) (d)  
2 (by SECTION 7235t) of the statutes take effect on December 1, 1995.

3 (4x) CIRCUIT COURT FORFEITURE FEES. The treatment of section 814.63 (1) (b) (by  
4 SECTION 7172d) and (5) (by SECTION 7172f) of the statutes and SECTION 9310 (4x) of  
5 this act take effect on October 1, 1995.

6 (5) EXTENDED JURISDICTION OF JUVENILE COURT. The treatment of sections  
7 48.243 (1) (b) and 48.366 (1) (a) (intro.), (b) and (c) of the statutes and SECTION 9310  
8 (7) take effect on July 1, 1996, or on the day after publication, whichever is later.

9 **SECTION 9411. Effective dates; conservation corps board.**

10 (1x) EDUCATION VOUCHERS. The renumber and amendment of section 16.20 (10)  
11 (g) 1. of the statutes and SECTION 9311 (1x) of this act take effect on July 1, 1996.

12 (1z) TRANSFER TO THE DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS. The  
13 treatment of sections 15.105 (18) (title), (a), (b), (c) and (d), 16.20 (title), (1) (intro.),  
14 (a) to (f) and (g), (2), (3), (3m), (4) (title), (b), (5), (6) (intro.), (a) to (d) and (e), (7) (title),  
15 and (b), (8) (title), (a), (b), (e) to (j) and (L), (9) (title), (10) (title), (b), (d) to (f), (g) (title),  
16 2. and 3. and (h), (11) (title), (b) and (e), (12) (title), (am), (b) and (c) and (13) (title)  
17 and (b), 20.399 (intro.), (1) (title), (j), (k) and (m), (2) (title), (a), (j), (k), (m) and (q) and  
18 (3) (title) and (g), 20.445 (6) (title), and 91.19 (6s) (a) (intro.) of the statutes, the  
19 renumbering of sections 16.20 (4) (a), (6) (dm), (8) (d) and (k), (8g), (8m), (9) (b), (10)  
20 (a), (c) and (fm) (intro.), 1. and 2., (11) (a), (c) and (d), (12) (a) and (13) (a) and 20.399  
21 (1) (b), (u), (v), (w) and (x) of the statutes, the renumbering and amendment of  
22 sections 16.20 (7) (a) and (am), (8) (c) and (9) (a), 20.399 (2) (ka) and 25.40 (2) (b) 13.  
23 of the statutes, the repeal and recreation of sections 15.105 (4) and 40.02 (25) (b) 2m.  
24 of the statutes, the amendment of section 303.066 of the statutes and SECTION 9111  
25 (1) of this act take effect on July 1, 1996.

1           **SECTION 9412.    Effective dates; corrections.**

2           (1) PRISON INDUSTRIES AT A CORRECTIONAL INSTITUTION FOR CHILDREN. The  
3 treatment of sections 301.03 (2), 303.01 (1) (b), (2) (e), (f) and (g), (4), (6) and (8),  
4 303.015 (1) (c), 303.06 (2), 303.215 and 303.22 of the statutes and the repeal and  
5 recreation of section 303.21 (1) (b) of the statutes take effect on January 1, 1996.

6           (2) PRISON INDUSTRIES. The amendment of section 303.01 (2) (em) of the  
7 statutes takes effect on January 1, 1996.

8           **SECTION 9413.    Effective dates; cost containment commission.**

9           (1) ELIMINATION OF CERTAIN FUNDING FOR COST CONTAINMENT COMMISSION AND  
10 COUNCIL. The treatment of sections 20.488 (1) (g) and (m) and 50.135 (2) (c) of the  
11 statutes and the amendment of section 20.488 (1) (h) of the statutes take effect on  
12 July 1, 1995.

13           **SECTION 9416.    Effective dates; development.**

14           (1) PUBLICATION AND SEMINAR FEES. The repeal and recreation of section 101.02  
15 (18) of the statutes takes effect on July 1, 1996.

16           (2) TRANSFER OF DIVISION OF TOURISM. The treatment of sections 13.625 (10),  
17 14.82 (1) (intro.), 14.85 (2), (8) (d) and (9), 15.02 (3) (c) 2m., 15.153 (2), 15.347 (8) (d)  
18 3. and (15) (a) 2., 15.435 (2), 15.44, 15.447 (title), 15.707 (1) and (2) (a) 2g. and 5. and  
19 (c), 16.967 (6), 19.44 (1) (g), 19.56 (2) (b) 6. and (3) (em) and (f), 19.575, 20.143 (2)  
20 (title), (a), (bm), (g), (k), (ka), (kb), (m), (n) and (o), 20.380 (intro.), (1) (kc), (3) (title),  
21 (a), (j), (k), (q) and (y) and (4) (g), 20.505 (3) (k), 20.866 (1) (u) (by SECTION 1160),  
22 20.923 (4) (f) 9., 27.01 (11) (i) (by SECTION 1501r), 29.155 (1m), 41.01, 41.21, 44.60 (4),  
23 93.40 (3) (b), 560.21, 560.23, 560.24, 560.25, 560.26, 560.29 and 560.31 (title) and (1)  
24 to (2m), chapter 41 (title), subchapter I (title) of chapter 41, subchapter II (title) of  
25 chapter 41 and subchapter II (title) of chapter 560 of the statutes, the renumbering

1 of section 560.31 (3) of the statutes, the renumbering and amendment of sections  
2 15.157 (2) and 20.143 (2) (b) of the statutes and SECTION 9116 (4) of this act take effect  
3 on July 1, 1996.

4 (3) AGENCY NAME CHANGE. The treatment of sections 20.143 (title) and 20.923  
5 (4) (f) 2m. of the statutes and SECTION 9116 (5) of this act take effect on July 1, 1996.

6 (4g) NEW DIVISIONS. The treatment of sections 15.153 (3) and (4) and 230.08 (2)  
7 (e) 3. of the statutes takes effect on July 1, 1996.

8 (4j) MINORITY BUSINESS PROJECTS. The repeal of section 20.143 (1) (km) of the  
9 statutes and the repeal and recreation of section 20.143 (1) (ie) of the statutes take  
10 effect on July 1, 1997.

11 (4m) ENTERPRISE DEVELOPMENT ZONES. The amendment of section 560.797 (2) (a)  
12 4. c. of the statutes takes effect on January 1, 1996.

13 (6t) MEXICO TRADE OFFICE. The repeal of section 20.143 (1) (bs) of the statutes  
14 takes effect on July 1, 1997.

15 **SECTION 9420. Effective dates; employment relations commission.**

16 (2) UNIVERSITY OF WISCONSIN HOSPITALS AND CLINICS AUTHORITY COLLECTIVE  
17 BARGAINING. The repeal of section 111.81 (7) (d) of the statutes and the repeal and  
18 recreation of sections 111.81 (15) (a) (intro.) and (b) (intro.), 111.815 (1), 111.825 (1)  
19 (intro.), 111.85 (4), 111.86 (1), 111.90 (1) and (2) and 111.91 (2) (a) of the statutes take  
20 effect on July 1, 1997.

21 (2g) TRANSCRIPT, FACT-FINDING, MEDIATION AND ARBITRATION FEES.

22 (a) The treatment of sections 20.425 (1) (i), 111.09 (1) and (2), 111.10, 111.71 (1)  
23 and 111.94 (1) and (2) of the statutes and the repeal and recreation of section 111.71  
24 (2) (by SECTION 3803t) of the statutes take effect on January 1, 1996.

25 **SECTION 9422. Effective dates; ethics board.**

1 (1) LOBBYING REGULATION FEES. The treatment of sections 13.63 (1) and 13.75  
2 (1), (1m), (2) and (4) of the statutes takes effect on January 1, 1997.

3 **SECTION 9423. Effective dates; gaming commission.**

4 (2p) GAMING COMMISSION REORGANIZATION. The treatment of sections 13.94 (1)  
5 (eg) and (em) and (1s) (b) and (bm), 15.06 (1) (f), 15.07 (1) (cm) (by SECTION 95m),  
6 15.433, 15.64, 15.643 (1), (2), (3) and (4), 15.647 (1), 16.71 (3), 16.72 (4m), 16.84 (3)  
7 (by SECTION 391r), 20.197 (1) (g) (intro.) (by SECTION 543m), (h) (by SECTION 544m),  
8 (j) (by SECTION 545m) and (q) and (2) (title), (r), (s) and (v), 20.566 (8) (title) and (q),  
9 20.765 (3) (ka), 20.923 (4) (e) 2m., 25.75 (1) (am), (2) and (3) (b) 1., 71.02 (1), 71.04 (1)  
10 (a), 71.67 (4) (a), 71.78 (4) (L), 77.61 (5) (b) 9., 165.25 (4) (a), 230.08 (2) (e) 11. and (gm)  
11 and (4) (a), 561.01 (4), 561.02 (2) and (2m), 561.03, 561.06 (1), 561.10, 565.01 (1), (2),  
12 (4c) (a) and (b), (6) and (6m) (b) 9. (intro.) and 11., 565.017, 565.02 (1) (a), (b) 4. and  
13 (c), (2) (a), (b) (by SECTION 6978b), (c) 3. and (d), (2r), (3) (intro.) and (b) 6., (4) (intro.),  
14 (6) and (7), 565.05 (1) (intro.) and (a), 565.10 (1), (3) (c) 4., (4) (b) (intro.), (5) (a) and  
15 (b), (7) (b), (8), (8m), (11), (14) (b) (by SECTION 6979m) and (15), 565.12 (1) (intro.) and  
16 (e), (2) and (3), 565.15, 565.17 (1), (2) and (5) (title) and (a), 565.25 (1m) (by SECTION  
17 6981b), (2) (a) 4. (intro.), 6. and 7., and (4), 565.27 (1) (intro.) and (2) (a) and (b) 4.,  
18 565.30 (1) and (4m), 565.32 (1) and (3) (a) (intro.), 565.37 (1), (2), (3), (4), (5) and (6),  
19 565.40 (1), 565.45, 565.46 and 945.095 (1) (d), (f), (g) and (h) of the statutes and the  
20 renumbering and amendment of section 561.02 of the statutes take effect on July 1,  
21 1996.

22 **SECTION 9426. Effective dates; health and social services.**

23 (2) FEES FOR PLAN REVIEWS OF HOSPITALS AND NURSING HOMES. The treatment of  
24 sections 20.435 (1) (j), 50.02 (2) (b) and 50.36 (2) of the statutes and SECTION 9126  
25 (2) of this act take effect on October 1, 1995.

1 (4) ASSISTED LIVING FACILITIES. The treatment of sections 46.27 (11) (c) 7.,  
2 46.277 (5) (e), 49.45 (2) (a) 23., 49.45 (6m) (L), 50.01 (1d), (1g) (f) and (3) (e) and 50.034  
3 of the statutes takes effect on July 1, 1996.

4 (5) YOUTH AIDS CARRY-OVER. The amendment of section 46.26 (3) (dm) and (em)  
5 of the statutes takes effect on January 1, 1996.

6 (6) JUVENILE CAPACITY BUILDING. The amendment of section 46.263 (1), (2) and  
7 (3) of the statutes takes effect on January 1, 1996.

8 (7) UNENCUMBERED CHILD CARE FUNDS. The renumbering and amendment of  
9 sections 20.435 (6) (jg) and 49.50 (6e) (b) of the statutes takes effect on July 1, 1996.

10 (8) MEDICAL ASSISTANCE SCHOOL SERVICES. The treatment of sections 49.45 (39)  
11 and 49.46 (2) (b) 14. of the statutes and SECTION 9126 (7) of this act take effect on  
12 August 1, 1996.

13 (9) MEDICAL ASSISTANCE SUPPLEMENT FOR EMOTIONALLY DISTURBED NURSING HOME  
14 RESIDENTS. The treatment of section 49.45 (6m) (ar) 1. c. of the statutes takes effect  
15 on July 1, 1997.

16 (10) REIMBURSEMENT REDUCTIONS FOR STATE CENTERS FOR THE DEVELOPMENTALLY  
17 DISABLED. The treatment of section 49.45 (6b) (a), (b) and (c) of the statutes takes  
18 effect on July 1, 1995.

19 (12) AID TO FAMILIES WITH DEPENDENT CHILDREN MATERNITY BENEFITS. The  
20 treatment of section 49.19 (4) (g) 1. and 2. of the statutes and SECTION 9326 (9) of this  
21 act take effect on the first day of the first month beginning after publication.

22 (13) RELIEF BLOCK GRANTS AND OTHER COUNTY RELIEF PROGRAMS. (a) The  
23 treatment of sections 16.20 (1) (fm) (by SECTION 239f), 16.352 (5) (a) and (b), 20.435  
24 (1) (bs), (bt) and (bu), 29.544 (3), 46.032, 46.208, 46.21 (1) (d), 46.215 (1) (fm), 46.23  
25 (2) (a), 46.254 (1) (by SECTION 2145), (2) (by SECTION 2148) and (3) (a) (by SECTION

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1 2152), 49.01 (2), (2g), (3), (3m) (b), (5r), (8p), (9) and (10), 49.015 (title), (1) (a) and  
2 (b) (intro.), 1., 2., 3., and 4., (2) (a) and (c), (3) (title) and (a) and (4), 49.02 (title), (1),  
3 (1e), (2), (2r), (4), (5) (title), (am), (ar), (b), (c), (cr), (cw), (d), (e) and (g), (6), (6c), (6g),  
4 (6r), (7), (7m), (8), (9), (10) (b) and (c), (11) and (12), 49.025, 49.027, 49.029, 49.031,  
5 49.035, 49.043, 49.046 (title), (1) (intro.), (a) and (b), (2), (3), (4) and (5), 49.047,  
6 49.048, 49.049, 49.05, 49.055, 49.057, 49.06, 49.08 (by SECTION 2766), 49.083, 49.12  
7 (title), (1), (2), (3), (4m) (intro.), (a) (by SECTION 2776) and (b), (5), (6), (7), (8), (9), (10)  
8 and (11), 49.123 (title), (1) and (2), 49.13 (title), (1), (2), (3) (intro.), (a) and (b), (4) and  
9 (5), 49.15 (2), 49.17 (2), 49.19 (16), 49.27 (4) (d) 2. b., 49.29 (title), 49.30 (1) (intro.)  
10 (by SECTION 2921), 49.45 (2) (b) 4., (6y) (title) and (a) (by SECTION 2985e), (6z) (title)  
11 and (a) (intro.) and (11), 49.46 (2) (d), 49.50 (11), 49.51, 49.53 (4), 49.90 (6), 59.07 (98),  
12 (109) and (154), 71.52 (6), 71.54 (2) (a) (intro.), 71.93 (1) (a) 3. (by SECTION 3427),  
13 101.38 (1) (g) (by SECTION 3722), 106.215 (1) (fm) (by SECTION 3771), 118.17, 146.89  
14 (3) (d) 1. and 4., 252.08 (3), 756.04 (2) (am) 1. f. (by SECTION 7073), 812.30 (9), 812.44  
15 (4) and (5) and 814.29 (1) (d) 1. of the statutes, the repeal of sections 46.22 (1) (b) 4.,  
16 49.002 (1), 49.01 (5m), 49.015 (2) (b), 49.02 (1m), (3) and (6m), 49.032, 49.037, 49.053  
17 and 142.07 (4) (a) of the statutes, the renumbering and amendment of sections 49.002  
18 (2), 49.015 (3) and 49.02 (10) (a) of the statutes, the amendment of sections 20.435  
19 (4) (de), 46.032, 46.033 (1) (a), 46.22 (1) (b) 14., 49.41, 49.52 (1) (ad) 2., 49.53 (1m) and  
20 (2) (a), 49.65 (7) (c), 49.70 (2) and 632.72 (1g) (b) of the statutes, the creation of  
21 sections 49.01 (7m), 49.015 (1) and 49.035 (4) (title) and (a) of the statutes and  
22 SECTION 9326 (11), (12), (13), (14), (15), (16), (17), (18) and (19) of this act take effect  
23 on January 1, 1996.

24 (b) The treatment of section 20.435 (1) (c) and (cb) of the statutes takes effect  
25 on August 1, 1996.

1           (14) TRANSFER OF CERTAIN PUBLIC ASSISTANCE PROGRAMS TO THE DEPARTMENT OF  
2 INDUSTRY, LABOR AND HUMAN RELATIONS. The treatment of sections 13.101 (6) (a), 13.94  
3 (4) (a) 1. and (b), 16.20 (1) (fm) (by SECTION 239h), 16.339 (1) (a) 3., 16.39 (3) and (4)  
4 (b), 16.54 (2) (b), 20.435 (1) (am), (e) (by SECTION 814), (im) and (o), (3) (ma), (mb), (mc),  
5 (md), (na) and (nL), (4) (title), (a), (br), (cn), (cr), (dc), (dg), (dn), (ds), (i), (jb), (kx), (ky),  
6 (kz), (m), (ma), (mb), (mc), (md), (n), (na) and (nL) and (7) (b) and (ed), 20.445 (3) (br),  
7 (i), (m), (ma), (mb), (mc), (md), (n), (na) and (nL), 20.505 (7) (km), 20.512 (1) (i), 38.28  
8 (1m) (a) 1. (by SECTION 1812), 46.011 (intro.), 46.03 (8), (18) (a), (20) (a) and (d), (23),  
9 (35) and (36), 46.031 (2g) (b), 46.032 (title), 46.033 (title), (1) (intro.) and (b) and (2),  
10 46.036 (1) (by SECTION 2051), 46.10 (2) (by SECTION 2055), 46.175, 46.18 (13), 46.206,  
11 46.21 (2m) (c) and (7), 46.215 (1) (intro.), (d), (j), (L) and (n), (2) (b) and (3), 46.22 (1)  
12 (am), (b) (intro.), 1., 5., 6., 7., 8., 9., 10., 12., 13., 14. and 15., (d) and (e) 1. and 2., (2)  
13 (b), (2g) (d) and (3m) (a) and (b) 12. and 17. b., 46.23 (3) (a), (am) 4., (c) and (e), (5)  
14 (b), (5m) (c), (6) (a) (intro.) and 3., (6m) (a) and (7), 46.253 (title), (1), (2), (3), (4), (5),  
15 (6) and (7), 46.254 (title), (1) (by SECTION 2146), (2) (by SECTION 2149), (3) (intro.), (a)  
16 (by SECTION 2153), (b) to (e) and (f), (4) and (5), 46.26 (2) (a) and (4) (f), 46.27 (4) (c)  
17 4., (5) (i) and (7) (am) (by SECTION 2224) and (c) 2., 46.275 (1m) (a) and (5) (b) 2., 46.277  
18 (1m) (a), 46.278 (1m) (b), 46.30 (3) (a) 1. and (4) (a) and (cm), 46.32, 46.40 (2) (by  
19 SECTION 2281s), 46.45 (intro.), 46.75 (2) (a), 46.765 (2) (intro.), 46.77, 46.94, 46.985  
20 (2) (a) 4., 48.06 (1) (b) and (4), 48.57 (3) (a) (intro.) and 3. and (b), 49.001 (1), (2), (3),  
21 (4) and (5m), 49.01 (intro), (1), (1m), (4), (5), (5g), (6), (6m), (7), (8g), (8j), (8m) and (8r),  
22 49.035 (4e) (a) (by SECTION 2735) and (b) (by SECTION 2737) and (6m) (by SECTION  
23 2746), 49.085, 49.11, 49.125 (1), 49.133 (title), (1), (2), (3) and (5), 49.14 (title), (1), (2),  
24 (3), (4) and (5), 49.15 (title), (1) and (3), 49.16 (title), (1), (2) and (3), 49.17 (title), (1)  
25 and (3), 49.171 (title), (1), (2), (3) (intro.), (a) and (b) and (4), 49.172, 49.173, 49.174,

1 49.175 (title), (1), (2), (3), (4) and (6), 49.178, 49.19 (5) (cm) 3. d., (10) (a) and (11) (a)  
2 1. a. (intro.) (by SECTION 2865b) and (b) (intro.) (by SECTION 2865n), 49.191 (title),  
3 49.193 (2) (b) 2., (8) (bm) and (c), (9) and (10m), 49.195 (3), 49.197 (1m), (3) and (4),  
4 49.20 (3), 49.21 (title), 49.27 (2), (4) (g) 1. a. (by SECTION 2906) and c., (5) (c) 3. and  
5 5. and (f), (6) (c) and (11) (c) and (g), 49.275, 49.30 (1) (intro.) (by SECTION 2922), 49.32  
6 (title), (1), (2), (6), (8), (9) (title), (10) (title) and (11), 49.325, 49.33 (1) (intro.), (3)  
7 (title), (9) and (10), 49.34, 49.35, 49.43 (1), (3e), (10) and (10s), 49.45 (2) (a) 15., (3)  
8 (a), (5), (6m) (br) 1. and (h), (6u) (intro.) and (b) 2. and 2m., (6w) (intro.), (a) 2. and  
9 (b) 2. b., (7) (d) 4., (34) and (40), 49.46 (1) (a) 4., (d) 4. and (e), 49.47 (4) (c) 1., 49.48  
10 (title), (1), (1m), (2) and (3) (title), (a), (b), (c), (d) and (e), 49.483 (title), (1) and (2),  
11 49.485 (title), (1), (2), (4), (5), (6), (7) (title), (a) 1., 2., 4. and 5. and (b) and (8), 49.487  
12 (title), (1) and (2), 49.495, 49.496 (4) and (5), 49.50 (title), (2), (3), (4), (5), (6), (6e)  
13 (title) and (a), (6g), (6k) (a) and (b), (6n), (9) and (10), 49.52 (title), (1) (am), (b), (d),  
14 (dc), (f) and (g), (2), (4) and (5), 49.53 (title), (2) (b) and (c) and (3), 49.54, 49.65 (title),  
15 (1), (2), (4), (5), (6), (7) (title), (a), (b), (d) and (e), (8) and (9) (intro.), (a), (b) and (c),  
16 49.66, 49.80 (title), (1), (2) (title), (a) and (b), (3) (intro.), (b), (c), (d) and (e) (intro.),  
17 1., 3., 6. and 7., (4) (title), (a) and (b), (5) (intro.), (b), (c) and (d), (6), (7) and (8), 49.82  
18 (title), (2) (b), (3) (b) and (4) (b), 49.84 (2) and (5), 49.86, 49.89 (7) (bm) and (d) 2., 49.90  
19 (1) (b), (2g) and (4), 49.95 (4m) (a), 50.03 (14) (b), 50.037 (3), 50.135 (1), 50.39 (3), 51.01  
20 (14), 51.42 (3) (e), 51.421 (1), 51.423 (5) (a) (intro.), 55.06 (8) (intro.), 59.07 (153)  
21 (a) and (b), 59.15 (2) (c), 71.05 (3), 71.26 (1) (e), 71.93 (1) (a) 3. (by SECTION 3428) and  
22 4., 101.123 (1) (b), 101.30, 101.38 (by SECTION 3721), 101.40, 101.42, 101.43, 108.02  
23 (13) (k), 115.347, 118.125 (2) (i) and (5) (b), 118.28, 119.82 (1) (a) 3., 146.89 (3) (d) 2.,  
24 150.84 (2), 155.01 (6), 175.45 (9), 230.08 (2) (e) 5., 230.147 (1) and (2), 230.45 (1) (e),  
25 252.076 (3), 252.14 (1) (d), 253.085 (1), 255.05 (1) (a), 302.38 (3), 456.01 (2), 560.73

1 (1) (i) 1. and 2., 560.75 (11), 601.57 (1) (a), 609.65 (1) (b) (intro.), 619.10 (6), 619.12  
2 (3) (b), 632.895 (3), 705.04 (2g) (by SECTION 7065c), 756.04 (2) (am) 1. f. (by SECTION  
3 7074), 767.078 (1) (d) 1. and 3., 767.10 (2) (b), 767.25 (4m) (a) and (e) 1., 767.29 (2),  
4 767.295 (2) (a) (intro.) (by SECTION 7106) and 2., 767.51 (3m) (a) and (e) 1., 769.316  
5 (4), 803.03 (2) (a), 815.18 (13) (a), 859.02 (2) (a) (by SECTION 7190c), 859.07 (2) (by  
6 SECTION 7191c), 867.01 (3) (a) 4. (by SECTION 7193c) and (3) (d) (by SECTION 7194c),  
7 867.02 (2) (a) 6. (by SECTION 7195c), 867.03 (1) (c) (by SECTION 7197c) and (1m) (a) (by  
8 SECTION 7198c) and (b) (by SECTION 7199c), 867.035 (1) (intro.) (by SECTION 7200c) and  
9 (4) (by SECTION 7206c), 880.195, 905.15 (1), 948.45 (2) and 978.05 (4m) of the statutes,  
10 the repeal of section 49.50 (1) (title) and (11) and the unnumbered subchapter titles  
11 preceding sections 49.001, 49.19, 49.43 and 49.50 of the statutes, the renumbering  
12 of sections 20.435 (4) (e) and (eb), 46.22 (1) (b) 2. and 14., 49.01 (7m), 49.177, 49.482  
13 (title), (1) (intro.), (b) and (c), (2) (b) to (f) and (4) (b) and (5), 49.486, 49.50 (6k) (title)  
14 and (8), 49.53 (2) (a), 49.65 (3m) (title), (a), (b) and (c) 1. to 4., 49.70 and 49.80 (3) (e)  
15 2. of the statutes, the renumbering and amendment of sections 20.435 (4) (d), (de),  
16 (df), (dk), (L), (Lm) and (p), 46.032, 46.033 (1) (a), 46.215 (2) (a) and (c), 46.22 (1) (b)  
17 3. and (e) 3., 46.23 (5) (a), (c) and (n), 46.25 (12) (a) (intro.) and (b), 46.31, 49.001  
18 (intro.), 49.41, 49.482 (1) (a), (2) (a), (3) and (4) (a), 49.50 (1) and (6k) (c), 49.52 (1) (ad),  
19 49.53 (1m) and 49.65 (3), (3m) (c) (intro.) and (7) (c) of the statutes, the amendment  
20 of sections 20.435 (6) (ee), 49.02 (5) (bm), 49.035 (1m), 49.497 (2m), 560.795 (3) (e),  
21 560.797 (4) (e) and 767.295 (2) (a) 1m. of the statutes and the creation of sections  
22 46.215 (2) (a) 2. and (c) 2., 46.22 (1) (b) 2., 3. and 4m. and (e) 3. b., 46.23 (5) (a) 2., (c)  
23 2. and (n) 2., 49.001 (intro.) and 49.124 (2) (title) and (3) (title) and subchapters I  
24 (title), II (title), III (title), IV (title), V (title) and VI (title) of chapter 49 of the statutes  
25 and SECTION 9126 (15) and (27) of this act take effect on July 1, 1996.

1 (15) VOCATIONAL REHABILITATION. The treatment of sections 15.105 (22), 20.435  
2 (5) (title), (a), (d), (e), (gg), (gp), (h), (hd), (hh), (i), (kx), (ky), (kz), (m), (ma), (n) and  
3 (nL), (7) (bm) and (7) (kc) (by SECTION 956) and (kd), 20.445 (5) (he), (i), (m), (ma), (n)  
4 and (nL), 36.11 (6) (a) 2., 38.30 (1) (b), 40.02 (25) (a) 3. and (54) (f), 45.35 (9), 45.397  
5 (2) (a), 46.016, 46.02, 46.03 (12), 46.293 (title), 46.295 (title), 46.56 (14) (a) (intro.),  
6 46.96 (2) (by SECTION 2350), 47.01 (1m), 47.02 (1m), (4) (a) and (b) and (6), 47.03 (1),  
7 (2), (4) (b), (7) and (10), 47.20, 47.25, 49.45 (25) (bg), 84.25 (11), 102.42 (9) (b) and  
8 102.61 (1m) (a) of the statutes, the renumbering of section 20.435 (5) (bm) of the  
9 statutes, the renumbering and amendment of section 20.435 (5) (na) of the statutes,  
10 the amendment of section 47.03 (11) (e) of the statutes and SECTION 9126 (17) and (18)  
11 of this act take effect on July 1, 1996.

12 (16) AGENCY NAME CHANGE. SECTION 9126 (19) of this act takes effect on July  
13 1, 1996.

14 (17) STATE ADMINISTRATION OF THE STATE SUPPLEMENT TO THE FEDERAL  
15 SUPPLEMENTAL SECURITY INCOME PROGRAM.

16 (a) The renumbering and amendment of section 49.177 (2) (a) 3. and (b) of the  
17 statutes, the amendment of section 49.177 (3g) of the statutes and the creation of  
18 sections 20.435 (6) (ee) and 49.177 (2) (a) 3. a. and b. of the statutes take effect on  
19 January 1, 1996.

20 (b) The repeal of section 20.435 (6) (ed) of the statutes takes effect July 1, 1996.

21 (18) APPROPRIATION DESIGNATION CHANGES. The treatment of sections 20.435 (6)  
22 (cf), (dg), (jj), (km) and (kx) and (7) (bt), (cb), (co), (dd), (hh) and (pd), 46.45 (1), 46.56  
23 (15) (a), 46.95 (2) (a) and (f) (intro.), 46.979 (2) (c) (intro.), 46.987 (2) (a), (3) (a) and  
24 (4) (intro.), 46.995 (2) (intro.) and (3), 46.997 (2) (intro.), 48.07 (1), 48.48 (12) (a),  
25 48.551 (1), 48.627 (2) (c), (2c), (2m), (2s) (intro.), (3) (f) and (4), 48.985 (4), 51.44 (3)

1 (a) and 973.055 (3) of the statutes, the repeal and recreation of sections 46.979 (2) (b)  
2 1., 46.996 (intro), 48.48 (14) and 48.985 (1) of the statutes, the renumbering of  
3 sections 20.435 (7) (eg) and (kb) and 46.986 (2) (d) of the statutes, the repeal of section  
4 20.435 (7) (ie) of the statutes and the amendment of sections 20.435 (1) (b) (by  
5 SECTION 808) and 46.485 (2g) (intro.) of the statutes take effect on July 1, 1996.

6 (19t) TRANSFER OF JUVENILE CORRECTIONAL SERVICES. The treatment of sections  
7 20.410 (1) (title) and (3), 20.435 (3) (a), (am), (at), (e), (ej), (hr), (j), (jk), (jr), (k), (o) and  
8 (oo) and (9) (i), 20.505 (6) (g) (by SECTION 1087x), 20.916 (3), 25.31 (3), 46.001, 46.016,  
9 46.027, 46.03 (1), (4) (b) 1., (6), (7) (a), (am) and (e), (13), (17) (c) and (32), 46.039,  
10 46.049, 46.16 (1), 46.21 (2) (j), 46.215 (2) (a) 3. and (c) 3., 46.22 (1) (b) 5m., (c) 8. d. and  
11 (e) 3. c., 46.23 (5) (a) 3., (c) 3. and (n) 3., 46.26 (title), (1), (2) (title), (a), (b) and (c), (2m),  
12 (3) (title), (a), (c) and (e), (4) (title), (bm), (cm) 2. and 3., (d) 1., 1m. and 4., (dm), (dt),  
13 (e), (ed), (eg), (f) and (g), (6), (7) (b) 4. and 5. and (8) (title), 46.265 (title), (1) and (3),  
14 48.023 (4), 48.069 (1) (intro.) and (2), 48.08 (2) and (3) (a) (intro.), 48.18 (2r), 48.20  
15 (2) (cm) and (7) (c) 1m., 48.33 (1) (intro.) and (3r), 48.34 (2), (4h) and (4n) (a), 48.357  
16 (4) (b), (4d), (4g) (a) and (b), (4m) and (5) (a) and (g), 48.36 (1), 48.366 (5) (a) 2., (b)  
17 (intro.), (d) 1. and 2. and (f), (6) (a) 2., (b) and (c) 1. and 2. and (7), 48.38 (1) (a), 48.396  
18 (2) (b), 48.48 (intro.), (1), (3), (4), (4m) (intro.), (c) and (d), (5), (6), (13) and (16), 48.49,  
19 48.50, 48.51 (title), (1) (a), (b) and (c), (2) and (3), 48.52 (title), (1) (d) and (2) (a) and  
20 (c), 48.53, 48.534 (2), 48.535, 48.538, 48.54, 48.553, 48.554, 48.555, 48.556, 48.557,  
21 48.558, 48.559, 48.57 (1) (g) and (4), 48.60 (3), 48.63 (1), 48.64 (1), 48.78 (1) and (2)  
22 (c), (d) (intro.), (e) and (f), 48.79 (intro.), (1), (2), (3) and (11), 48.795, 48.985 (3), 48.992  
23 (1) (a), 48.993, 48.994, 48.995 (2), 48.19 (1) (a) 2. b. and (10) (d), 51.35 (3) (a) and (e),  
24 51.437 (4rm) (a), 115.85 (2m), 165.87 (1) (bn) (by SECTION 4460em), 301.01 (4),  
25 301.025, 301.026, 301.027, 301.03 (9m) and (10), 301.031, 301.032, 301.07, 301.08 (2)

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1 (a), 301.085, 301.12, 301.20, 301.201, 301.205, 301.26, 301.263, 301.265, 301.27 (1),  
2 301.32 (title) and (1), 301.36 (1) and (5), 302.18 (7), 440.61 (2), 946.44 (2) (c), 946.45  
3 (2) (c), 946.46, 948.31 (1) (a) 2. and 973.013 (3m) of the statutes, the repeal and  
4 recreation of sections 16.51 (7), 16.75 (1) (a) 1., 48.02 (15m), 48.18 (5) (c), 48.19 (1) (d)  
5 6., 48.20 (8), 48.205 (1) (c), 48.208 (1), 48.23 (1) (a), 48.34 (2m), (3g) and (4n) (intro.),  
6 48.345 (1) (a), 48.355 (4) (a), 48.365 (7), 48.366 (8), 48.38 (3) (a), 48.396 (2) (e), 48.505,  
7 48.532 (1) and (2), 48.533 (2) and (3), 48.78 (3), 59.175, 227.03 (4), 230.13, 302.31,  
8 304.06 (1) (b), 946.42 (1) (a), 946.44 (1) (a) and (2) (d), and 946.45 (1) and (2) (d) of the  
9 statutes, the repeal of sections 20.410 (1) (hx), 20.435 (3) (c), (cd), (f), (hm), (ho) and  
10 (p), 46.26 (3) (d), (dm) and (em), (4) (a), (b) 1., (c), (cm) 1., (d) 2. and 3., (g) and (h), (7)  
11 (intro.), (a), (b) 1. and 2., (bn), (e) and (h) and (8) (a) and (b), 46.263 (title), (1), (2) and  
12 (3), 46.265 (2), 48.48 (4m) (a) and (b) and (14) and 48.51 (1) (intro.) of the statutes,  
13 the renumbering and amendment of sections 48.357 (4) and 301.06 of the statutes,  
14 the amendment of sections 46.043, 48.355 (4) (b) (by SECTION 2466m) and 48.532 (3)  
15 (by SECTION 2545m) of the statutes and SECTIONS 9112 (1x), 9126 (23), 9226 (1y) and  
16 9310 (6d) of this act take effect on July 1, 1996.

17 (20) SPOUSAL IMPOVERISHMENT UNDER THE MEDICAL ASSISTANCE PROGRAM. The  
18 treatment of section 49.455 (4) (c) and (d) and (6) (b) 1., 1m. and 2. of the statutes  
19 takes effect on January 1, 1996.

20 (23) ADOPTION SEARCHES. The treatment of sections 48.432 (2) (a) and (b), (3)  
21 (a) (intro.), (b) and (c), (4) (a), (b), (d), (f) and (g), (8m) (intro.) and (9) and 48.433 (2),  
22 (3) (intro.), (4), (5) (intro.) and (a), (6) (a), (b) and (d), (7) (b), (c) and (e), (8) (a) (intro.)  
23 and (b), (8m) and (11) of the statutes takes effect on June 30, 1996, or on the day after  
24 publication, whichever is later.

1           (24) CORRECTIONAL SERVICES FOR VIOLENT OFFENDERS. The treatment of sections  
2           20.435 (3) (cg) and 46.26 (3) (c), (dd), (de) and (dg) and (4) (cm) of the statutes and the  
3           repeal and recreation of sections 20.410 (1) (hx), 20.435 (3) (hm) and 46.26 (4) (a) of  
4           the statutes take effect on July 1, 1996, or on the day after publication, whichever  
5           is later.

6           (24g) ESTATE RECOVERY OF DISEASE AIDS COSTS. The treatment of sections 49.482  
7           (by SECTION 3044b), 705.04 (2g) (by SECTION 7065b), 859.02 (2) (a) (by SECTION 7190b),  
8           859.07 (2) (by SECTION 7191b), 867.01 (3) (a) 4. (by SECTION 7193b), 867.01 (3) (d) (by  
9           SECTION 7194b), 867.02 (2) (a) 6. (by SECTION 7195b), 867.03 (1) (c) (by SECTION 7197b)  
10          and (1m) (a) (by SECTION 7198b) and (b) (by SECTION 7199b) and 867.035 (title), (1)  
11          (intro.) (by SECTION 7200b) and (4) (by SECTION 7206b) of the statutes takes effect on  
12          September 1, 1995.

13          (25) YOUTH AIDS RATE ASSESSMENTS. The treatment of section 46.26 (3) (d) and  
14          (4) (b) 1. and 2., (bm), (c), and (d) 1. and 1m. of the statutes and the repeal of section  
15          46.26 (7) (f) of the statutes take effect on July 1, 1996, or on the day after publication,  
16          whichever is later.

17          (26q) TRANSFER OF OLDER AMERICAN COMMUNITY SERVICE EMPLOYMENT PROGRAM.  
18          The treatment of section 46.80 (2m) (c) of the statutes and SECTION 9126 (27q) of this  
19          act take effect on July 1, 1996.

20          (26x) LEARNFARE PROGRAM. The treatment of sections 20.435 (4) (pm) and (ps),  
21          46.03 (38), 46.62 (title), (1), (2), (3) and (4), 49.26 (1) (a) 1., (ge) and (h) 1. am. and as.  
22          and 1m. a., b. and c., 49.50 (7) (a) (intro.) and 1. to 4., (e), (g), (gm), (h), (hr), (i) and  
23          (j) of the statutes takes effect on July 1, 1996.

24          (28g) COMMUNITY OPTIONS PROGRAM ASSESSMENT AND CASE PLAN FEES. The  
25          treatment of section 46.27 (6) (a) 1., (b) (intro.) and (c) and (7) (am) (by SECTION 2223t)

1 of the statutes and SECTION 9326 (24g) and (24h) of this act take effect on January  
2 1, 1996.

3 (28h) RECOVERY OF CERTAIN COMMUNITY OPTIONS PROGRAM COSTS. The treatment  
4 of sections 46.27 (7g), 705.04 (2g) (by SECTION 7065bm), 859.02 (2) (a) (by SECTION  
5 7190bm), 859.07 (2) (by SECTION 7191bm), 867.01 (3) (a) 4. (by SECTION 7193bm),  
6 867.01 (3) (d) (by SECTION 7194bm), 867.02 (2) (a) 6. (by SECTION 7195bm), 867.03 (1)  
7 (c) (by SECTION 7197bm) and (1m) (a) (by SECTION 7198bm) and (b) (by SECTION  
8 7199bm) and 867.035 (title) and (1) (intro.) (by SECTION 7200bm) of the statutes takes  
9 effect on January 1, 1996.

10 (29g) TRANSFER OF LABORATORY CERTIFICATION. The treatment of sections 20.115  
11 (1) (gb) (by SECTION 476cb), 20.435 (1) (gm) (by SECTION 816m), 144.95 (2) (a) and (b)  
12 and (5) (a) and 252.22 (title), (1) to (3), (4), (5), (6), (7), (8) and (9) of the statutes and  
13 SECTIONS 9126 (31g) and 9326 (26g) of this act take effect on July 1, 1996.

14 (30g) TRANSFER OF CHILD SUPPORT AND PATERNITY PROGRAMS TO THE DEPARTMENT  
15 OF REVENUE. The treatment of sections 20.445 (1) (k), 20.566 (4) (title), (a), (i), (jb),  
16 (kx), (ky), (kz), (n) and (nL), 20.855 (7) (j), 21.49 (2) (e), 36.11 (6) (b), 36.25 (14), 36.34  
17 (1) (b), 45.25 (4) (b), 45.351 (2) (c), 45.356 (6), 45.396 (6), 45.74 (6), 46.03 (7) (b) and  
18 (bm), 46.10 (14) (b), 46.25 (title), (1), (2) to (7) and (7m) to (11) (by SECTION 2129m),  
19 46.255 (title), (1), (2), (2m), (3), (4), (4m) (a), (b), (c) and (d), (5), (6) and (7), 46.258  
20 (title), (1) (by SECTION 2158b), (2) (a) (intro.) (by SECTION 2160b), and 1. to 3. and (b),  
21 48.025 (1) and (3), 48.30 (6), 48.31 (7), 48.357 (5m), 48.363 (1), 49.25 (8) (a) (by  
22 SECTION 2896b) and (b) (by SECTION 2898b), 49.27 (10) (e) (by SECTION 2915b), 49.90  
23 (2), 59.07 (97), 59.395 (7), 59.458 (2), 69.03 (14), 69.15 (3) (b) 3., 71.75 (1) (by SECTION  
24 3419p) and (9) (by SECTION 3420p), 71.78 (4) (g), 71.80 (3) (by SECTION 3423mp), (3m)  
25 (a) (by SECTION 3423sc) and (b) 2. (by SECTION 3423tm), 71.88 (1) (a) (by SECTION

1 3424ds), 71.93 (1) (a) 2., 73.03 (51) and (52), 73.25 (1), 73.253, 77.59 (5), 108.13 (4)  
2 (b) and (f), 144.25 (8) (L), 145.245 (5m) (b), 234.04 (2), 234.49 (1) (c), 234.59 (3) (c),  
3 234.65 (3) (f), 234.90 (3) (d) and (3g) (c), 234.905 (3) (d), 343.15 (2) (a), 565.30 (5) and  
4 (5m), 767.001 (1) and (1d), 767.02 (3), 767.045 (1) (c) 1. and 2., 767.075 (1) (a) and (b)  
5 and (2) (a) and (b), 767.077 (intro.), 767.08 (3), 767.085 (1) (g), (2) (b), (2m) (a) 2. and  
6 (5), 767.13 (7), 767.15 (2), 767.23 (1n), 767.24 (6) (b), 767.25 (1g), (1j) and (4m) (d) 2.,  
7 767.262 (1) (b) and (3), 767.27 (3) (b) and (4), 767.29 (1), 767.295 (2) (a) and (c), 767.32  
8 (1) (a), (b) 4., (c) 1., (2) and (4), 767.33 (1), 767.45 (7), 767.455 (6), 767.47 (6) (a), 767.51  
9 (3m) (d) 2., (4g) and (4m), 767.52 (3), 767.53 (2), 769.201 (7), 769.31 (1), 948.01 (1g),  
10 949.08 (2) (g) and 978.06 (6) of the statutes, the renumbering of section 20.435 (4) (g)  
11 of the statutes, the renumbering and amendment of section 20.435 (4) (c), (cd) and  
12 (j) of the statutes and SECTIONS 9126 (15g), 9130 (16gg) and 9148 (2gg) of this act take  
13 effect on July 1, 1996.

14 **SECTION 9427. Effective dates; higher educational aids board.**

15 (1) ELIMINATION OF AGENCY. The treatment of sections 15.07 (1) (a) 1., 15.67,  
16 20.235 (title), (1) (fe), (ff) and (fj) and (2) (aa), (n) and (qb), 20.255 (1) (a) and (4) (title),  
17 20.285 (4) (dc), 20.923 (4) (c), 36.25 (16), 39.155 (2), 39.26, 39.28 (1), (2), (3), (4) and  
18 (5), 39.29, 39.30 (2) (e), (3) (e) and (f) and (4), 39.31 (intro.), (2) and (3), 39.32 (2)  
19 (intro.), (3) (intro.), (b) and (g), (5), (6), (7), (8), (10) and (11), 39.325, 39.33, 39.34,  
20 39.35, 39.36, 39.37 (2) and (3), 39.374 (2) and (3), 39.38 (1), 39.39 (1) (a) (intro.) and  
21 (2) (intro.) and (b), 39.40 (2) (intro.), (a) and (c), (2m), (3), (4) and (5), 39.41 (1) (ae)  
22 and (bg), (1m) (b), (c) (intro.) and 5., (cm), (d), (e), (f), (fm), (i) and (m), (2) (c), (3) (a),  
23 (4), (5), (7) and (8), 39.42, 39.435 (1), (2), (3), (4) (a), (b) 1. and 2. and (c), (5) and (6),  
24 39.44 (1) (b), (3) (b) and (c) and (4), 39.45 (2) to (7), 39.46 (1) and (2) (d), 39.47 (1) and  
25 (2m) and 230.08 (2) (L) 4. and subchapter III (title) of chapter 39 of the statutes, the

1 repeal and recreation of sections 39.155 (1), 39.38 (2) and 39.44 (2) of the statutes and  
2 SECTION 9127 (1) of this act take effect on July 1, 1996.

3 (1g) COUNCIL ON FINANCIAL AIDS. The treatment of sections 15.677 and 39.27 of  
4 the statutes takes effect on January 1, 1996.

5 (2) HIGHER EDUCATION AID PROGRAMS. The repeal and recreation of sections  
6 39.39 (4) and 39.41 (9) of the statutes takes effect on July 1, 1996.

7 **SECTION 9428. Effective dates; historical society.**

8 (1) WESLEY W. JUNG CARRIAGE MUSEUM. The treatment of section 44.13 (1) of  
9 the statutes takes effect on July 1, 1996.

10 **SECTION 9430. Effective dates; industry, labor and human relations.**

11 (1) HOSPITAL AND NURSING HOME PLANS REVIEW TRANSFER. The treatment of  
12 section 101.12 (1) (intro.) of the statutes and SECTION 9130 (1) of this act take effect  
13 on October 1, 1995.

14 (1g) TRANSFER OF COUNCILS AND EMPLOYES RELATING TO CODE DEVELOPMENT. The  
15 treatment of sections 15.227 (6), (7), (10) and (20), 20.445 (1) (j) (by SECTION 978m)  
16 and 101.05 (2) of the statutes, the amendment of sections 101.575 (3) (a) 3., 101.62,  
17 101.625, 101.64 (3), 101.72, 101.74 (3), 101.972 and 101.973 (8) of the statutes, the  
18 repeal of section 101.974 (2) of the statutes, the creation of section 20.143 (7) of the  
19 statutes and SECTIONS 9116 (7m) and 9130 (1g) and (3) (a), (b), (c) and (g) of this act  
20 take effect on September 1, 1995.

21 (2) NATIONAL AND COMMUNITY SERVICE BOARD. The treatment of section 15.225  
22 (3) (title), (a) and (b) to (e) of the statutes takes effect on July 1, 1996.

23 (3) PETROLEUM TESTING FEES. The amendment of section 101.02 (18m) of the  
24 statutes takes effect on July 1, 1996.

1           (4) TRANSFER OF SAFETY AND BUILDINGS AND RELOCATION ASSISTANCE PROGRAM  
2 FUNCTIONS. The treatment of sections 7.33 (1) (a) and (b), 13.94 (1) (n) and (4) (a) 5.,  
3 15.105 (12) (a) 1., 15.227 (15), (16) and (18), 15.347 (13) (b) 2., 15.947 (1), 16.53 (1)  
4 (d) 1., 16.752 (8) (e), 16.85 (1), 16.955 (1), 20.143 (3), 20.292 (1) (gm) and (gr), 20.445  
5 (1) (bc), (cm), (de), (dm) (e), (ep), (f), (ga) (by SECTION 975), (gf), (h), (jm), (jr), (kb), (kc),  
6 (km), (La), (n), (q), (r) and (v), 30.126 (5) (h), 30.32 (9), 30.71, 32.19 (2) (b) and (e) 1.  
7 b., (3) (b) 1. and 2. and (c), (4) (a) 2. and (b) (intro.) and (4m) (a) 2. and (b) (intro.) and  
8 1., 32.197, 32.20, 32.25 (1) and (2) (h), 32.26 (title), (1), (2) (a) and (b), (3), (4), (5), (6)  
9 and (7), 46.90 (4) (b) 2. b., 46.95 (2) (c) (intro.), 48.67, 50.02 (1) and (2) (a), 50.035 (2)  
10 (a) 3. and (b) (intro.), 50.36 (1), 59.23 (10), 60.71 (4) (b) and (c), 66.122 (2), 66.293 (3)  
11 (i) and (k), 66.432 (1), (1m) (a), (b), (c) and (d) and (2), 70.11 (34) (a) 2., 77.22 (2) (d),  
12 77.265 (4), 85.09 (4m), 101.01 (1) (intro.), (a), (b), (c), (d), (e), (f), (g) and (h) and (2)  
13 (intro.), (a), (b), (c), (d), (e), (f), (g), (h) and (i), 101.02 (5) (c) and (f), (6) (e), (7) (a), (7m),  
14 (9), (10), (12), (13) (a), (15) (b), (f), (g), (k) and (L) and (17), 101.03, 101.04, 101.055  
15 (8) (a), (ag), (b) and (c), 101.125 (1) (a), 101.143 (2) (d), (2m), (3) (ae) 1. and 2., (am)  
16 1., 2. and 4., (as) 4., (c) 4., (cm), (d), (e) and (f) 5. and (4) (a) 6. and 7. and (es) 1., 101.17,  
17 101.22, 101.221, 101.222, 101.223, 101.225, 101.23, 101.25, 101.267, 101.28, 101.29,  
18 101.31, 101.35, 101.47, 101.573 (3) (a), 101.597 (3), 101.80 (2), 101.82 (1), 101.92 (7),  
19 101.975 (3) (a) 3. and 4. and (b), 102.01 (2) (ag), (ap), (bm), (dm) and (em), 102.39,  
20 103.001, 103.005, 103.02, 103.13 (1) (intro.), (a) and (b), 103.14 (1) and (2), 103.25 (2),  
21 103.545 (6), 103.64 (1), 103.66 (3), 103.79 (2), 103.85 (4) and (5), 103.90 (6), 105.15,  
22 106.01 (9), 107.30 (4), 108.105, 108.141 (6) (a), 108.142 (5), 109.07 (1m), 111.07 (2) (b)  
23 1., 111.39 (2) and (4) (d), 111.395, 115.33 (2) (a) (intro.) and (b) and (3) (a) and (b) 1.,  
24 118.07 (2) (b), 132.13 (2), 144.01 (13), 144.027 (18), 144.24 (7) (c) 1., 144.82, 145.01  
25 (4), 145.02 (4) (a), 145.17 (2), 145.245 (1) (dm) and (3), 146.085 (3), 157.12 (1), 157.65

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1 (1) (b) and (2), 160.01 (7), 165.55 (10) (intro.), 167.10 (3) (b) 2. and (6m) (a), (b), (c),  
2 (d) and (e), 167.11 (2), 167.27 (5) and (8), 168.01, 168.11 (2) (d), 196.175, 218.14 (1)  
3 (a), 227.01 (13) (zk), 227.03 (3m) (a) and (b), 227.40 (2) (e), 227.59, 230.08 (2) (e) 6.,  
4 231.20, 252.15 (2) (a) 7. ak., 254.02 (3) (a), 254.176 (2) (e), 254.22 (4), 254.33, 254.34  
5 (1) (intro.) and (2) (intro.), 254.35 (1), 254.37 (1), (2) and (3), 254.38, 254.45, 254.51  
6 (2), 254.56, 254.73 (1), 254.78, 254.79, 346.503 (1m) (g) and (4), 440.92 (2) (d), 443.09  
7 (5), 452.17 (4) (b), 452.23 (1), 560.01 (1) and (2), 560.097, 601.93 (2), 626.12 (13),  
8 632.10 (1), 703.10 (2m), 709.03 (form) 8., 767.078 (1) (b) 1., 767.254 (2) (a), 814.04  
9 (intro.) (by SECTION 7148c), 893.925 (2) (a), 895.437 (1) (c), 940.207 (title) and (2)  
10 (intro.) and (a) and 978.05 (6) (b), chapters 101 (title) and 106 (title) and subchapters  
11 I (title) and II (title) of chapter 106 of the statutes, the amendment of section 104.04  
12 of the statutes (by SECTION 3765p), the renumbering of sections 20.445 (1) (L), 101.02  
13 (20), 101.26 and 101.27 of the statutes, the repeal of section 20.143 (7) of the statutes,  
14 the repeal and recreation of sections 15.157 (3), 101.575 (3) (a) 3., 101.62, 101.625,  
15 101.64 (3), 101.72, 101.74 (3), 101.972, 101.973 (8) and 144.266 (2) of the statutes,  
16 the creation of sections 101.974 (2m) and 560.01 (2) (a) (title) and (b) of the statutes  
17 and SECTION 9130 (2), (2q) and (3) (d), (e) and (f) of this act take effect on July 1, 1996.

18 (5) AGENCY NAME CHANGE. SECTION 9130 (4) of this act takes effect on July 1,  
19 1996.

20 (6) EMPLOYMENT AND EDUCATION PROGRAM CONSOLIDATION. The repeal and  
21 recreation of sections 15.227 (24) (a) 4. and 20.445 (1) (em) and (ev) of the statutes,  
22 the amendment of sections 103.70 (1) and 121.02 (1) (m) of the statutes, the  
23 renumbering of section 101.265 (title), (1), (2), (4) and (5) of the statutes and the  
24 renumbering and amendment of sections 101.262, 101.264 and 101.265 (2m) and (3)  
25 of the statutes take effect on July 1, 1996.

1           (7) PLAT REVIEW TRANSFER. The treatment of sections 20.445 (1) (j), (by SECTION  
2 979), 236.12 (2) (a) and 236.13 (1) (d) and (2m) of the statutes takes effect on July 1,  
3 1996.

4           (7j) CAREER COUNSELING CENTERS. The treatment of section 106.14 (1) and (4) of  
5 the statutes and the repeal of section 20.445 (1) (ep) of the statutes take effect on July  
6 1, 1997.

7           **SECTION 9436. Effective dates; justice.**

8           (1) PUBLIC INTERVENOR. The treatment of sections 18.13 (4), 165.07, 165.075 and  
9 814.245 (2) (d) of the statutes takes effect on the first day of the 2nd month beginning  
10 after publication.

11           (2q) TRANSFER OF CONSUMER PROTECTION FUNCTION. The treatment of sections  
12 15.13, 100.18 (11) (b) 1. and (d), 100.182 (5) (a) and (b), 100.205 (7) and (8), 100.207  
13 (6) (b) 1. and 2., (c) and (e), 100.21 (3) (a), 100.26 (6), 100.28 (4) (c), 100.50 (6) (c),  
14 134.22 (4) (intro.) and (a), 134.42 (4) (b), 134.68 (5) (a) (intro.) and (b) and (7) (a)  
15 (intro.) and (b), 134.70 (13) (b) 1. (intro.), 2. and 3. and (15) (a) (intro.) and (am),  
16 134.71 (12), 134.74 (7) (b) and (8) (intro.), 134.83 (5) (intro.) and (6), 134.85 (3) (a),  
17 136.03 (title) and (1) (intro.), 165.25 (4) (ar), 344.576 (3) (a) 5. and (c), 344.579 (2)  
18 (intro.), 704.90 (11) (title) and (a), 707.49 (4), 707.57 (2) (title), (a) and (b) and (3) and  
19 779.93 (title), (1) and (2) (intro.) of the statutes and the amendment of section  
20 100.263 of the statutes take effect on July 1, 1996.

21           (2v) CRIMINAL HISTORY SEARCHES. The treatment of section 165.82 (1) (a), (ag),  
22 (ar) and (b) of the statutes and SECTION 9336 (2v) of this act take effect on October  
23 1, 1995.

24           (3g) PENALTY ASSESSMENT INCREASE. The treatment of section 165.87 (2) (a) of  
25 the statutes and SECTION 9336 (2g) of this act take effect on October 1, 1995.

1 (3h) PENALTY ASSESSMENT ALLOCATION. The treatment of sections 20.455 (1) (g)  
2 and 165.87 (1) (a) (by SECTION 4460bp), (b), (bd), (bn), (bp), (br) and (c) of the statutes  
3 takes effect on January 1, 1996.

4 **SECTION 9437. Effective dates; legislature.**

5 (1t) COUNTY AND MUNICIPAL BEST PRACTICES REVIEWS. The repeal of section 13.94  
6 (8) of the statutes takes effect on July 1, 1999.

7 **SECTION 9439. Effective dates; lower Wisconsin state riverway board.**

8 (1) ATTACHMENT OF LOWER WISCONSIN STATE RIVERWAY BOARD. The treatment of  
9 sections 15.07 (1) (b) 15., 15.345 (6) and 30.42 (1) (e) of the statutes and SECTION 9139  
10 (1g) of this act take effect on July 1, 1996.

11 **SECTION 9442. Effective dates; natural resources.**

12 (1) WILDLIFE HABITAT AIDS. The treatment of sections 23.09 (17m) (title), (a), (by  
13 SECTION 1242) (b) (by SECTION 1244), (c), (d), (e), (f), (g), (h), (hg), (hr) and (i) and 28.11  
14 (5) (a) of the statutes takes effect on January 1, 1996.

15 (3) FEES FOR CERTIFICATES OF NUMBER FOR BOATS. The treatment of section 30.52  
16 (3) (b), (c), (d), (e), (f) and (i) of the statutes and SECTION 9342 (6) of this act take effect  
17 on April 1, 1996.

18 (4m) YOUTH SMALL GAME LICENSES. The treatment of section 29.092 (3v) (am) of  
19 the statutes, the amendment of section 29.092 (14) (a) and (b) (by SECTION 1601m)  
20 of the statutes takes effect on January 1, 1996.

21 (7) PETROLEUM STORAGE TANKS. The treatment of sections 20.445 (1) (w),  
22 101.143 (title) and (4) (ei) 1. b., 101.144 and 144.76 (2) (e) and (7) (a) and (c) of the  
23 statutes and SECTION 9142 (3) of this act take effect on July 1, 1996.

1 (7t) WASTE TIRE PROGRAM. The treatment of sections 20.370 (2) (dj) (by SECTION  
2 649), (dL) and (hq) (by SECTION 656b), 25.40 (1) (a) 5., 144.449 (1) (am) and (3) (f),  
3 159.17 and 342.14 (1m) of the statutes takes effect on June 30, 1997.

4 (8) CLEAN WATER FUND ADMINISTRATION. The treatment of sections 144.241 (2),  
5 (3m) (a) and (c), (6) (b) (intro.), (8) (g) and (h), (8m), (8s), (9) (a), (ae), (am), (b) and (e),  
6 (9m), (10) (title), (a), (b) and (c) to (e), (11) (title), (a), (b), (c) and (d), (12) (c), (d) and  
7 (f), (13m) (b), (14) (b) 1. and 8. and (15) (a) (intro.), 1. and 3., (am), (b), (c) and (e) and  
8 144.2415 (3) (b) (intro.), 1. and 2., (dm), (i) and (j), (9) (a) and (am), (11) (a), (am) and  
9 (c), (12) and (14) of the statutes takes effect on July 1, 1996.

10 (8g) BOATING ENFORCEMENT FUNDING. The repeal and recreation of section  
11 20.370 (5) (eq) of the statutes takes effect on July 1, 1997.

12 (8p) VEHICLE ADMISSION AREA FEES. The treatment of section 27.01 (7) (f) 1. and  
13 2., (g) 2. and (gm) 3. and 4. of the statutes and the amendment of section 27.01 (7)  
14 (g) 1. of the statutes take effect on January 1, 1996.

15 (8x) LAKE STATES WOOD UTILIZATION CONSORTIUM. The repeal of section 20.370 (5)  
16 (ax) and (6) (bt) of the statutes takes effect on June 30, 1998.

17 (9) NONRESIDENT SPORTS AND CONSERVATION PATRON LICENSES. The treatment of  
18 sections 29.092 (2) (o), (4) (am) and (bn), 29.093 (2) (b), (g) and (i) 2., 29.147 (1), (2)  
19 and (2m), 29.1475 (1), (2), (2m) and (6), 29.15 (2) and 29.41 (3) of the statutes, the  
20 amendment of section 29.092 (13) (b) (by SECTION 1589), (14) (b) (by SECTION 1602m)  
21 of the statutes and the repeal and recreation of sections 27.01 (7) (g) 1. and 29.092  
22 (14) (a) of the statutes take effect on April 1, 1996.

23 (10s) SNOWMOBILE SUPPLEMENTAL TRAIL AIDS. The repeal and recreation of  
24 sections 20.370 (5) (cs) of the statutes takes effect on July 1, 1996.

1 (12g) DEBT SERVICE FOR PROGRAM FOR LOCAL AIDS FOR DAMS. The repeal and  
2 recreation of section 20.370 (7) (aa) and (ar) of the statutes takes effect on July 1,  
3 1997.

4 (12x) HERITAGE STATE PARKS AND FORESTS TRUST FUND. The treatment of sections  
5 20.370 (1) (eq), 25.17 (1) (gi), 25.29 (1) (a), 25.295, 27.015, 27.016, 60.23 (5) and 236.02  
6 (3) of the statutes takes effect on July 1, 1996.

7 **SECTION 9444. Effective dates; public defender board.**

8 (1x) DETERMINATION OF INDIGENCY. The amendment of section 977.06 (1) (a) of  
9 the statutes takes effect on July 1, 1996.

10 **SECTION 9445. Effective dates; public instruction.**

11 (1) AGENCY NAME CHANGE. The treatment of sections 14.017 (2), 15.02 (1), 15.06  
12 (2) (c), (3) (a) 6., (4), (5) and (6), 15.07 (2) (f), 15.195 (4) (d), 15.197 (11n) (a) 3. and (23)  
13 (a) 9., 15.225 (3) (c) 4., 15.347 (4) (c), 15.37, 15.374 (1), 15.375 (1), (2) and (3) (b) 1. and  
14 6. (intro.), 15.377 (1), (3), (4), (6) and (7m), 15.57 (1), 15.91, 15.94 (1), 20.255 (title)  
15 and (2) (r), 20.435 (6) (hx), 20.866 (2) (zh) (title), 20.923 (4) (g) 1g., 24.61 (3) (c) 2. a.,  
16 24.71 (5), 35.24 (1) (a), 36.51 (7), 38.04 (26), 38.36 (7), 40.02 (55) (a), 43.01 (6), 43.03  
17 (intro.), 43.05 (13), 43.07 (intro.), (2), (3), (4), (5) and (7), 43.13 (4), 43.70, 48.48 (4),  
18 48.57 (1) (c), 48.982 (2) (g) (intro.), 60.33 (9) (a), 61.34 (4), 62.12 (9), 66.03 (3) (c) and  
19 (5), 66.30 (6) (g), 67.03 (1) (b), 73.0305, 101.14 (1) (c), 115.001 (13m), 115.28 (7) (a),  
20 (7m) and (20) (a), (b), (c), (d) and (e), 115.29 (intro.), (1), (2) and (4), 115.30 (4) (a), (c)  
21 and (f), 115.345 (1) to (4) and (6) to (8), 115.35 (5) (c), 115.361 (5) (c) 3., 115.40 (4) (a),  
22 (b) and (c) (intro.), 115.45 (2) (b) and (6) (b), 115.47, 115.48, 115.745 (2) (intro.), 115.77  
23 (1) and (2) (intro.), 115.79 (1) (intro.) and (d), 115.81 (7) and (8), 115.85 (2) (c) 2.  
24 (intro.), 115.89, 116.03 (10), (11) and (13), 117.03 (2), 117.05 (1), (1m), (2) (a) and (10),  
25 118.01 (1), 118.013 (3) (a), 118.165 (2), 118.167, 118.20 (2) and (4) to (7), 118.24 (2) (e),

1 118.255 (3), 118.37 (3m) (b), 119.04 (title), 119.28 (5), 120.17 (8) (bm), 121.006 (1) (a),  
2 121.06 (1), 121.135 (1), 121.15 (2) (c), 121.17, 121.52 (4), 121.56, 121.58 (5), 121.845  
3 (3), 121.91 (5) (a), 230.08 (2) (e) 9. and (t), 255.30 (4), 887.23 (1), 967.02 (2) and  
4 973.135 (title), (1) (a) and (b), (2) and (3), chapter 115 (title) and subchapter II (title)  
5 of chapter 115 of the statutes, the creation of sections 20.265, 973.135 (1) (a) and  
6 subchapter VI of chapter 14 of the statutes and SECTION 9145 (1) and (8g) of this act  
7 take effect on January 1, 1996.

8 (3v) COOPERATIVE EDUCATIONAL SERVICE AGENCIES. The treatment of section  
9 116.02 (1) (a), (c) and (d), (2) and (3) of the statutes takes effect on June 12, 1996.

10 (7x) SCHOOL AID APPROPRIATION. The repeal and recreation of section 20.255 (2)  
11 (ac) of the statutes takes effect on July 1, 1996.

12 (13g) EDUCATIONAL TECHNOLOGY BOARD MEMBERSHIP. The repeal and recreation  
13 of section 15.105 (26) (a) 1. of the statutes takes effect on January 1, 1996.

14 **SECTION 9447. Effective dates; regulation and licensing.**

15 (1) INITIAL AND RENEWAL CREDENTIAL FEES. The treatment of sections 440.05 (1)  
16 (a) and 440.08 (2) (a) 1., 2., 3., 4., 4m., 5., 6., 7., 8., 9., 11., 11m., 12., 13., 14., 14r., 15.,  
17 16., 17., 18., 19., 20., 21., 22., 23., 24., 25., 26., 27., 27m., 28., 29., 30., 31., 32., 33., 34.,  
18 35., 36., 37., 37m., 38., 39., 42., 43., 44., 45., 46., 46m., 48., 49., 50., 51., 52., 53., 54.,  
19 55., 56., 57., 58., 59., 60., 61., 62., 63., 63m., 64., 65., 66., 66m., 67., 68., 68d., 68h.,  
20 68p., 68t., 68v., 69. and 70. of the statutes takes effect on September 1, 1995, or the  
21 first day of the 2nd month beginning after publication, whichever is later.

22 (2) RECIPROCAL AND TEMPORARY CREDENTIAL FEES. The treatment of section  
23 440.05 (2) and (6) of the statutes and SECTION 9347 (1) of this act take effect on July  
24 1, 1996.

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1           (3) REPLACEMENT CREDENTIAL FEE. The treatment of section 440.05 (7) of the  
2 statutes and SECTION 9347 (2) of this act take effect on July 1, 1996.

3           (4) LATE RENEWAL FEE. The consolidation, renumbering and amendment of  
4 section 440.08 (3) (a) (intro.) and 2. of the statutes, the repeal of section 440.08 (3)  
5 (a) 1. of the statutes and SECTION 9347 (3) of this act take effect on July 1, 1996.

6           (5) CHARITABLE ORGANIZATION CERTIFICATE OF REGISTRATION RENEWAL. The  
7 treatment of sections 440.08 (2) (a) 23m. and 440.42 (1) (b) 2g. and 2r. and (c) and (2)  
8 (d) and (e) of the statutes, the repeal and recreation of sections 440.08 (2) (a) (intro.)  
9 and 440.23 (1) and SECTION 9147 (1) of this act take effect on August 1, 1995.

10           (7) MORTGAGE BANKING TRANSFER. The treatment of sections 221.49 (1), 224.70,  
11 224.72 (8), 234.01 (5k), 234.49 (2) (a) 4., 234.59 (1) (h), 422.501 (2) (b) 8., 440.08 (2)  
12 (a) 40., 41. and 47., 440.71, 440.72 (title), (1), (1m), (2), (3), (4), (5) and (7), 440.73,  
13 440.74, 440.75, 440.76, 440.77 (title), (1), (2), (3), (4) and (5), 440.78, 440.80, 440.81,  
14 440.82, 452.01 (3) (g), 706.11 (1) (f) and 943.62 (2m), subchapter I (title) of chapter  
15 224 and subchapter VI (title) of chapter 440 of the statutes and SECTION 9147 (3) of  
16 this act take effect on July 1, 1996.

17           **SECTION 9448.    Effective dates; revenue.**

18           (1) FEES ON DELINQUENT ACCOUNTS. The treatment of section 73.03 (33m) of the  
19 statutes takes effect on December 31, 1995.

20           (1g) CIGARETTE TAX. The treatment of section 139.31 (1) (a) and (b) of the  
21 statutes takes effect on September 1, 1995.

22           (1x) USE-VALUE ASSESSMENT.

23           (a) The treatment of sections 70.05 (5) (a) 1m., 70.32 (1r), (2) (a) (intro.) and  
24 5. to 7., (b) and (c) 1., (2m) and (2r), 70.57 (3), 73.03 (2a) and (49), 74.48, 76.125 (1),

1 77.84 (2) (c), 452.05 (1m) (a) 2. and 895.52 (6) (d) 3. of the statutes takes effect on  
2 January 1, 1996.

3 (b) The treatment of sections 20.292 (1) (am) and 38.04 (27) of the statutes  
4 takes effect on July 1, 1996.

5 (2) CENTRAL OFFICE EQUIPMENT. The treatment of section 77.54 (24) of the  
6 statutes takes effect on the first day of the 2nd month beginning after publication.

7 (3) QUALIFIED WHOLESALE ELECTRIC COMPANIES. The treatment of sections 76.02  
8 (11), 76.28 (1) (d), (e) (intro.), (em) and (gm) and 79.04 (1) (a) and (c) 2. and (2) (a) of  
9 the statutes takes effect on January 1, 1996.

10 (3m) PAYMENTS TO SMALL MUNICIPALITIES. The treatment of section 79.03 (3c) (f)  
11 of the statutes takes effect on January 1, 1996.

12 (6) INSTITUTIONS FOR CHILDREN. The treatment of section 70.11 (19) of the  
13 statutes takes effect on the January 1 after publication.

14 (6g) COUNTY ASSESSMENT AID. The treatment of sections 20.835 (6) and 70.99  
15 (12) of the statutes takes effect on July 2, 1996.

16 (8i) USE TAX ON DEALERS' VEHICLES. The treatment of sections 77.53 (1) and (1m)  
17 and 77.71 (2) of the statutes takes effect on the first day of the 2nd month beginning  
18 after publication.

19 (8t) COUNTY SALES TAX ADMINISTRATIVE COSTS. The treatment of sections 20.835  
20 (4) (g) and 77.76 (3) and (4) of the statutes takes effect on July 1, 1997.

21 (8z) BUSINESS REGISTRATION. The treatment of sections 71.67 (6), 77.52 (7), (8),  
22 (9), (10), (11) (a) and (b), (12) and (17m) (a) and (b) 7., 77.53 (9) and (9m), 77.58 (5),  
23 77.60 (2) (intro.), 78.09 (2) and (5), 78.10 (1) and (2) to (5), 78.48 (1) and (2) to (5), 78.57  
24 (1) and (2) to (5), 139.05 (7) (b), 139.09, 139.34 (1) (c) 7. and (f), (2) and (3), 139.37 (1)  
25 (a), 139.79 (2) and 480.24 (2) (h) of the statutes takes effect on January 1, 1996.

1 (9x) LOTTERY CREDIT PRECERTIFICATION. The treatment of sections 77.22 (2)  
2 (intro.), 77.23 and 79.10 (10) (a), (b), (c) and (e) of the statutes takes effect on January  
3 1, 1996.

4 **SECTION 9450. Effective dates; secretary of state.**

5 (1) UNIFORM COMMERCIAL CODE. The repeal and recreation of section 59.57 (6)  
6 of the statutes and the amendment of section 409.407 (2) (c) of the statutes take effect  
7 on July 1, 1996.

8 (3) LIMITED LIABILITY COMPANY ANNUAL REPORTS.

9 (a) The treatment of sections 183.0109 (1) (a) 4., 183.0113 (2) (b) 4., 183.0114  
10 (1) (a) and (w), (x) and (2) (c) and 183.1010 (4) (b) of the statutes, the amendment of  
11 sections 183.0109 (1) (b) (by SECTION 4767) and 183.0111 (1) (a) (intro.) (by SECTION  
12 4778) of the statutes and the creation of sections 183.0105 (2) (c) and (8) (c) 2.,  
13 183.0113 (2) (b) 1m., 183.0120, 183.1010 (4) (b) 2., 183.1020, 183.1021 and 183.1022  
14 of the statutes take effect on January 1, 1996.

15 (4bt) BUSINESS FILING SERVICES. The repeal of section 20.575 (1) (gb) of the  
16 statutes, the renumbering and amendment of sections 14.38 (12) and 14.38 (14) of  
17 the statutes, the amendment of sections 14.38 (9), 16.752 (7) (a) 1., 44.03 (1), 44.03  
18 (2), 71.80 (12), 84.02 (4) (b), 88.05 (6), 96.17 (6), 100.23 (5) (b) (intro.), 100.23 (5) (b)  
19 2., 100.23 (5) (b) 4., 100.23 (6) (intro.), 100.23 (6) (c), 102.17 (1) (a), 111.07 (2) (a),  
20 133.12, 134.45 (3) (b), 139.34 (9), 157.062 (1), 157.062 (2), 157.062 (6) (b), 157.062  
21 (6m), 157.062 (9), 157.064 (7), 157.62 (1) (a) (intro.), 157.62 (1) (c), 179.03 (2), 179.04  
22 (2), 179.11 (1) (intro.), 179.11 (2), 179.12 (1) (intro.), 179.12 (6), 179.13 (intro.), 179.14  
23 (1) (intro.), 179.15, 179.16 (title), 179.16 (1) (intro.), 179.16 (1) (b), 179.16 (2), 179.16  
24 (3) (a) (intro.), 179.16 (3) (a) 2., 179.16 (4) (intro.), 179.16 (5), 179.18, 179.185 (1),  
25 179.185 (4), 179.19, 179.24 (1) (b), 179.82 (intro.), 179.82 (5), 179.83 (1) (intro.),

1 179.83 (1) (b), 179.84, 179.85, 179.86 (1), 179.86 (2), 179.87 (4), 179.88, 180.0120 (1)  
2 (intro.), 180.0120 (1) (d), 180.0120 (1) (f), 180.0120 (1) (g), 180.0120 (2), 180.0120 (4),  
3 180.0121 (1) (a) (intro.), 180.0121 (1) (b), 180.0121 (2), 180.0122 (1) (intro.), 180.0122  
4 (2), 180.0122 (3) (intro.), 180.0122 (4), 180.0123 (1) (a) (intro.), 180.0123 (1) (b),  
5 180.0124 (1), 180.0124 (2) (intro.), 180.0125 (title), 180.0125 (1), 180.0125 (2) (a),  
6 180.0125 (2) (b), 180.0125 (3) (a), 180.0125 (3) (b), 180.0125 (3) (c), 180.0125 (4)  
7 (intro.), 180.0126, 180.0127, 180.0128 (1), 180.0128 (2) (b) 3., 180.0128 (3), 180.0128  
8 (4), 180.0128 (5), 180.0128 (6), 180.0129 (1), 180.0203 (2), 180.0401 (2) (a) (intro.),  
9 180.0401 (3) (intro.), 180.0401 (3) (a), 180.0401 (3) (b), 180.0402 (1), 180.0402 (2),  
10 180.0403 (1) (a), 180.0403 (1) (c), 180.0403 (2), 180.0403 (3m), 180.0502 (1) (a),  
11 180.0502 (1) (c), 180.0502 (3), 180.0503 (1) (intro.), 180.0503 (2), 180.0503 (3) (a),  
12 180.0504 (3) (a) (by SECTION 4584b), 180.0504 (3) (b), 180.0602 (2) (intro.), 180.0602  
13 (3), 180.0620 (1) (b), 180.0631 (3) (b) (intro.), 180.0860 (1), 180.0860 (2), 180.1002 (4),  
14 180.1006 (intro.), 180.1007 (4) (intro.), 180.1008 (2) (intro.), 180.1104 (4), 180.1105  
15 (1) (intro.), 180.1107 (3) (a), 180.1401 (2) (intro.), 180.1403 (1) (intro.), 180.1404 (3)  
16 (intro.), 180.1420 (intro.), 180.1420 (1), 180.1420 (2), 180.1420 (4), 180.1421 (1),  
17 180.1421 (2) (a), 180.1421 (2) (b), 180.1422 (1) (intro.), 180.1422 (2) (a) (intro.),  
18 180.1422 (2) (a) 2., 180.1422 (2) (b), 180.1423 (1), 180.1423 (2), 180.1423 (3), 180.1433  
19 (1), 180.1501 (1), 180.1502 (5) (b), 180.1503 (1) (intro.), 180.1503 (1) (j), 180.1504 (1)  
20 (intro.), 180.1506 (1), 180.1506 (2) (a) (intro.), 180.1506 (3) (intro.), 180.1506 (3) (a),  
21 180.1506 (3) (b), 180.1508 (1) (intro.), 180.1508 (2), 180.1509 (1) (intro.), 180.1509 (2),  
22 180.1509 (3) (a), 180.1510 (4) (a) (intro.), 180.1510 (4) (b) 1. (by SECTION 4635b),  
23 180.1510 (4) (b) 2., 180.1520 (1), 180.1520 (2) (intro.), 180.1520 (2) (e), 180.1530 (1)  
24 (intro.), 180.1530 (1) (a), 180.1530 (1) (b), 180.1530 (1) (d), 180.1530 (1) (f), 180.1530  
25 (1m), 180.1530 (2), 180.1531 (1), 180.1531 (2) (a), 180.1531 (2) (b), 180.1531 (2) (c) 1.

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1 (intro.), 180.1531 (2) (c) 1. b., 180.1531 (4), 180.1532 (1), 180.1532 (2), 180.1622  
2 (title), 180.1622 (1) (intro.), 180.1622 (1) (i), 180.1622 (2) (a), 180.1622 (2) (b),  
3 180.1622 (3) (a), 180.1622 (3) (b), 180.1622 (4), 180.1622 (5), 180.1708 (1), 180.1708  
4 (8) (b), 180.1909, 180.1921 (1), 180.1921 (2), 180.1921 (4), 181.06 (3) (intro.), 181.07  
5 (2), 181.07 (3), 181.07 (5), 181.08, 181.09 (1) (intro.), 181.095 (1) (intro.), 181.095 (3),  
6 181.10 (3), 181.265, 181.32 (1), 181.32 (2), 181.38, 181.39 (2), 181.40, 181.45 (2),  
7 181.45 (3), 181.46, 181.55, 181.561 (intro.), 181.561 (1), 181.561 (2), 181.561 (4),  
8 181.562 (1), 181.562 (2) (a), 181.562 (2) (b), 181.563 (1) (intro.), 181.563 (2) (a) (intro.),  
9 181.563 (2) (a) 2., 181.563 (2) (b), 181.564 (1), 181.564 (2), 181.564 (3), 181.63,  
10 181.651 (2), 181.651 (3), 181.651 (5), 181.651 (6), 181.651 (7), 181.66 (2), 181.667  
11 (intro.), 181.667 (1), 181.667 (3), 181.67 (1) (a), 181.67 (1) (b), 181.67 (2) (a), 181.67  
12 (2) (b), 181.67 (3) (a), 181.67 (3) (b), 181.67 (4), 181.67 (5), 181.67 (6) (a) (intro.), 181.67  
13 (6) (a) 2., 181.68 (1) (intro.), 181.68 (1) (b), 181.68 (1) (e), 181.68 (1) (f), 181.68 (3),  
14 181.69, 181.73 (title), 181.73 (1), 181.74, 182.031 (2), 182.34 (7), 182.45, 183.0102  
15 (17), 183.0103 (2) (intro.), 183.0103 (4) (intro.), 183.0103 (4) (a), 183.0103 (4) (b),  
16 183.0104 (1), 183.0104 (2), 183.0104 (3) (a), 183.0104 (3) (c), 183.0105 (2) (a),  
17 183.0105 (2) (c), 183.0105 (4), 183.0105 (5) (intro.), 183.0105 (6), 183.0105 (8) (c),  
18 183.0107 (1) (intro.), 183.0107 (3), 183.0108 (1) (intro.), 183.0108 (1) (c), 183.0108 (1)  
19 (e), 183.0108 (1) (f), 183.0108 (2), 183.0108 (3), 183.0109 (1) (a) (intro.), 183.0109 (1)  
20 (b) (by SECTION 4768b), 183.0109 (2), 183.0110 (title), 183.0110 (1), 183.0110 (2) (a),  
21 183.0110 (2) (b), 183.0110 (3) (a), 183.0110 (3) (b), 183.0110 (3) (c), 183.0110 (4)  
22 (intro.), 183.0111 (1) (a) (intro.) (by SECTION 4779b), 183.0111 (1) (b), 183.0112 (1),  
23 183.0112 (2) (intro.), 183.0113 (1), 183.0113 (2) (b) 1m., 183.0113 (3), 183.0113 (4),  
24 183.0113 (5), 183.0113 (6), 183.0114 (1) (intro.), 183.0120 (1) (intro.) and (2) to (5),  
25 183.0201, 183.0203 (2) (intro.), 183.0204 (2), 183.0906 (intro.), 183.1002 (1),

1 183.1003 (5) (b), 183.1004 (intro.), 183.1006 (1) (intro.), 183.1008 (1) (intro.),  
2 183.1008 (2), 183.1009 (1) (intro.), 183.1009 (2), 183.1010 (4) (a) (intro.), 183.1010 (4)  
3 (b) 1. (by SECTION 4822b), 183.1010 (4) (b) 2., 183.1011 (1), 183.1011 (2) (intro.),  
4 183.1011 (2) (e), 183.1020 (1) (intro.), (a), (b), (d) and (f), (2) and (3), 183.1021 (1), (2)  
5 and (4), 183.1022 (1) and (2), 183.1204 (1) (intro.), 183.1301, 185.05 (3), 185.08 (3),  
6 185.31 (3), 185.35 (1), 185.48 (2), 185.48 (3), 185.48 (4), 185.48 (5), 185.48 (6), 185.53  
7 (2), 185.62 (1m), 185.72 (3) (a) (intro.), 185.72 (3) (a) 1., 185.72 (3) (a) 2., 185.72 (3)  
8 (a) 3., 185.72 (3) (bm) (intro.), 185.72 (3) (bm) 1., 185.72 (3) (bm) 2., 185.815 (intro.),  
9 185.815 (1), 185.815 (3), 185.82 (1) (a), 185.82 (1) (b), 185.82 (2) (a), 185.82 (2) (b),  
10 185.82 (3), 185.82 (4), 185.82 (5), 185.82 (6) (a) (intro.), 185.82 (6) (a) 2., 185.83 (1)  
11 (intro.), 185.83 (1) (b), 185.83 (1) (d), 185.85, 187.05 (1), 187.05 (3) (a) (intro.), 187.05  
12 (3) (a) (form) 4., 187.16 (1), 187.16 (5), 187.19 (7), 187.19 (9), 187.19 (10), 188.06,  
13 188.08 (1), 188.085, 188.09 (1), 188.095, 188.10, 188.11 (1), 188.115, 188.12 (1),  
14 188.13 (1), 188.14, 188.15 (1), 188.16 (1), 188.16 (4), 188.17 (1), 188.18 (1), 188.18 (3),  
15 188.19 (1), 188.20, 188.21 (1), 188.22 (1), 188.23 (1), 188.235 (1), 188.24 (1), 188.25,  
16 188.26, 190.01 (2), 190.01 (4), 190.02 (9) (c), 190.051 (1), 190.06 (1), 190.11 (1), 190.11  
17 (3), 190.11 (4), 190.13, 191.10 (1), 192.71, 218.165 (1), 218.165 (2), 226.025 (3), 226.14  
18 (1), 226.14 (3), 226.14 (4) (intro.), 226.14 (4) (c), 226.14 (4) (d), 226.14 (5), 422.505 (1)  
19 (d), 426.110 (4) (b), 440.47 (5), 443.10 (6), 601.72 (1) (intro.), 601.72 (2), 601.73 (1) (a),  
20 601.73 (1) (b), 601.73 (2) (a), 601.73 (2) (b), 601.73 (3), 610.01 (4), 611.72 (1), 611.73  
21 (1), 611.74 (1), 613.01 (8), 614.09, 616.09 (1) (c) 2., 703.23 (1), 703.23 (2), 704.22 (2),  
22 776.44, 891.20, 893.19 (1), 992.06 (2) and 992.06 (3) of the statutes, the repeal and  
23 recreation of sections 20.575 (1) (g) and 601.73 (1) (intro.) of the statutes, the creation  
24 of sections 20.144 (1) (g), 20.566 (4), 179.01 (2m), 180.0103 (6m), 181.02 (4m), 182.01,

1 183.0102 (3m) and 185.01 (3m) of the statutes and SECTION 9150 (1bt) of this act take  
2 effect on July 1, 1996.

3 (4bu) TRANSFER OF UNIFORM COMMERCIAL CODE FILING FUNCTIONS TO DEPARTMENT  
4 OF FINANCIAL INSTITUTIONS. The treatment of sections 14.367, 14.38 (13), 20.575 (1)  
5 (h) and (i), 50.05 (15) (f), 51.42 (3) (d) 12. f., 59.51 (11), 59.90 (1) (a), 100.03 (8) (bm)  
6 3., 231.13 (2), 406.104 (1) (c), 409.105 (1) (dm), 409.401 (1) (c) and (5), 409.402 (3m),  
7 409.403 (5) (a) 1., 2. and 3. and (b) (title), 1. and 2., 409.404 (1) (b) and (c) (intro.) and  
8 (3) (b), 409.405 (1) and (2), 409.406, 409.407 (2) (c), 409.410 (1) and (2), 779.87 (3) (b),  
9 779.97 (2) (c) 1., 2. and 3. and (4) (a) 1., (b) 1., 2. (by SECTION 7136b), 3. and 4. and (c)  
10 2. (by SECTION 7140b) of the statutes, the repeal of section 14.38 (13) (title) of the  
11 statutes, the renumbering and amendment of section 14.38 (13) of the statutes, the  
12 repeal and recreation of section 59.57 (6) of the statutes and SECTION 9150 (2bt) of  
13 this act take effect on July 1, 1996.

14 **SECTION 9452. Effective dates; state fair park board.**

15 (1g) ATTACHMENT TO DEPARTMENT OF TOURISM. The treatment of sections 13.48  
16 (13) (a) (by SECTION 24c) and (b), 15.07 (1) (b) 15m., 15.87, 20.923 (4) (d) 12., 42.08,  
17 42.10 and 42.105 of the statutes takes effect on July 1, 1996.

18 **SECTION 9453. Effective dates; supreme court.**

19 (1g) JUSTICE INFORMATION FEE. The repeal and recreation of section 20.505 (1)  
20 (ja) of the statutes takes effect on November 1, 1995.

21 **SECTION 9454. Effective dates; technical college system.**

22 (1) RECYCLING PROGRAMS. The treatment of sections 20.292 (1) (s) and 38.04 (18)  
23 of the statutes takes effect on July 1, 1995.

24 (2) ELIMINATION OF EDUCATIONAL APPROVAL BOARD. The treatment of sections  
25 15.07 (5) (i), 15.945 (1), 20.292 (2) (title), (a), (g) and (m) and 38.51 (title), (1) (a), (cm)

1 and (g), (2), (3), (5), (6) (a), (7) (intro.), (g), (h) and (i), (8) (a), (b), (c) (intro.), 1., 2., 4.  
2 and 5., (d) and (e), (9) (h), (10) (a), (b) and (c) (intro.) and 1. of the statutes and SECTION  
3 9154 (1) of this act take effect on July 1, 1996.

4 **SECTION 9455. Effective dates; transportation.**

5 (1j) EMPLOYMENT TRANSIT ASSISTANCE PROGRAM. The treatment of sections  
6 20.395 (1) (by), 25.40 (2) (b) 15g. and 85.26 of the statutes and the renumbering and  
7 amendment of section 20.395 (1) (bw) of the statutes take effect on July 1, 1996.

8 (1mt) TRAFFIC ACCIDENTS AND PROPERTY DAMAGE. The treatment of sections  
9 344.12, 344.14 (2) (e) and 346.70 (1) of the statutes and SECTION 9355 (1) of this act  
10 take effect on January 1, 1996.

11 (2ct) EXEMPTION REPORTS. The treatment of section 70.337 (7) of the statutes  
12 takes effect on March 31, 1996.

13 (2gt) INTERNATIONAL FUEL TAX AGREEMENT; PERMITS. The treatment of sections  
14 20.395 (5) (cq), 25.40 (1) (a) 12., 168.12 (5m), 341.43 and 341.45 (title), (1g) (a) and  
15 (b), (2), (3), (4m) and (5) of the statutes takes effect on August 1, 1995.

16 (2mt) AIRCRAFT REGISTRATION.

17 (a) The treatment of sections 114.002 (4), (11) and (13) and 114.20 (2) (c), (5),  
18 (7) and (13) (b) 1., 2., 3. and 5. of the statutes takes effect on November 1, 1995.

19 (b) The treatment of section 114.20 (1) (title), (a) and (b), (2) (intro.), (9) (a) to  
20 (c) and (d), (9m) (intro.), (12) and (15) (b) of the statutes and the repeal and recreation  
21 of section 114.20 (5) and (13) (b) 1. and 2. of the statutes take effect on November 1,  
22 1996.

23 (2t) MOTOR VEHICLE FUEL TAX. The treatment of sections 78.12 (2) (intro.) and  
24 (5) (a) and 78.49 (1) (a) and (b) of the statutes takes effect on August 1, 1995.

1           (3gt) MASS TRANSIT OPERATING ASSISTANCE. The treatment of sections 20.395 (1)  
2           (bq) and (bu) and 85.20 (4m) (a), (am), (e) and (em) 1. and (4s) of the statutes and the  
3           creation of sections 20.395 (1) (bs) and 85.20 (4m) (a) 1. to 3. of the statutes take effect  
4           on January 1, 1996.

5           (3mt) FARM TRUCK REGISTRATION. The treatment of sections 341.08 (2) (am) and  
6           (cm), (4) and (8), 341.26 (3) (a) 1. and 341.297 (2) of the statutes and the creation of  
7           section 341.297 (2) (b) of the statutes take effect on January 1, 1997.

8           (3t) VEHICLE REGISTRATION AND TITLE FEES. The treatment of sections 341.25 (1)  
9           (a) and 342.14 (1) and (3) of the statutes takes effect on September 1, 1995.

10          (4gt) TRANSFER OF JUNK VEHICLES. The treatment of sections 342.15 (1m), 342.15  
11          (5r) and 345.11 (1g) and (5) of the statutes takes effect on the first day of the 4th  
12          month beginning after publication.

13           **SECTION 9456.    Effective dates; treasurer.**

14          (1) CUSTODIANSHIP OF STATE-OWNED SECURITIES.

15          (a) The treatment of sections 20.585 (1) (js) and 25.19 (1) and (2) of the statutes  
16          and the amendment of section 25.14 (3) of the statutes take effect on September 1,  
17          1995.

18          (4) ELIMINATION OF STENOGRAPHER POSITION ASSIGNED TO THE STATE TREASURER.  
19          The treatment of sections 20.923 (6) (am) and 230.08 (2) (g) of the statutes takes effect  
20          on June 30, 1996.

21           **SECTION 9457.    Effective dates; University of Wisconsin System.**

22          (1p) TRANSFER OF MARKET DEVELOPMENT BOARD. The treatment of sections 15.915  
23          (5), 20.285 (1) (L), (s) and (t), 36.25 (30e) (by SECTION 1775f) and 159.46 (3) (by  
24          SECTION 4435d) and (4) (by SECTION 4436d) of the statutes and SECTION 9157 (2p) of

1 this act take effect on July 1, 1997, or on the day after publication of the 1997-99  
2 biennial budget act, whichever is later.

3 (3g) CONTINGENT FUNDS. The treatment of section 20.285 (2) (b) of the statutes  
4 takes effect on January 1, 1996.

5 **SECTION 9458. Effective dates; veterans affairs.**

6 (1g) VETERANS MUSEUM. The treatment of section 20.485 (2) (c) of the statutes  
7 takes effect on January 1, 1997.

8 (1x) HEALTH CARE AID. The treatment of section 20.485 (2) (vm) (by SECTION  
9 1040q) of the statutes takes effect on July 1, 1997.

10 (3v) VETERANS TUITION AND FEE REIMBURSEMENT. The treatment of section 45.25  
11 (3) (a) of the statutes takes effect on July 1, 1996.

12 **SECTION 9459. Effective dates; other.**

13 (1) INFORMATION TECHNOLOGY DEVELOPMENT PROJECT FUNDING. The repeal of  
14 section 20.425 (1) (ka) of the statutes, the repeal and recreation of section 20.505 (4)  
15 (kb) of the statutes and the creation of section 20.380 (1) (kd) of the statutes take  
16 effect on July 1, 1996.

17 (2) UNIVERSITY OF WISCONSIN HOSPITALS AND CLINICS AUTHORITY.

18 (a) The treatment of section 20.921 (2) (a) of the statutes takes effect on  
19 January 1, 1996.

20 (b) The treatment of sections 13.48 (28), 13.94 (4) (a) 2., 16.50 (3), 16.505 (1)  
21 (intro.) and (2n) (by SECTION 294n), 36.25 (13) (title), (a), (b), (c) and (d), 45.35 (6),  
22 46.041 (1) (a), 46.215 (1) (a), 46.22 (1) (c) 1. (intro.), b. and c., 115.53 (4) (intro.) and  
23 (b), 142.07 (title), (1), (3), and (4) (by SECTION 4200), 142.09, 142.11, 230.09 (2) (g),  
24 233.03 (15) and (16), 233.04 (3b) (b) and chapter 142 (title) of the statutes and the  
25 repeal of section 20.285 (1) (kb) of the statutes take effect on June 29, 1996.

1 (c) The treatment of sections 19.82 (1), 19.85 (3), 19.86, 111.02 (1), (2), (3), (6)  
2 (a), (7), (7m), (9m) and (10m), 111.05 (2), (3g), (5) and (6), 111.06 (1) (c) 1., (d), (i) and  
3 (m) and (2) (i), 111.075, 111.11 (title) and (2), 111.115, 111.17, 111.815 (2), 111.825  
4 (1m), (3), (4) and (4m), 111.83 (7), 111.85 (5), 111.91 (1) (am) and (4) and 111.92 (1)  
5 of the statutes, the repeal of sections 230.44 (1) (g) and 233.10 (6) of the statutes, the  
6 repeal and recreation of sections 20.921 (1) (b), 40.05 (1) (b), 111.815 (1), 111.825 (1)  
7 (intro.), 233.03 (7) and 233.10 (2) (intro.) of the statutes and the creation of sections  
8 111.17 (2) and 111.92 (1) (b) of the statutes take effect on July 1, 1997.

9 (d) The treatment of section 40.81 (3) of the statutes and the repeal and  
10 recreation of sections 40.02 (22) (e) and (25) (b) 8., 40.05 (4) (ag) (intro.), (ar) and (b),  
11 (5) (intro.) and (b) 4. and (6) (a) and 40.62 (2) of the statutes take effect on July 1, 1997.

12 (3) MUNICIPAL BOUNDARY REVIEW FUNCTION. The treatment of sections 66.013 (2)  
13 (a), 66.02, 66.021 (7) (a), 66.021 (11) (a) and (c) (intro.), (12) and (15) of the statutes  
14 and SECTION 9159 (7x) of this act take effect on July 1, 1996.

15 (4) ARRANGEMENT OF STATE AGENCY APPROPRIATIONS IN THE STATUTES. The  
16 treatment of section 20.003 (3) (a) of the statutes takes effect on July 1, 1996.

17 (5) ACID DEPOSITION STUDIES, EVALUATION AND MONITORING. The treatment of  
18 sections 20.505 (1) (jm), 144.389 (1) (intro.), (a) and (b) and (3) and 196.856 (1) and  
19 (2) of the statutes takes effect on July 1, 1996.

20 (7) DEPARTMENT OF FINANCIAL INSTITUTIONS. The repeal of sections 15.55, 15.555  
21 (title), 15.595 (title), 15.82, 15.825 (title), 15.85, 20.124 (intro.) and (1) (title), 20.124  
22 (1) (g), 20.141 (intro.) and (1) (title), 20.175, 20.185 (intro.) and (1) (title) and (g),  
23 20.923 (4) (c) 5., 20.923 (4) (d) 3., 20.923 (4) (d) 11., 186.01 (1), 186.012 (1), 186.119,  
24 214.01 (1) (f), 215.01 (21), 215.02 (1), (2) and (3), 217.02 (6), 218.01 (1) (c), 218.01 (1)  
25 (d), 218.02 (1) (b), 218.05 (1) (a), 220.02 (1), 220.02 (6), 230.08 (2) (L) 1., 230.08 (2) (L)

1 6. and 230.08 (2) (L) 7. of the statutes, the renumbering of sections 20.124 (1) (a),  
2 20.124 (1) (u), 20.141 (1) (m) and 20.185 (1) (h) of the statutes, the renumbering and  
3 amendment of sections 15.555 (1), 15.555 (2), 15.59, 15.595 (1), 15.825 (1), 15.825 (2),  
4 20.141 (title), 20.141 (1) (g), 138.09 (1) and 230.08 (2) (L) 3. of the statutes, the  
5 amendment of sections 15.01 (6), 15.02 (3) (c) 1., 15.06 (1) (b), 15.135 (5), 20.912 (4),  
6 20.923 (4) (c) 3., 25.40 (1) (a) 2., 34.01 (2) (a), 34.03 (intro.), 34.03 (2), 34.03 (3), 34.03  
7 (4), 34.08 (1), 34.08 (2), 34.08 (3), 34.09, 34.10, 34.11, 35.86 (1), 66.412, 66.416 (2),  
8 71.26 (1) (d), 112.07 (1), 138.052 (5) (am) 2. a., 138.052 (5) (am) 2. b., 138.055 (4) (a),  
9 138.055 (4) (b), 138.055 (4) (d), 138.056 (1) (a) 4. a., 138.056 (1) (a) 4. b., 138.056 (1)  
10 (a) 4. d., 138.09 (2), 138.09 (3) (a), 138.09 (3) (b), 138.09 (3) (c), 138.09 (3) (d), 138.09  
11 (3) (e), 138.09 (3) (f), 138.09 (4) (intro.), 138.09 (4) (a), 138.09 (4) (b), 138.09 (4a),  
12 138.09 (6) (a), 138.09 (6) (b), 138.09 (7) (bn) 4., 138.09 (11), 138.12 (1) (a), 138.12 (1)  
13 (c), 138.12 (2) (a), 138.12 (3) (b) (by SECTION 4179), 138.12 (3) (c), 138.12 (4) (a) (by  
14 SECTION 4182), 138.12 (4) (am), 138.12 (4) (b) (intro.), 138.12 (5) (b), 138.12 (5) (c),  
15 138.12 (6) (a), 138.12 (7), 177.30 (2), 186.012 (title), 186.012 (2), 186.012 (3), 186.012  
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17 186.02 (3) (a), 186.02 (3) (b), 186.02 (4) (a), 186.02 (4) (b), 186.03, 186.04 (1), 186.04  
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19 186.11 (2) (b), 186.112, 186.113 (1), 186.113 (1m) (a) 3., 186.113 (1m) (a) 4., 186.113  
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21 186.116, 186.16 (2), 186.17 (2), 186.18, 186.19 (1), 186.19 (2), 186.19 (3), 186.19 (4)  
22 (a), 186.19 (4) (b), 186.19 (5), 186.21 (1), 186.21 (2), 186.21 (3), 186.21 (4), 186.22 (1)  
23 (intro.), 186.22 (2) (intro.), 186.22 (3) (intro.), 186.22 (3) (a), 186.22 (3) (b), 186.22 (4)  
24 (d), 186.22 (4) (g), 186.22 (5) (c), 186.22 (6), 186.22 (10), 186.22 (11), 186.22 (15),  
25 186.23, 186.24 (1), 186.24 (2), 186.24 (3), 186.25, 186.26 (1) (a), 186.26 (1) (b), 186.26

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4 186.29 (2) (b), 186.29 (2) (c), 186.29 (2) (d), 186.29 (3), 186.29 (4), 186.29 (5), 186.29  
5 (6), 186.29 (7), 186.29 (8), 186.29 (9), 186.29 (10), 186.29 (11) (intro.), 186.29 (11) (a),  
6 186.29 (11) (b), 186.29 (11) (c), 186.29 (11) (d), 186.29 (12), 186.29 (13) (a), 186.29 (13)  
7 (b), 186.29 (13) (c), 186.30 (1), 186.30 (2), 186.30 (3), 186.30 (5), 186.30 (7), 186.30 (8),  
8 186.30 (9), 186.30 (11), 186.31 (1), 186.31 (2), 186.314 (2), 186.314 (3), 186.314 (4),  
9 186.315, 186.33, 186.34 (2) (a), 186.34 (2) (b), 186.34 (3) (intro.), 186.34 (4), 186.35  
10 (1), 186.35 (2) (b), 186.35 (3) (n), 186.35 (3m) (intro.), 186.35 (5) (d) 2., 186.35 (5) (f),  
11 186.35 (7), 186.35 (8), 186.35 (9), 186.35 (11) (a), 186.35 (11) (b), 186.37, 186.38 (2),  
12 186.38 (5) (c), 186.38 (7), 186.38 (9), 186.38 (10), 186.38 (11), 186.41 (2) (b), 186.41 (4)  
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16 (9), 214.04 (12) (intro.), 214.04 (14), 214.04 (17), 214.04 (18), 214.04 (20), 214.04 (21)  
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18 (27), 214.045, 214.06 (1) (intro.), 214.07, 214.08, 214.085 (1) (a), 214.085 (1) (b),  
19 214.085 (1) (c), 214.085 (2), 214.09, 214.095 (3), 214.155 (2), 214.16 (2), 214.17 (1)  
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22 214.25 (3), 214.25 (5), 214.255 (1), 214.255 (2), 214.255 (3), 214.26 (1), 214.26 (2) (a),  
23 214.26 (2) (c), 214.26 (2) (d), 214.26 (3) (a), 214.26 (3) (b), 214.26 (4) (intro.), 214.26  
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2 214.345 (5) (intro.), 214.37 (4) (b), 214.37 (5), 214.375, 214.40 (1), 214.40 (2), 214.42  
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5 214.49 (15), 214.51 (1), 214.51 (2), 214.52 (3), 214.525, 214.53 (3), 214.54 (1), 214.545,  
6 214.58 (1), 214.585 (5), 214.592, 214.62 (2) (e), 214.62 (3), 214.62 (4) (intro.), 214.62  
7 (5), 214.625, 214.63, 214.64, 214.645, 214.65 (2) (a), 214.65 (2) (b), 214.65 (3), 214.655  
8 (2) (intro.), 214.66 (1), 214.66 (5), 214.66 (7), 214.665 (1), 214.665 (2), 214.67 (1),  
9 214.67 (2), 214.675 (1), 214.675 (2), 214.675 (3), 214.675 (4), 214.675 (5), 214.68 (1)  
10 (b), 214.68 (1) (d), 214.68 (1) (e), 214.68 (3), 214.685 (1), 214.685 (2), 214.685 (3)  
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12 (intro.), 214.685 (8) (j), 214.715 (title), 214.715 (1) (intro.), 214.715 (1) (e), 214.715 (1)  
13 (f), 214.715 (1) (h), 214.715 (2), 214.715 (3), 214.715 (4) (a), 214.715 (4) (b), 214.72 (1)  
14 (b), 214.72 (3), 214.725 (1), 214.725 (2), 214.725 (3) (f), 214.725 (4), 214.725 (5),  
15 214.725 (7), 214.735, 214.74 (title), 214.74 (1), 214.74 (2), 214.74 (3), 214.74 (4),  
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17 (intro.), 214.76 (1), 214.76 (3), 214.76 (4), 214.76 (5) (a) (intro.), 214.76 (5) (a) 3.,  
18 214.76 (5) (b), 214.765 (1), 214.765 (2), 214.765 (3), 214.772 (4) (a) 5., 214.772 (4) (b)  
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20 214.772 (5), 214.772 (6), 214.772 (7), 214.775 (intro.), 214.78 (1) (a), 214.78 (1) (b),  
21 214.78 (1) (c), 214.78 (3), 214.785 (1), 214.785 (2), 214.82 (title), 214.82 (1) (intro.),  
22 214.82 (1) (a), 214.82 (1) (b), 214.82 (1) (e), 214.82 (1) (h), 214.82 (1) (j), 214.82 (2),  
23 214.82 (3), 214.825, 214.83, 214.835 (intro.), 214.835 (1), 214.835 (3), 214.84,  
24 214.845, 214.85, 214.855, 214.90 (intro.), 214.90 (1) (b), 214.90 (5), 214.90 (6),  
25 214.905 (1) (intro.), 214.905 (1) (c), 214.905 (2), 214.91 (1) (intro.), 214.91 (1) (a),

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3 215.02 (6) (a) (intro.), 215.02 (6) (a) 3., 215.02 (6) (a) 4. (intro.), 215.02 (6) (a) 4. a.,  
4 215.02 (6) (a) 4. b., 215.02 (6) (a) 5., 215.02 (6) (a) 6., 215.02 (7) (title), 215.02 (7) (a),  
5 215.02 (7) (c), 215.02 (7) (d), 215.02 (8), 215.02 (9), 215.02 (10) (a) 1. (intro.), 215.02  
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8 215.02 (15) (b), 215.02 (15) (c), 215.02 (15) (d), 215.02 (16) (a), 215.02 (16) (b), 215.02  
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10 215.03 (1), 215.03 (2) (a), 215.03 (2) (b), 215.03 (5) (title), 215.03 (5) (a), 215.03 (5) (b),  
11 215.03 (6) (a) 1., 215.03 (6) (a) 2. c., 215.03 (6) (a) 3., 215.03 (6) (b), 215.03 (7) (a),  
12 215.03 (7) (b), 215.03 (8) (a), 215.03 (8) (b), 215.03 (8) (c), 215.04 (1) (a), 215.04 (1) (b),  
13 215.04 (1) (c), 215.04 (3) (b), 215.04 (4), 215.04 (6), 215.11 (1), 215.11 (2), 215.11 (3),  
14 215.11 (4) (a), 215.11 (4) (b), 215.11 (5), 215.13 (21), 215.13 (22), 215.13 (26) (intro.),  
15 215.13 (26) (f), 215.13 (27), 215.13 (28), 215.13 (31), 215.13 (36), 215.13 (39), 215.13  
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17 215.13 (47), 215.13 (51), 215.135 (1), 215.135 (2), 215.141, 215.15 (1), 215.15 (3) (a)  
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20 215.21 (7) (intro.), 215.21 (7) (c), 215.21 (14), 215.21 (15), 215.21 (17) (b) (intro.),  
21 215.21 (17) (b) 2., 215.21 (17) (d) 2., 215.21 (28), 215.22 (2), 215.23 (intro.), 215.24,  
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25 215.32 (6) (b), 215.32 (6) (c), 215.32 (6) (d), 215.32 (6) (e), 215.32 (6) (em) 1., 215.32

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3 215.32 (9), 215.32 (10), 215.32 (11), 215.32 (13) (intro.), 215.32 (13) (a), 215.32 (13)  
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8 215.36 (5) (c), 215.36 (5) (d), 215.36 (5) (e), 215.36 (7) (intro.), 215.36 (7) (ct), 215.36  
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10 215.40 (3), 215.40 (4) (e), 215.40 (5), 215.40 (6) (a), 215.40 (6) (b), 215.40 (6) (d), 215.40  
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16 215.53 (1) (a) 4., 215.53 (3), 215.56 (1) (b) 1., 215.56 (2), 215.56 (6), 215.56 (7) (a),  
17 215.56 (7) (b) (intro.), 215.56 (7) (b) 3., 215.56 (8), 215.57 (1) (b), 215.57 (1) (d) 1.,  
18 215.57 (1) (d) 2., 215.57 (4), 215.58 (1) (a), 215.58 (1) (b), 215.58 (1) (c) (intro.), 215.58  
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20 215.59 (1) (d) 3., 215.59 (1) (e) 1., 215.59 (1) (e) 3., 215.59 (1) (f) (intro.), 215.59 (1) (f)  
21 3., 215.59 (1) (g), 215.59 (3) (a) 10., 215.59 (3) (a) 12., 215.59 (4), 215.60 (1) (c), 215.60  
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23 215.60 (10), 215.60 (11) (a) (intro.), 215.60 (11) (a) 1., 215.60 (11) (a) 2., 215.60 (11)  
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2 215.76 (2), 215.76 (6), 215.76 (7) (a), 215.76 (7) (b) (intro.), 215.76 (7) (b) 3., 215.76  
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8 217.18 (2), 217.18 (3), 217.19 (title), 217.19 (1), 217.19 (2), 217.19 (4), 217.19 (5),  
9 217.19 (6), 217.20, 217.21 (1), 217.21 (2), 218.01 (1) (jm), 218.01 (1) (k), 218.01 (1a),  
10 218.01 (2) (b) (by SECTION 5843), 218.01 (2) (bb), 218.01 (2) (bc), 218.01 (2) (bd) 1.,  
11 218.01 (2) (bd) 2., 218.01 (2) (bf), 218.01 (2) (bm) 1. a., 218.01 (2) (bm) 2. b., 218.01  
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13 218.01 (2) (d) 8. a., 218.01 (2) (d) 8. b., 218.01 (2) (dm) 1., 218.01 (2) (dm) 2., 218.01  
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16 218.01 (3) (bf) 1., 218.01 (3) (c) 3., 218.01 (3) (f) 1., 218.01 (3) (fm) 1., 218.01 (3) (g),  
17 218.01 (3) (h), 218.01 (3a) (title), 218.01 (3a) (a), 218.01 (3a) (b), 218.01 (3a) (c), 218.01  
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19 (b) (intro.), 218.01 (6) (em), 218.01 (7a) (a), 218.01 (7a) (b), 218.01 (7b), 218.02 (2) (a),  
20 218.02 (2) (b) (by SECTION 5898), 218.02 (2) (c), 218.02 (3) (intro.), 218.02 (4), 218.02  
21 (5) (b), 218.02 (5) (c), 218.02 (6) (intro.), 218.02 (6) (c), 218.02 (7) (intro.), 218.02 (7)  
22 (c), 218.02 (9) (a), 218.02 (9) (b), 218.02 (9) (c), 218.04 (1) (c), 218.04 (3) (a), 218.04 (3)  
23 (b) (by SECTION 5914), 218.04 (3) (c) (by SECTION 5916), 218.04 (3) (d), 218.04 (4) (a),  
24 218.04 (4) (b), 218.04 (5) (a) (intro.), 218.04 (5) (a) 1., 218.04 (5) (a) 2., 218.04 (5) (c),  
25 218.04 (6) (a), 218.04 (6) (b), 218.04 (6) (c) (intro.), 218.04 (7) (intro.), 218.04 (7) (b),

1 218.04 (7) (c), 218.04 (8), 218.04 (9), 218.04 (9g) (b), 218.04 (9m) (title), 218.04 (9m)  
2 (a), 218.04 (9m) (b), 218.04 (9m) (c), 218.04 (9m) (e), 218.04 (9m) (f), 218.04 (9m) (g),  
3 218.04 (9m) (h), 218.04 (10) (a), 218.04 (10) (b), 218.04 (13), 218.05 (2), 218.05 (3) (a)  
4 (intro.), 218.05 (3) (a) 3., 218.05 (3) (b) (by SECTION 5950), 218.05 (3) (c), 218.05 (4),  
5 218.05 (6), 218.05 (8), 218.05 (10) (b), 218.05 (10) (c), 218.05 (11) (by SECTION 5958),  
6 218.05 (12) (a) (intro.), 218.05 (12) (a) 1., 218.05 (12) (a) 2., 218.05 (12) (a) 3., 218.05  
7 (12) (b), 218.05 (12) (c), 218.05 (12) (d), 218.05 (12) (e), 218.05 (13), 218.05 (14) (a),  
8 218.05 (14) (b) 1., 218.05 (14) (b) 2., 218.05 (14) (c) 1., 218.05 (14) (c) 2., 220.02 (title),  
9 220.02 (2) (intro.), 220.02 (3), 220.02 (5), 220.035 (1) (a), 220.035 (1) (b), 220.035 (1)  
10 (c), 220.035 (1) (d), 220.035 (4), 220.037 (1), 220.037 (2), 220.04 (title), 220.04 (1) (a),  
11 220.04 (1) (b), 220.04 (2), 220.04 (3), 220.04 (4), 220.04 (5), 220.04 (6) (a), 220.04 (6)  
12 (d), 220.04 (7) (b) (intro.), 220.04 (7) (b) 1., 220.04 (8), 220.04 (9) (a) 2., 220.04 (9) (b)  
13 (intro.), 220.04 (9) (b) 1., 220.04 (9) (b) 3., 220.04 (9) (d), 220.04 (9) (e) 1., 220.04 (9)  
14 (f) 1., 220.04 (9) (g) (intro.), 220.04 (10), 220.05 (title), 220.05 (1), 220.05 (2), 220.05  
15 (5), 220.05 (6), 220.06 (1), 220.06 (1m), 220.06 (2), 220.06 (3) (a), 220.065, 220.07 (1),  
16 220.07 (2), 220.075 (1), 220.075 (3), 220.075 (4), 220.08 (title), 220.08 (1), 220.08 (2),  
17 220.08 (2a), 220.08 (3), 220.08 (3a), 220.08 (3b), 220.08 (4), 220.08 (5), 220.08 (6),  
18 220.08 (7), 220.08 (8), 220.08 (9), 220.08 (10), 220.08 (11), 220.08 (12), 220.08 (13),  
19 220.08 (14), 220.08 (15), 220.08 (16), 220.08 (17), 220.08 (18), 220.08 (19) (intro.),  
20 220.08 (19) (b), 220.08 (19) (c), 220.08 (19) (d), 220.08 (20), 220.08 (20a), 220.081 (1),  
21 220.081 (4), 220.086, 220.09, 220.10, 220.12, 220.13, 220.14 (intro.), 220.14 (1),  
22 220.14 (7), 220.28, 220.285 (1), 221.01 (1), 221.01 (2) (e), 221.01 (3), 221.01 (4), 221.01  
23 (5), 221.01 (6), 221.01 (10), 221.01 (11), 221.01 (12) (b), 221.01 (12) (c), 221.01 (12) (d)  
24 1., 221.01 (12) (d) 2., 221.01 (13), 221.03 (1), 221.03 (2) (a) 2., 221.03 (3), 221.03 (4),  
25 221.03 (5), 221.03 (6), 221.04 (1) (intro.), 221.04 (1) (jm) 1., 221.04 (1) (jm) 3., 221.04

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2 221.04 (1) (k) 1., 221.04 (1) (k) 3., 221.04 (1) (k) 4., 221.04 (1) (n) 1. (intro.), 221.04 (1)  
3 (n) 3m. (intro.), 221.04 (1) (n) 4., 221.04 (1) (p), 221.04 (1) (pm), 221.04 (3e) (a), 221.04  
4 (3e) (b), 221.04 (4) (a), 221.04 (4) (b), 221.04 (4h), 221.04 (4m), 221.04 (5), 221.04 (6),  
5 221.04 (6m), 221.04 (7), 221.041 (5), 221.045 (1), 221.046 (1), 221.046 (2), 221.047  
6 (title), 221.047 (1), 221.047 (4), 221.05, 221.06 (intro.), 221.06 (1), 221.06 (2), 221.07,  
7 221.08 (3), 221.08 (9), 221.09 (1) (intro.), 221.09 (5), 221.12, 221.14 (1), 221.14 (4s),  
8 221.14 (5), 221.14 (6), 221.15 (1), 221.15 (3), 221.15 (4), 221.15 (6), 221.15 (7), 221.16,  
9 221.18, 221.19, 221.205, 221.21, 221.22, 221.23, 221.24 (1), 221.245, 221.25 (1),  
10 221.25 (3), 221.25 (4), 221.26, 221.27 (2), 221.27 (3) (g), 221.28, 221.29 (1) (f), 221.295  
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13 221.47, 221.50, 221.51, 221.52, 221.53, 221.56 (1), 221.57, 221.58 (2) (b), 221.58 (4)  
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16 223.03 (10), 223.03 (14), 223.07 (1), 223.07 (3), 223.105 (2) (a), 223.105 (3) (a), 223.105  
17 (4), 223.105 (5), 223.105 (6), 223.12 (1), 224.06 (1), 224.06 (3), 224.06 (4), 224.06 (5),  
18 224.075, 227.52, 227.53 (1) (b) 2., 227.53 (1) (b) 3., 227.53 (1) (b) 4., 227.53 (1) (b) 5.,  
19 422.505 (1) (e), 426.103, 426.104 (2) (intro.), 426.203, 551.02 (3) (h), 551.02 (4), 551.02  
20 (7) (f), 551.02 (12), 551.22 (1) (a), 551.22 (1) (b) (intro.), 551.22 (7), 551.22 (8), 551.22  
21 (9), 551.22 (10), 551.22 (14), 551.22 (17), 551.23 (2), 551.23 (3) (c), 551.23 (3) (d),  
22 551.23 (8) (f), 551.23 (8) (g), 551.23 (9), 551.23 (10), 551.23 (11) (b), 551.23 (12), 551.23  
23 (15) (intro.), 551.23 (15) (a), 551.23 (18), 551.23 (19) (c) 2. a., 551.23 (19) (c) 2. b.,  
24 551.23 (19) (d), 551.23 (19) (f), 551.235 (intro.), 551.235 (6) (a) (intro.), 551.235 (6) (a)  
25 5., 551.235 (6) (b), 551.24 (1), 551.24 (2), 551.24 (4) (intro.), 551.24 (6), 551.25 (2) (b),

1 551.25 (2) (c), 551.25 (2) (d), 551.25 (3) (a) 2., 551.25 (3) (a) 3., 551.25 (3) (b), 551.26  
2 (2), 551.26 (3), 551.26 (4), 551.27 (1), 551.27 (4), 551.27 (5), 551.27 (7), 551.27 (8),  
3 551.27 (9), 551.27 (10), 551.27 (11), 551.27 (12), 551.27 (14), 551.27 (15), 551.28 (1)  
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5 551.28 (7), 551.31 (2) (b) 2., 551.31 (2) (c), 551.31 (2) (d), 551.31 (4), 551.31 (5), 551.31  
6 (7) (b), 551.32 (1) (a), 551.32 (1) (b), 551.32 (1) (c) (intro.), 551.32 (1) (c) 2., 551.32 (1)  
7 (c) 4., 551.32 (1) (d), 551.32 (2), 551.32 (4), 551.32 (5), 551.32 (6), 551.32 (7), 551.33  
8 (1), 551.33 (2), 551.33 (3), 551.33 (4), 551.33 (5), 551.33 (6), 551.34 (1) (intro.), 551.34  
9 (1) (e), 551.34 (1) (f), 551.34 (1) (k), 551.34 (1) (m), 551.34 (2), 551.34 (3), 551.34 (4),  
10 551.34 (5), 551.34 (6), 551.43, 551.44, 551.51 (1), 551.51 (2), 551.52 (1) (b) (intro.),  
11 551.52 (3), 551.52 (4), 551.53 (1) (b), 551.53 (2), 551.54, 551.55, 551.56 (1) (intro.),  
12 551.56 (1) (b), 551.56 (2), 551.56 (3) (a), 551.57, 551.58 (2), 551.59 (6) (a), 551.59 (6)  
13 (c), 551.60 (title), 551.60 (1), 551.60 (2) (a), 551.60 (2) (b), 551.60 (2) (c), 551.60 (3),  
14 551.60 (4), 551.60 (5), 551.605 (1) (a) (intro.), 551.605 (1) (a) 1., 551.605 (1) (c),  
15 551.605 (1) (d), 551.605 (2), 551.61 (1), 551.61 (2), 551.61 (3), 551.61 (5), 551.62 (1),  
16 551.62 (2), 551.63 (1), 551.63 (2), 551.63 (3), 551.63 (4), 551.64 (1), 551.64 (2), 551.64  
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18 552.03 (1) (intro.), 552.03 (3), 552.03 (4), 552.03 (5), 552.03 (6), 552.05 (1), 552.05 (2)  
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20 552.09 (5), 552.11 (2), 552.11 (5), 552.11 (6), 552.13 (1), 552.13 (2), 552.13 (3), 552.13  
21 (4), 552.15 (1), 552.15 (3), 552.17, 552.19 (2), 552.23 (1), 553.03 (3), 553.03 (5m) (a),  
22 553.03 (5m) (d), 553.03 (9), 553.22 (1) (intro.), 553.22 (1) (c), 553.22 (1) (d), 553.22 (2),  
23 553.22 (3) (intro.), 553.22 (3) (a), 553.22 (3) (d), 553.235 (2) (b), 553.24 (1), 553.24 (2),  
24 553.24 (4) (intro.), 553.24 (6), 553.25, 553.26 (intro.), 553.26 (4), 553.26 (7) (intro.),  
25 553.26 (18), 553.26 (20), 553.27 (2), 553.27 (3), 553.27 (4), 553.27 (6), 553.27 (7),

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2 553.28 (1) (a), 553.28 (1) (e), 553.28 (2), 553.28 (3), 553.29 (1) (a), 553.29 (1) (b), 553.29  
3 (2), 553.29 (3), 553.30 (1), 553.30 (2), 553.31 (1), 553.31 (2), 553.41 (1), 553.41 (2),  
4 553.41 (5), 553.51 (4), 553.53 (1), 553.53 (2), 553.54 (1), 553.54 (3), 553.54 (4), 553.55  
5 (1), 553.55 (2), 553.55 (3) (a), 553.56 (1), 553.56 (2), 553.56 (3), 553.56 (5), 553.57,  
6 553.58 (1), 553.58 (2), 553.58 (3), 553.58 (4), 553.58 (5), 553.60, 553.605 (1) (a) (intro.),  
7 553.605 (1) (a) 1., 553.605 (1) (c), 553.605 (1) (d), 553.605 (2), 553.71 (1), 553.71 (2),  
8 553.72 (intro.), 553.72 (2), 553.72 (3), 553.73, 553.74 (1), 553.74 (2), 553.75 (1), 553.75  
9 (2), 553.75 (3), 553.75 (4), 553.75 (5), 553.78, 601.415 (9), 611.76 (11), 616.74 (1) (c),  
10 701.107 (4), 701.108 (1) (b), 701.108 (1) (c), 701.108 (1) (d), 701.108 (1) (e), 701.108  
11 (2) (intro.), 701.108 (2) (f) (intro.), 701.108 (2) (i), 701.108 (3) (b) 2., 701.108 (3m) (b),  
12 766.565 (7) and 813.16 (7) of the statutes, the repeal and recreation of sections 215.02  
13 (title), 218.01 (3x) (b) 2. and 218.01 (3x) (b) 3. of the statutes, the creation of sections  
14 15.18, 15.183, 15.185 (title), 15.185 (7) (title), 20.144 (intro.), 20.144 (1) (title), 20.144  
15 (1) (g), 20.923 (4) (f) 3f., 138.09 (1d), 214.01 (1) (im), 214.72 (1) (am), 217.02 (2m),  
16 218.02 (1) (d), 218.05 (1) (d), 220.01 (1m), 230.08 (2) (e) 4f. and 701.107 (3m) of the  
17 statutes and SECTIONS 9106 (1), 9115 (1), 9149 (1), 9151 (1), 9206 (1), 9249 (1) and (2)  
18 and 9251 (1) and (2) of this act take effect on July 1, 1996.

19 (8f) TERMINATION OF CERTAIN NONSTATUTORY COUNCILS AND COMMITTEES. The  
20 repeal of section 15.04 (1) (cm) of the statutes takes effect on January 4, 1999.

21 (9) COMMISSION ON PRIVATIZATION. The treatment of section 20.505 (3) (g) (by  
22 SECTION 1067n) of the statutes and the repeal of section 20.505 (3) (gb) of the statutes  
23 take effect on the first day of the 7th month beginning after the effective date of this  
24 subsection.

